



387.7

Proclamations (General)

SECRET

1 Jan 49 thru 31 Dec 50

SECURITY INFORMATION

SECRET

387.7 Proc

CROSS REFERENCE OTHER THAN RADIO

DATE: 7 sep 50

FROM: GD PET DIV MEMO FOR RECORD

TO:

SUBJECT: PROCEDURE WITH RESPECT TO IMPORTATION AND DISTRIBUTION OF
PETROLEUM PRODUCTS PROCURED WITH UNITED STATES AID FUNDS

memo for record and G-4 and COM check notes and related material

DOCUMENT IN 463.7.

Jo. No. 11657 Div PET

~~100.7~~

CROSS REFERENCE OTHER THAN RADIO

387.7 PROC

DATE: 25 AUG 50

FROM: G-4

TO: ESS

SUBJECT: C/N Storage of crude petroleum.

DOCUMENT IN 678 . . .

J. No. 11079 Div PET

~~300.6 PROC DE~~
~~387.7 PROC~~
~~010~~
~~323 PROC~~

CROSS REFERENCE OTHER THAN RADIO

DATE: 24 AUG 50

FROM: C-4 P&O

TO:

SUBJECT: M/R Policy re Chinese entering HYOCH

DOCUMENT IN . 014.59

387.7 Proc
~~387.7~~

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

CHECK SHEET

(Do not remove from attached sheets) Maj. Byrne (26-6123)

File No.: _____ Subject: Procedure With Respect to Importation and Distribution of Petroleum Products Procured With United States Aid Funds

Note From: G-4 To: **ESS** **COM** Date: **1 AUG 1950**
No. **CTS** **Trans Sect**

1. References:

G-4 ROUTING
A/C SSG-44
D AC/SSG-44
EXECUTIVE
OPERATIONS
CONST & FAC
SUPPLY
PETROLEUM
ADMINISTRATION

- a. SCAPIN 1924, 6 August 1948, subject: Use of Japanese Tankers for Lift of Fuel Oil ex Persian Gulf and Saudi Arabia.
- b. SCAPIN 2079, 13 February 1950, subject as above.
- c. SCAPIN 2086, 3 March 1950, subject: Japanese Merchant Shipping.
- d. SCAPIN 7124-A, 30 March 1950, subject: Bunkering Japanese Merchant Shipping.

2. Problem:

To provide a procedure whereby the Japanese Government can continue to defray the cost of operating SCAJAP tankers lifting GARIOA procured petroleum products from sources outside Japan and delivering such products to civil storage in Japan, or to U. S. Armed Forces storage in Japan for U.S. Armed Forces account.

3. Facts Bearing on The Problem:

- a. SCAPIN 1924 (reference 1a) directs the Japanese Government to make available until further notice all serviceable Japanese ocean tankers for service between Japan and the Persian Gulf for lifting of petroleum products. This directive also states that no part of the cost of this operation will be charged to the Termination of the War Cost or Occupation Cost accounts of the Japanese Government.
- b. SCAPIN 2079 (reference 1b) establishes a procedure to be followed by the Japanese Government with respect to importation and distribution of petroleum products procured with GARIOA funds.

DISPATCHED
1 AUG 1950

G-4 File Copy

Ret

(F)

9448

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

CHECK SHEET

(Do not remove from attached sheets)

File No.: _____ Subject: Procedure With Respect to Importation and
Distribution of Petroleum Products Procured
With United States Aid Funds

Note
No.

From: G-4

To: **ESS**
CTS**COM**
Trans Sect

Date:

1 AUG 1950

1 (Contd)

c. SCAPIN 7124 (reference 1d) prescribes that, effective 1 Apr 50, all Japanese Merchant shipping, including SCAJAP tankers operating on the Persian Gulf run, will procure their bunker fuel requirements from commercial sources. It also provides that bunkers consumed by Japanese merchant shipping, excluding SCAJAP tankers operating on the Persian Gulf run, transporting military cargoes from, to or between ports outside of Japan will be reimbursed in kind from military stocks.

4. Discussion:

a. On 6 Aug 48 the Japanese Government was authorized to utilize Japanese owned and operated tankers (SCAPIN 1924) in service between Japan and the Persian Gulf for lifting GARIOA procured petroleum products. This action was taken for three reasons, namely:

(1) Use of SCAJAP tankers would alleviate a critical world-wide tanker shortage then in existence.

(2) A saving in appropriated funds would accrue to the U. S. Government because use of SCAJAP tankers would result in a reduction in GARIOA dollar transportation costs.

(3) Re-employment of SCAJAP tankers in overseas trade would contribute to Japan's economic recovery.

b. With increased use of SCAJAP ships, certain tankers were put in service for hauling clean products (Diesel Fuel). In order to keep these tankers occupied, it has been necessary to import Diesel Fuel in excess of civil economy requirements; consequently, such products are delivered to Army storage in Japan for Army account. On the other hand, Navy tankers are importing part of the Japanese requirements so that on a total tonnage basis SCAJAP tankers import less to civil storage and to Army storage for Army account, than Navy tankers deliver to civil storage. In

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

CHECK SHEET

(Do not remove from attached sheets)

File No.: Subject: Procedure With Respect to Importation and Distribution of Petroleum Products Procured With United States Aid Funds

Note From: G-4 To: **ESS** **COM** Date: **1 AUG 1950**
No. **CTS** **Trans Sect**

1 (Contd) other words there is a "trading of services" with the Japanese Government receiving more than it furnishes.

c. Since no part of the cost of this operation can be charged to the Termination of the War or Occupation Cost accounts of the Japanese Government, the cost of operating these tankers, was borne initially by the Civil Merchant Marine Committee (CMMC), a Japanese Government owned and subsidized agency. This existed from 6 Aug 48 to 15 Jun 49.

d. On 1 Apr 49 Counterpart Fund procedures requiring the Japanese Government to deposit in the fund the yen equivalent of the GARIOA dollar cost became effective. Since the Japanese Government is required to deposit in the Counterpart Fund only the yen equivalent of the GARIOA dollar cost, it became evident that in the case of petroleum detailed procedures would have to be developed whereby the Japanese Government would:

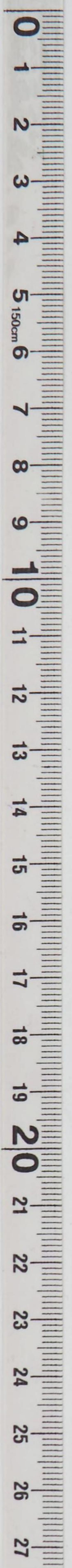
(1) Deposit in the Counterpart Fund the yen equivalent of the C.I.F. cost when products were transported in US tankers and delivered to civil storage in Japan.

(2) Deposit in the Counterpart Fund the yen equivalent of the original cost at point of loading when products were transported in SCAJAP tankers and delivered to civil storage in Japan.

(3) Recover the cost of transportation when a SCAJAP tanker delivers a cargo to Army storage in Japan for Army account.

e. The above procedure was authorized by SCAPIN 6779-1, 8 August 1949, subject: Procedure for Bunkering SCAJAP Vessels and Method of Adjusting Transportation Charges, and was made retroactive to 15 Jun 49. SCAPIN 2086, 3 March 1950, subject: Japanese Merchant Shipping (reference 1c), directs an orderly and

G-4 File Copy



GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

CHECK SHEET

(Do not remove from attached sheets)

File No.: Subject: Procedure With Respect to Importation and
Distribution of Petroleum Products Procured
With United States Aid Funds

Note From: G-4 To: ESS COM Date: 1 AUG 1950
No. CTS Trans Sect

1(Contd) gradual return of operating responsibilities for the Japanese mer-
chant fleet to normal channels; i.e., to their respective owners
under private operation without government subsidy, effective 1
Apr 50. As a concurrent and related action, it became necessary
to revise existing instructions relative to bunkering SCAJAP ves-
sels. This was accomplished by issuance of SCAPIN 7124-A, 30 Mar
50 (reference 1c and paragraph 3c, above).

f. SCAPIN 7124-A rescinds SCAPIN 6779-A. This rescis-
sion automatically abolished the procedures described in paragraphs
4c (1), (2) and (3) above, and together with the revised Counter-
part Fund procedure announced in SCAPIN 2079 (reference 1b) leaves
the Japanese Government no alternative but to make payment into
the Counterpart Fund on the basis of full C.I.F. dollar costs,
regardless of the type of shipping used. Such an effect was never
intended but has come about inadvertently through lack of full
understanding and appreciation of the problem. SCAPIN 7124-A
was coordinated with and concurred in by ESS, Trans Sect, CTS,
Comptroller, and SCAJAP.

5. Conclusions:

- a. That the procedures outlined in paragraphs 4d (1), (2)
and (3) above, should be reinstated retroactive to 1 April 1950.
- b. That paragraph 2c of SCAPIN 2079, 13 Feb 50, be a-
mended accordingly.

6. Request comment and/or concurrence in dispatch of the
proposed SCAPIN, Incl 1.

1 Incl:
1. Draft of SCAPIN

----- G. L. E. -----

GD PET ERC RJB/etc

G-4 PETROLEUM DIVISION

31 July 1950

MEMORANDUM FOR RECORD

SUBJECT: Procedure With Respect to Importation and Distribution of
Petroleum Products Procured With United States Aid Funds.

1. This checknote is completely self-explanatory and is being initiated in order to secure concurrence of interested staff sections to a proposed SCAPIN.
2. This action is within established policy.
3. RYCOM is not affected by this action.
4. Petroleum Division follow-up suspense: None.
5. Initiated case, G-4 Action completed.

RJB [Signature] (26-6123)JMW [Signature]DB [Signature]GHM [Signature]ERC [Signature] (Div Chief)

G-4 File Copy

D R A F TGENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
APO 500AG 386.7 ()GD
SCAPIN

MEMORANDUM FOR: JAPANESE GOVERNMENT

SUBJECT: Procedure With Respect to Importation and
Distribution of Petroleum Products Procured
With United States Aid Funds

1. References. a. Memorandum for the Japanese Government from General Headquarters, Supreme Commander for the Allied Powers, AG 463.7 (6 Aug 48) ESS/FTC, SCAPIN 1924, 6 August 1948, subject: Use of Japanese Tankers for Lift of Fuel Oil ex Persian Gulf and Saudi Arabia.

b. Memorandum for the Japanese Government from General Headquarters, Supreme Commander for the Allied Powers, AG 386.7 (13 Feb 50)GD SCAPIN 2079, 13 February 1950, subject as above.

c. Memorandum for the Japanese Government from General Headquarters, Supreme Commander for the Allied Powers, AG 463.7 (30 Mar 50)GD, SCAPIN 7124-A, 30 March 1950, subject: Bunkering Japanese Merchant Shipping.

2. Paragraph 2c of the memorandum referred to in paragraph 1b, above, is rescinded and the following is substituted therefor:

a. Except as otherwise indicated in sub-paragraphs b and c, below, quantities indicated on the shipping document will govern both (1) sales to the commercial company and (2) transfers to the Counterpart Fund. The Japanese Government will bill the refiner or distributor (i.e., the importer) according to quantities shown on the shipping document and at established yen prices. The Japanese Government will then transfer the yen proceeds of such sales (shipping document quantities times the yen CIF costs) to the Counterpart Fund.

b. When petroleum products are lifted at sources outside Japan by SCAJAP tankers and delivered to civil storage in Japan, the original price as indicated by the official price list in force as of the date the SCAJAP tanker was loaded will govern in computing the yen proceeds to be transferred to the Counterpart Fund. The Japanese Government will pay the cost of transporting cargoes imported by SCAJAP tankers to civil storage in Japan.

*Encl 1*D R A F T

D R A F T

SCAPIN, subj: Procedure With Respect to Importation and Distribution of Petroleum Products Procured With United States Aid Funds - Continued:

c. When petroleum products lifted at sources outside Japan by SCAJAP tankers are delivered to United States Armed Forces storage facilities for United States Armed Forces account, instead of to a civil storage facility for Japanese Government account, the Japanese Government will pay the cost of transportation of such cargo, regardless of the fact that the cargo is delivered to United States Armed Forces account. The Japanese Government will recover this transportation cost by receiving an equal amount of cargo delivered to civil storage by United States tanker and transferring the yen proceeds to the Counterpart Fund on the basis of the original cost as indicated by the official price list in effect at the time of loading the SCAJAP tanker, instead of the CIF price as outlined in paragraph 2a, above. Sales proceeds from any quantity of product delivered in the United States tanker which is in excess to the quantity of product delivered by SCAJAP tanker to United States Armed Forces' storage, will be transferred to the Counterpart Fund at the official CIF price of the product.

3. The provisions of this memorandum are retroactive to 1 April 1950.

FOR THE SUPREME COMMANDER:

D R A F T

D R A F T

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
APO 500

AG 386.7 ()GD
SCAPIN
MEMORANDUM FOR: JAPANESE GOVERNMENT

SUBJECT: Procedure With Respect to Importation and
Distribution of Petroleum Products Procured
With United States Aid Funds

1. References. a. Memorandum for the Japanese Government from General Headquarters, Supreme Commander for the Allied Powers, AG 463.7 (6 Aug 48)ESS/FTC, SCAPIN 1924, 6 August 1948, subject: Use of Japanese Tankers for Lift of Fuel Oil ex Persian Gulf and Saudi Arabia.

b. Memorandum for the Japanese Government from General Headquarters, Supreme Commander for the Allied Powers, AG 386.7 (13 Feb 50)GD, SCAPIN 2079, 13 February 1950, subject as above.

c. Memorandum for the Japanese Government from General Headquarters, Supreme Commander for the Allied Powers, AG 463.7 (30 Mar 50)GD, SCAPIN 7124-A, 30 March 1950, subject: Bunkering Japanese Merchant Shipping.

2. Paragraph 2c of the memorandum referred to in paragraph 1b, above, is rescinded and the following is substituted therefor:

a. Except as otherwise indicated in sub-paragraphs b and c, below, quantities indicated on the shipping document will govern both (1) sales to the commercial company and (2) transfers to the Counterpart Fund. The Japanese Government will bill the refiner or distributor (i. e., the importer) according to quantities shown on the shipping document and at established yen prices. The Japanese Government will then transfer the yen proceeds of such sales (shipping document quantities times the yen CIF costs) to the Counterpart Fund.

b. When petroleum products are lifted at sources outside Japan by SCAJAP tankers and delivered to civil storage in Japan, the original price as indicated by the official price list in force as of the date the SCAJAP tanker was loaded will govern in

D R A F T

D R A F T

SCAPIN, subj: Procedure With Respect to Importation and Distribution of Petroleum Products Procured With United States Aid Funds - Continued:

computing the yen proceeds to be transferred to the Counterpart Fund. The Japanese Government will pay the cost of transporting cargoes imported by SCAJAP tankers to civil storage in Japan.

c. When petroleum products lifted at sources outside Japan by SCAJAP tankers are delivered to United States Armed Forces storage facilities for United States Armed Forces account, instead of to a civil storage facility for Japanese Government account, the Japanese Government will pay the cost of transportation of such cargo, regardless of the fact that the cargo is delivered to United States Armed Forces account. The Japanese Government will recover this transportation cost by receiving an equal amount of cargo delivered to civil storage by United States tanker and transferring the yen proceeds to the Counterpart Fund on the basis of the original cost as indicated by the official price list in effect at the time of loading the SCAJAP tanker, instead of the CIF price as outlined in paragraph 2a, above. Sales proceeds from any quantity of product delivered in the United States tanker which is in excess to the quantity of product delivered by SCAJAP tanker to United States Armed Forces' s storage, will be transferred to the Counterpart Fund at the official CIF price of the product.

3. The provisions of this memorandum are retroactive to 1 April 1950.

FOR THE SUPREME COMMANDER:

6-4 DRAFT	APP'D BY <u>Fyett</u>	<u>31/2/50</u>
FOR FORMAL CONCURRENCE	Mission to 7/8	
AND <u>for</u>	to 3 Dispatch by 4 ✓	
	to 3 Dispatch by DIV.	

D R A F T

*387.7 Purv
X 3 + ~~1500~~
X 676
24502*

G-4	
A C/S 64	G-4
D AC/S G-4	
EXECUTIVE	
OPERATIONS	
CONST & FAC	
SUPPLY	
PETROLEUM	
ADMINISTRATION	

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Civil Communications Section
APO 500

MEMORANDUM FOR: The Ministry of Telecommunications

SUBJECT: Telecommunications of the United Nations Between Korea and Japan and Between Korea and Other Countries via Japan.

1. Reference is made to:

a. Memorandum for the Japanese Government, AG 676.3 (14 Jul 47) CCS, SCAPIN 1744, 14 July 1947, subject: Control of Radio Communications, as amended.

b. Memorandum for the Japanese Government, AG 311 (24 Feb 50) CCS, SCAPIN 2085, 24 February 1950, subject: Rationalization of Japan's International Telecommunications Services.

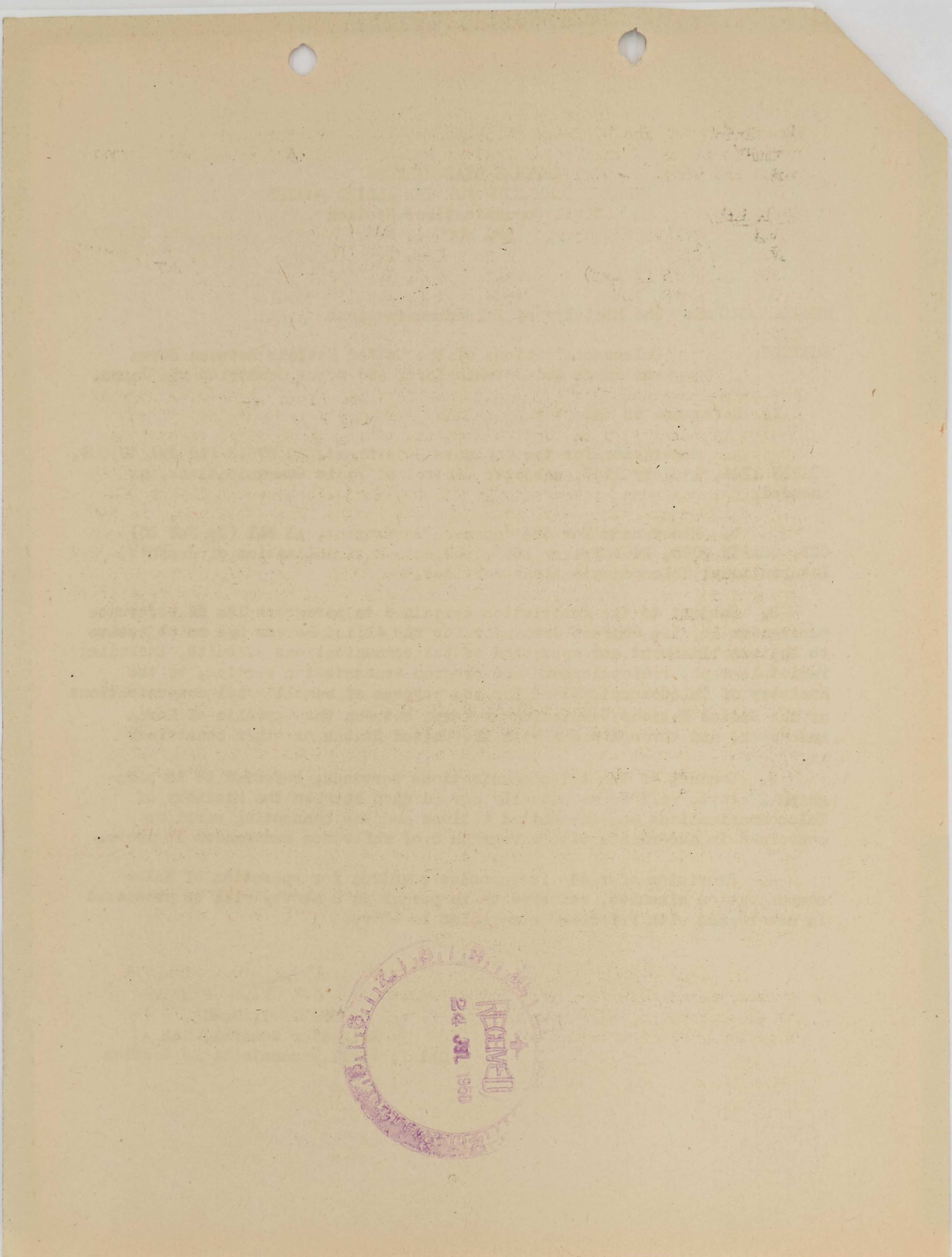
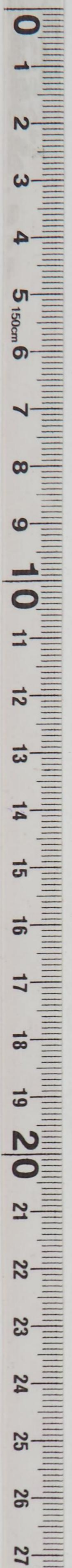
2. Subject to the restriction contained in paragraph 13a of reference memorandum 1b, the Supreme Commander for the Allied Powers has no objection to the establishment and operation of telecommunications circuits, including radiotelegraph, radiotelephone and program transmission service, by the Ministry of Telecommunications for the purpose of handling telecommunications of the United Nations Commission on Korea between the Republic of Korea and Japan, and through Japan with the United States or other countries.

3. Conduct of the telecommunications services, referred to in paragraph 2 above, will be as mutually agreed upon between the Ministry of Telecommunications and the United Nations and the connecting carriers concerned in accordance with paragraph 5 of reference memorandum 1b above.

4. Provision of radio frequencies required for operation of telecommunication circuits, referred to in paragraph 2 above, will be processed in accordance with reference memorandum 1a above.

[Signature]
GEORGE I. BACK
Brigadier General, USA
Chief, Civil Communications Section





RECEIVED
24 JUL 1960
U.S. AIR FORCE
HEADQUARTERS
WALLINGFORD AIR FORCE BASE
WALLINGFORD, MISSISSIPPI

Memorandum for The Ministry of Telecommunications, subject: Telecommunications of the United Nations Between Korea and Japan and Between Korea and Other Countries via Japan.

Copies to:

G-2	OSigO, 8th Army	G-1	G-1, ROK (Rm 620)	FEAF, ROK (Rm 619)
DS	CinC	G-2	G-2, ROK (Rm 622)	NAVFE, ROK (Rm 619)
DCO	CofS (3 cys)	G-3	G-3, ROK (Rm 622)	
CHS	CofS, ROK	G-4	G-4, ROK (Rm 620)	

NFR:

1. Check Sheet fm DS to CCS, dtd 10 Jul 50, subject: UNCOK Request for Communications Facilities Between Tokyo and Pusan, transmits copy of letter, dtd 10 Jul 50, fm Col. Katzin, Personal Representative of the Secretary General of the United Nations, addressed to SCAP, requesting assistance of this Headquarters in establishing regular communication services between Tokyo and Pusan, Korea on behalf of the U.N. Commission on Korea, and copy of Memo dtd 10 Jul 50, subject: Discussion with CCS-SCAP on Communication Facilities Required by the United Nations. Latter Memo covers U.N. requirements as discussed in a meeting 8 Jul 50 between Mr. Goyder, Telcom. Officer of the U.N. and representatives of CCS, Signal Section-Mil Com and Div. of Signal Section, GHQ. Facilities required, as covered in the aforementioned memo, includes voice transmission facilities from the U.N. office at Pusan to Tokyo for relay onwards to Lake Success (for voice dispatches for the U.N. broadcasting network and other broadcasting networks).
2. In addition, Mr. Goyder, in a conference with representatives of Radio Div., CCS, 10 Jul 50, stated that overseas radiotelephone service between Korea and Japan, and with the U.S. via Japan would be required, as well as a radiotelegraph circuit between Korea and Japan, with provisions made for relaying traffic via Japan between Korea and the U.S. and other countries.
3. Transit telegraph, overseas telephone and PTS service between Korea and the U.S. or other countries thru Japan is presently not available.
4. SCAPIN 1744, as amended, provides that the Jap. Govt. will submit to CCS all applications for additions, deletions and changes to lists of authorized radio stations.
5. SCAPIN 2085 authorizes the MOTC to negotiate agreements with correspondent carriers, contains provisions for all such agreements to be approved by SCAP and provides that telecommunications will be made available for review in accordance with SCAP instructions.

Memorandum for the Ministry of Telecommunications, subject: Tele-
communications of the United Nations Between Korea and Japan and Between
Korea and Other Countries via Japan.

NFR: (Continued)

6. Subject memo advises the MOTC that SCAP has no objection to the establishment and operation of telecommunications circuits for the purpose of handling U.N. telecommunications, including radiotelegraph, radiotelephone and PTS, between Korea and Japan and thru Japan with the U.S. or other countries. Conduct of such services will be as mutually agreed upon between the MOTC and the U.N. and connecting carriers concerned, in accordance with provisions of SCAPIN 2085. Frequencies to be used on subject telecommunication circuits will be processed in accordance with provisions of SCAPIN 1744, as amended.

7. Coordinated with:

G-2 Col. R. S. Bratton for C.A.W.

DS Mr. Ainsworth

HEFulton/26-5841/vjg

GENERAL HEADQUARTERS
FAR EAST COMMAND
APO 500
G-4 Supply Division

387.7 Proc.
~~458~~
~~465~~

for Gen

26 June 1950

MEMORANDUM TO: General Eberle

SUBJECT: Proposed SCAPIN for Chlorination of Water

1. Information obtained from Engr (Lt Krause) indicates an immediate additional outlay of TOW funds to the extent of ¥ 1,804,400 per month will be required to implement the plan for chlorinating water as outlined in attached proposed SCAPIN and command letter. The additional charges will be offset by the savings accruing as a result of discontinuing the use of line chlorinators now installed, and Engr states that these savings will be effected almost at once thereby permitting the account to be balanced during the current JFY.

2. Engr has determined that cost of water to Japanese users may be increased by about 1/10 of 1¢ per thousand gallons which has been informally coordinated with Japanese authorities and concurred in by ESS.

3. In view of the fact that this project liquidates itself within the current JFY, it is recommended that G-4 concur in the proposed SCAPIN and command letter.

B. HAMLETT
Colonel, GSC
Chief, Sup Div



387.7 Proc

G-4 PLANS & OPERATIONS

GD P&O NMW/DTW/erf
9 June 1950

MEMO FOR RECORD:

SUBJECT: Prpsd Delegation by SCAP of Limited Functions to Japanese Government.

1. For background see G-4 JN 4884.
2. The action that DS wants to take is to authorize certain direct communications between Japanese Government and Foreign Diplomatic representatives accredited to the Supreme Commander for the Allied Powers. DS proposes to do this by the issuance of a SCAPIN, a Staff Memorandum and a Memorandum to Chiefs of accredited Foreign Missions in Japan.
3. On 28 Apr 50, G-4 in C/N 2, G-4 JN 4884, to DS concurred providing certain editorial changes were made. In view of G-4 concurrence on 28 Apr and the fact that DS has accomplished the recommended changes, it is felt that G-4 should concur.
4. G-4 action is to indicate concurrence by initials opposite "G-4" on page 3, C/N 1.
5. Within established policy.
6. Action complete on G-4 JN 6504.

DTW [Signature] 26-6413

NMW [Signature] 26-6444

G-4 ROUTING	
A C/S G-4	_____
D AC/S G-4	_____
EXECUTIVE	_____
OPERATIONS	<u>[Signature]</u>
CONST & FAC	_____
SUPPLY	_____
PETROLEUM	_____
ADMINISTRATION	<u>[Signature]</u>



[Signature]
P+O
6504

387.7
Proc

G-4 PLANS AND OPERATIONS DIVISION

GD P&O NMW/DTW/prf

5 June 1950

MEMORANDUM FOR RECORD

SUBJECT: Proposed Delegation by SCAP of Limited Functions to Japanese Government.

1. For background see G-4 JN 4884.

2. The action that DS wants to take is to authorize certain direct communications between Japanese Government and Foreign Diplomatic representatives accredited to the Supreme Commander for the Allied Powers. DS proposes to do this by the issuance of a SCAPIN, a Staff Memorandum and a Memorandum to Chiefs of accredited Foreign Missions in Japan.

3. On 28 Apr 50, G-4 in C/N 2, G-4 JN 4884, to DS concurred providing certain editorial changes were made. In view of G-4 concurrence on 28 Apr and the fact that DS has accomplished the recommended changes, it is felt that G-4 should concur. On 1 June 1950, Mr. Hawley after delivery asked if he might hand carry the action to another section for concurrence. He assured G-4 (Lt Col Workizer) he would bring the paper back immediately. The paper has not been returned. No action can be taken by G-4 Opns.

4. G-4 action is to hold these papers in file until the action is again presented to G-4.

5. Within established policy.

6. Action complete on G-4 JN 6190.

D.T.W. DTW 26-6413

N.M.W. NMW 26-6444

G-4 ROUTING	
A C/S G-4	_____
D AC/S G-4	_____
EXECUTIVE	_____
① OPERATIONS CONST & FAC	<u>DTW</u>
SUPPLY PETROLEUM	_____
② ADMINISTRATION	<u>RF7</u>



NMW

Opns
6190

G-4 FILE

MR. HAWLEY 26-7098
Mr. Warner/jcg 26-8471

S 300

Proposed Delegation by SCAP of Limited
Functions to Japanese Government

DS

Chief of Staff

26 May 1950

THRU: G-1 CDE
G-2 CPC
G-3 CTS
G-4 ESS
AG GS
CA LS
CCS NRS
COMNAVFE (in turn)

1

1. Check note 1 from C/S to DS of 29 March 1950, subject: "Report on 1949 Operations and Planned Operations for 1950", requested preparation of a current digest of this subject for renewed consideration by C/S, and SGS oral suggestion was followed in coordinating documents with other interested staff sections prior to submission to C/S in final form for approval.

2. Now inclosed herewith for approval are the following documents on this subject:

- a. Staff Study (Tab A)
- b. Draft Memorandum (SCAPIN to the Japanese Government (Tab B))
- c. Draft Staff Memorandum (Tab C) and
- d. Draft Memorandum to the Chiefs of Accredited Foreign Missions in Japan (Tab D).

3. The staff study (Tab A) recommends the delegation by SCAP of certain limited functions to the Japanese Government, and direct communication on specific subjects between the Japanese Government and those foreign missions in Japan accredited to SCAP. This recommendation is within policy, since JCS Directive 15 (FEC 49, 26 Apr 46) authorizes SCAP to direct the Japanese Government in its relations with other governments under procedures established by SCAP. The recommendation is also considered to be in accordance with SCAP's continuing policy of reducing controls, and in line with JCS Interim Directive, Serial 110, 22 Feb 50, approving Japanese participation in international conferences to such extent as SCAP may authorize. The opening of this channel of contact will permit the Japanese Government limited and controlled exercise of functions long dormant, but in need of preparation for eventual resumption of complete control by the Japanese Government of its foreign relations. At the same time it will relieve the Headquarters of the present necessity of processing a considerable volume of communications of a routine and administrative nature, and permit further attention to be paid to matters of greater substantive importance.

*Noted —
G-X Supply*

APPENDIX A

LIST OF SUBJECTS ON WHICH JAPANESE GOVERNMENT AND
ACCREDITED DIPLOMATIC MISSIONS IN JAPAN MAY EXCHANGE
DIRECT COMMUNICATIONS

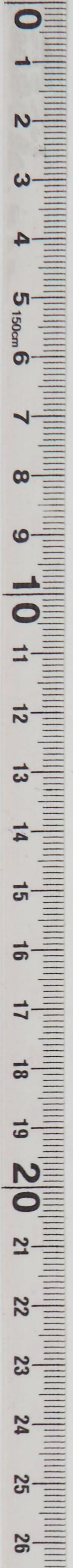
1. Exit and re-entry matters involving foreign nationals, except occupation force personnel, in Japan, as provided in Circular 3, General Headquarters, Supreme Commander for the Allied Powers, 1950, and SCAPIN 2082, 20 Feb 1950.
2. Logistic facilities such as housing, office space, and supplies and services for foreign missions such as are not furnished by this headquarters.
3. Matters involved in protection of Japanese nationals and their interests abroad such as are handled by neutral foreign diplomatic missions on behalf of the Japanese Government.
4. Whereabouts and welfare cases; arrests and trials; financial and property matters (except war claims); rations; registration of nationality, births, marriages; deaths and estates; repatriation and deportation; and other routine individual personal status problems involving individual foreign nationals in Japan, and individual Japanese nationals abroad.
5. Copyright, trade mark and patent matters involving solely transmittal of correspondence and publications relating to procedural and administrative matters connected with copyright and industrial property registrations, laws and regulations, and excluding correspondence having to do with specific copyrights or copyrighted materials, trade marks, or patent matters or transactions relating thereto.
6. Routine correspondence of an administrative, including fiscal, nature regarding transportation and communication facilities already authorized between Japan and foreign countries, such as authorized for telecommunications in SCAPIN 2085, 24 February 1950.
7. Routine correspondence of an administrative, including fiscal, nature between the Japanese Government and international organizations in which Japan maintains membership or has affiliations, or with which such correspondence is necessary.
8. Details concerning establishment of Japanese representation abroad, after agreement regarding such establishment has been approved by the Supreme Commander for the Allied Powers.
9. Details regarding Japanese representation at and participation in international conferences, after attendance has been approved by the Supreme Commander for the Allied Powers.

10. Routine correspondence concerning the execution of bilateral or international treaties or agreements, after their conclusion has been approved by the Supreme Commander for the Allied Powers.

11. Requests for official publications normally exchanged between governments; arrangements for exchange of scientific, educational and cultural publications prepared by semi-official and educational institutions.

12. Trade matters such as authorized by SCAPIN 1901 of 28 May 1948.





10. Routine correspondence concerning the execution of bilateral or international treaties or agreements, after their conclusion has been approved by the Supreme Commander for the Allied Powers.

11. Requests for official publications normally exchanged between governments; arrangements for exchange of scientific, educational and cultural publications prepared by semi-official and educational institutions.

12. Trade matters such as authorized by SCAPIN 1201 of 28 May 1948.



Mr. Warner/jcg 26-8471

S 300

Proposed Delegation by SCAP of Limited
Functions to Japanese Government

DS

Chief of Staff

26 May 1950

THRU: (See Distribution Page One)

1
Cont'd

4. The three Draft Memoranda (Tabs B, C, and D) embody ideas and suggestions made by various interested sections of GHQ, the principal points of interest being as follows:

a. The authorization for direct communication is a specific delegation of responsibility by the SCAP, and the accreditation to SCAP of foreign diplomatic representatives in Japan remains unchanged. Missions may continue to send all communications with the Japanese Government through SCAP if they so desire.

b. Communication is limited to specific subjects of an administrative and routine nature, of which copies are to be furnished to GHQ, SCAP. Communications on all other subjects, as well as those on administrative and routine matters which are considered as controversial or involve interpretation of or deviation from standing policies, will continue to be submitted to General Headquarters, SCAP.

c. The existing provision for direct communication by missions with the Ministry of International Trade and Industry under the supervision of the ESS remains in effect.

d. All other mission contact with Headquarters remains as previously with G-2/FML on military matters, and with DS on other subjects, although prior arrangements may be made with DS for mission contact with other sections.

e. The functions of G-2/JL and other sections of Headquarters in relation to the Japanese Government are not affected by the proposed action.

f. In as much as the Soviet Member, Allied Council for Japan, is not an accredited diplomat, and his mission has not seen fit to request accreditation to SCAP, no valid reason is perceived for granting him direct access to the Japanese Government, and it is recommended that in his case the present controls remain in effect. The functions of the Soviet Member, ACJ, are defined and limited by the terms of reference of the Allied Council for Japan wherein no mention is made or implied of authority to communicate directly with the Japanese Government.

g. It is presumed that the Japanese Government will designate the Japanese Ministry of Foreign Affairs and the Ministry of International Trade and Industry as the only two points of contact which accredited missions may have with the Japanese Government. The Foreign Office normally governs all contact with foreign representatives.

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Proposed Delegation by SCAP of Limited
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THRU: (See Distribution Page One)

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Cont'd

5. The ideas and suggestions made by various concerned staff sections have been summarized in Tab E. Some of these were made in writing and some orally either during the course of the mid-1949 study on this subject, or in connection with the present revised study.

6. The staff study, SCAPIN, and memoranda originally circulated to Staff Sections on this subject on 27 April 1950 are submitted for possible reference as Tab F. These documents have now been revised in Tabs A-E, inclusive.

7. DS recommends approval of Tabs A-D and their return to DS for appropriate action.

Concurrences:

G-1 _____	CPC _____
G-2 _____	CTS _____
G-3 _____	ESS _____
G-4 _____	GS _____
AG _____	LS _____
CA _____	NRS _____
CCS _____	COMNAVFE _____
CIE _____	

7 Incls

- TAB A - Staff Study
- TAB B - Draft Memorandum (SCAPIN) to JG
- TAB C - Draft Staff Memorandum
- TAB D - Draft Memorandum to Chiefs of Missions
- TAB E - Summarized Suggestions by Staff Sections
- TAB F - Check Sheet to Staff Sections, 27 April 1950, w/inclosures
- TAB G - Staff Memorandum No. 6, GHQ, SCAP & FEC 1950.

-----W.J.S.-----

D R A F T

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
APO 500AG 091 ()DS
SCAPIN _____

MEMORANDUM FOR: JAPANESE GOVERNMENT

SUBJECT: Authorization for Direct Communication
Between the Japanese Government and
Foreign Diplomatic Representatives
Accredited to the Supreme Commander
for the Allied Powers

1. References:

- a. Memorandum for Japanese Government, file AG 091.1
(4 Nov 45)GS, SCAPIN 237, subject: Official Relations Between
Japanese Government and Representatives of Neutral Nations,
4 November 1945.
- b. Memorandum for Japanese Government, file AG 091
(29 Jan 46)GS, SCAPIN 677, subject: Governmental and Administrative
Separation of Certain Outlying Areas from Japan, 29 January 1946.
- c. Memorandum for Japanese Government, file AG 091.112
(2 Dec 46)GB, SCAPIN 1372, subject: Contacts with Japanese
Officials, 2 December 1946.
- d. Memorandum for Japanese Government, file AG 091
(28 May 48)BSS/EX, SCAPIN 1901, subject: Authorization for Direct
Communication Between Japanese Government Board of Trade and Firms,
Persons, and Foreign Missions on Commercial Matters, 28 May 1948.

2. The Japanese Government is hereby authorized direct communication with the diplomatic representatives of foreign governments accredited to the Supreme Commander for the Allied Powers, subject to the provisions listed below, the restrictions embodied in referenced memoranda being relaxed only to the extent of permitting such

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limited contact.

3. The Japanese Government may receive from and dispatch to the diplomatic representatives referred to above written communications on the following subjects. Oral consultation is permissible only on matters on which written communication has been made.

a. Exit and re-entry matters involving foreign nationals, except occupation force personnel, in Japan, as provided in Circular 3, General Headquarters, Supreme Commander for the Allied Powers, 1950, and SCAPIN 2082, 20 Feb 1950.

b. Logistic facilities such as housing, office space, and supplies and services for foreign missions such as are not furnished by this headquarters.

c. Matters involved in protection of Japanese nationals and their interests abroad such as are handled by neutral foreign diplomatic missions on behalf of the Japanese Government.

d. Whereabouts and welfare cases; arrests and trials; financial and property matters (except war claims); rations; registration of nationality, births, marriages; deaths and estates; repatriation and deportation; and other routine individual personal status problems involving individual foreign nationals in Japan, and individual Japanese nationals abroad.

e. Copyright, trade mark and patent matters involving solely transmittal of correspondence and publications relating to procedural and administrative matters connected with copyright and industrial property registrations, laws and regulations, and excluding correspondence having to do with specific copyrights or copyrighted materials, trade marks, or patent matters or transactions relating thereto.

AG 091 ()DS
SCAPIN _____

f. Routine correspondence of an administrative, including fiscal, nature regarding transportation and communication facilities already authorized between Japan and foreign countries, such as authorized for telecommunications in SCAPIN 2085, 24 February 1950.

g. Routine correspondence of an administrative, including fiscal, nature between the Japanese Government and international organizations in which Japan maintains membership or has affiliations, or with which such correspondence is necessary.

h. Details concerning establishment of Japanese representation abroad, after agreement regarding such establishment has been approved by the Supreme Commander for the Allied Powers.

i. Details regarding Japanese representation at and participation in international conferences, after attendance has been approved by the Supreme Commander for the Allied Powers.

j. Routine correspondence concerning the execution of bilateral or international treaties or agreements, after their conclusion has been approved by the Supreme Commander for the Allied Powers.

k. Requests for official publications normally exchanged between governments; arrangements for exchange of scientific, educational and cultural publications prepared by semi-official and educational institutions.

l. Trade matters such as authorized by SCAPIN 1901 of 28 May 1948.

4. It is understood that communications on all other subjects, including those mentioned above when they involve interpretation of or deviation from standing policies, will continue to be submitted

AG 091 ()DS
SCAPIN _____

to the Supreme Commander for the Allied Powers.

5. The present authorization for direct written communication is a specific delegation of responsibility to the Japanese Government which will, therefore, submit to Diplomatic Section, General Headquarters, Supreme Commander for the Allied Powers, copies of all communications it receives or dispatches under the provisions of this memorandum. The Japanese Government is instructed to use the English language, with such Japanese or Chinese characters as may be required to facilitate the reading of romanized names, in all communications authorized by this memorandum.

6. Accreditation of foreign diplomatic representatives in Japan remains unchanged, being solely to the Supreme Commander for the Allied Powers.

7. This direct channel of written communication does not in any way deprive the foreign diplomatic representatives of their right to continue transmitting communications authorized in paragraph 3, through this headquarters if they so desire. Both the accredited foreign diplomatic representatives and the Japanese Government may, when either deems it advisable in any particular case and without direct reply on their part, refer any communication received which may be considered controversial or as involving policy to the Supreme Commander for the Allied Powers for the latter's consideration, clarification or reply.

8. The foreign diplomatic representatives accredited to the Supreme Commander for the Allied Powers with which the Japanese Government may communicate direct under the provisions of this memorandum, unless this list is modified by subsequent memoranda, are:

AG 091 ()DS
SCAPIN _____

- a. The Australian Mission in Japan
- b. The Belgian Mission in Japan
- c. The Brazilian Diplomatic Mission in Japan
- d. The Canadian Liaison Mission in Japan
- e. The Chinese Mission in Japan
- f. The Danish Diplomatic Mission in Japan
- g. The French Mission in Japan
- h. The Indian Liaison Mission in Japan
- i. The Italian Diplomatic Mission in Japan
- j. The Korean Diplomatic Mission in Japan
- k. The Mexican Diplomatic Mission in Japan (upon arrival)
- l. The Netherlands Mission in Japan
- m. The Norwegian Diplomatic Mission in Japan
- n. The Philippine Mission in Japan
- o. The Portuguese Diplomatic Agency in Japan
- p. The Spanish Diplomatic Mission in Japan
- q. The Swedish Diplomatic Mission in Japan
- r. The Swiss Diplomatic Mission in Japan
- s. The United Kingdom Liaison Mission in Japan
- t. The Uruguayan Diplomatic Agency in Japan

9. In the absence of contrary indications from the Japanese Government, it will be understood that the channel of all correspondence between the Japanese Government and the foreign missions on the subjects specified will be the Japanese Ministry of Foreign Affairs, except that correspondence on international trade operations may pass direct between the missions and the Ministry of International

AG 091 ()DS
SCAPIH _____

Trade and Industry.

10. The provisions of this memorandum will become effective thirty days after its publication.

FOR THE SUPREME COMMANDER:

D R A F T

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
AND
FAR EAST COMMAND

AG 334 ()DS

APO 500

STAFF MEMORANDUM)

NO.....)

(SCAP & FEC)

OFFICIAL RELATIONS AND CONTACTS WITH FOREIGN MISSIONS

1. Rescission. Staff Memorandum 6, General Headquarters, Supreme Commander for the Allied Powers and Far East Command, 1950.

2. The following instructions are being issued by the Supreme Commander for the Allied Powers to the chiefs of accredited foreign missions in Japan by a memorandum, AG 334()DS, subject: Official Relations and Contacts with the Japanese Government, with Staff Sections of General Headquarters, Supreme Commander for the Allied Powers and Far East Command, and with United States Occupation Forces, 1950:

a. All official business with the Japanese Government, with staff sections of this headquarters, and with United States occupation forces will be conducted as prescribed below through the staff sections indicated and with the exceptions noted in paragraph 2a(1) and (3):

- (1) The Economic and Scientific Section relative to all commercial matters dealing with international trading operations, except that permission is granted foreign missions in Japan to deal direct with the Ministry of International Trade and Industry, Japanese Government, on commercial

matters. However, all contractual agreements are subject to review and validation by the Chief, Economic and Scientific Section.

(2) The Assistant Chief of Staff, G-2 (Foreign Military Liaison Branch, Theater Intelligence Division), relative to all matters of a military nature.

(3) The Diplomatic Section relative to:

(a) Diplomatic matters connected with the Supreme Commander for the Allied Powers, except that permission is granted to accredited foreign missions in Japan to communicate in writing direct with the Japanese Ministry of Foreign Affairs on the following matters:

1. Exit and reentry matters involving foreign nationals, except occupation force personnel, in Japan, as provided in Circular 3, General Headquarters, Supreme Commander for the Allied Powers, 1950, and SCAPIN 2082, 20 Feb 1950.
2. Questions regarding logistic facilities such as housing, office space, and supplies and services for foreign missions such as are not furnished by this headquarters.
3. Matters involved in protection of Japanese nationals and their interests abroad, now

being handled by neutral foreign missions on behalf of the Japanese Government.

4. Whereabouts and welfare cases; arrests and trials; financial and property matters (except war claims); rations; registration of nationality, births, marriages, deaths and estates; repatriation and deportation; and other routine individual personal status problems involving respective individual foreign nationals in Japan and individual Japanese nationals abroad.
5. Copyright, trade mark, and patent matters involving solely transmittal of correspondence and publications relating to procedural and administrative matters connected with copyright and industrial property registrations, laws and regulations, and excluding correspondence having to do with specific copyrights or copyrighted materials, trade marks or patent matters or transactions relating thereto.
6. Routine correspondence of an administrative, including fiscal, nature regarding transportation and communication facilities already authorized between Japan and foreign countries, such as authorized for telecommunications in SCAPIN 2085, 24 February 1950.
7. Routine correspondence of an administrative, including fiscal, nature between the Japanese Government and international organizations in which Japan maintains membership or affiliations,

or with which such correspondence is necessary.

8. Details concerning establishment of Japanese representation abroad, after agreement regarding such establishment has been approved by the Supreme Commander for the Allied Powers.
9. Details regarding Japanese representation at and participation in international conferences, after attendance has been approved by the Supreme Commander for the Allied Powers.
10. Routine correspondence concerning the execution of bilateral or international treaties or agreements, after their conclusion has been approved by the Supreme Commander for the Allied Powers.
11. Requests for official publications normally exchanged between governments and arrangements for exchange of scientific, educational, and cultural publications prepared by semi-official and educational institutions.

- (b) On the subjects listed in paragraph 2a(3)(a), oral consultation is permissible only on matters on which written communication has been made.
- (c) Communications between missions and the Japanese Foreign Office on all subjects listed in paragraph 2a(3)(a), which involve interpretation of or deviation from standing policies, will continue to be submitted through Diplomatic Section, General Headquarters, Supreme Commander for the Allied Powers.

- (d) Foreign diplomatic missions may continue to transmit communications authorized in paragraph 2a(3)(a) through General Headquarters, Supreme Commander for the Allied Powers, if they so desire. Both accredited foreign diplomatic representatives and the Japanese Government may refer to the Supreme Commander for the Allied Powers for consideration, clarification, or reply, any communication received which may be considered controversial or involving policy, whenever it is deemed advisable in any particular case and without direct reply.
- (e) The Japanese Ministry of Foreign Affairs is required to submit to Diplomatic Section copies of all communications it receives from or dispatches to foreign missions under the provisions of paragraph 2a(3)(a). An extra copy should accordingly be furnished by the mission for this purpose.
- (f) When any language other than English is employed in these communications, they are to be accompanied by an English translation.
- (g) The accreditation of foreign diplomatic representatives in Japan remains unchanged, being solely to the Supreme Commander for the Allied Powers.
- (h) In Tokyo, communications on authorized subjects are received by Economic and Scientific Section, at Room _____, Forestry Building; by G-2 at Room _____, Dai

Ichi Building, and by Diplomatic Section, at Room 334, Mitsui Main Bank Building; while communications to the Japanese Ministry of Foreign Affairs are received at Room _____, Foreign Office Building.

(i) Mission branches and mission representatives in cities other than Tokyo are authorized to contact Diplomatic Section branches, Civil Affairs Regions (without prior arrangements made by Diplomatic Section) and Japanese Foreign Office Liaison and Coordination offices on conditions and subjects as prescribed above.

(j) This memorandum shall become effective 30 days after publication.

b. Members of the Allied Council for Japan will continue to submit their requests for information through the Secretary General thereof, who will use the facilities of the Diplomatic Section.

3. The Chief, Diplomatic Section, will take appropriate action on all communications received from foreign missions, except correspondence on commercial matters dealing with international trading operations addressed to the Economic and Scientific Section or the Ministry of International Trade and Industry; correspondence on matters of a military nature addressed to G-2; and correspondence on authorized matters addressed to the Japanese Ministry of Foreign Affairs.

4. No representative of a foreign mission will be received in a staff section of General Headquarters, Supreme Commander for the Allied Powers or Far East Command, unless prior arrangements have been made by the Diplomatic

Section, except that no prior arrangements by the aforementioned staff sections are required for such representatives calling on the Economic and Scientific Section or the Ministry of International Trade and Industry relative to commercial matters dealing with international trading operations, or on G-2 relative to military matters or on the Japanese Foreign Office for consultation on matters which have been the subject of direct written communication.

5. Chiefs of foreign missions have direct access to the Supreme Commander and the Chief of Staff as heretofore on matters of appropriate concern.

6. No member of a group operating in Japan from a government other than the United States will be assigned, attached to, or authorized to be employed in any staff section of General Headquarters, Supreme Commander for the Allied Powers or Far East Command, without the approval of the Chief of Staff in each case.

7. No magazines, books, motion pictures, news and photograph releases, or other instruments of mass information received from a foreign agency will be disseminated in Japan, except under the provisions of Circular 12, General Headquarters, Supreme Commander for the Allied Powers, 1948.

8. Information given to foreign missions will be only that which is unclassified, has received complete staff action where appropriate, and has the concurrence for such release of all interested staff sections.

BY COMMAND OF GENERAL MacARTHUR:

EDWARD M. ALMOND,
Major General, General Staff Corps,
Chief of Staff.

OFFICIAL:

K.B. BUSH,
Brigadier General, USA,
Adjutant General

D R A F T

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
APO 500

AG 334 ()DS

MEMORANDUM FOR: Chiefs of Accredited Foreign Missions
in Japan

SUBJECT: Official Relations and Contacts with the
Japanese Government, with Staff Sections of
General Headquarters, Supreme Commander for
the Allied Powers and Far East Command, and
with United States Occupation Forces

1. Rescission: Memorandum for Chiefs of Foreign Missions in
Japan, AG 334 (1 Dec 49)GB, subject as above, 30 January 1950.

2. All official business with the Japanese Government, with
staff sections of this headquarters, and with United States occupation
forces will be conducted as prescribed below through the staff sections
indicated and with the exceptions noted in paragraphs 2a and c.

a. The Economic and Scientific Section relative to all
commercial matters dealing with international trading operations,
except that permission is granted foreign missions in Japan to deal
direct with the Ministry of International Trade and Industry,
Japanese Government, on commercial matters. However, all contractual
agreements are subject to review and validation by the Chief,
Economic and Scientific Section.

b. The Assistant Chief of Staff, G-2, (Foreign Military
Liaison Branch, Theater Intelligence Division), relative to all
matters of a military nature.

c. The Diplomatic Section relative to:

(1) Diplomatic matters connected with the Supreme Commander for the Allied Powers, except that permission is granted to accredited foreign missions in Japan to communicate in writing direct with the Japanese Ministry of Foreign Affairs on the following matters:

- (a) Exit and reentry matters involving foreign nationals, except occupation force personnel, in Japan, as provided in Circular 3, General Headquarters, Supreme Commander for the Allied Powers, 1950, and SCAPIN 2082, 20 Feb 1950.
- (b) Questions regarding logistic facilities such as housing, office space, and supplies and services for foreign missions such as are not furnished by this headquarters.
- (c) Matters involved in protection of Japanese nationals and their interests abroad, now being handled by neutral foreign missions on behalf of the Japanese Government.
- (d) Whereabouts and welfare cases; arrests and trials; financial and property matters (except war claims); rations; registration of nationality, births, marriages, deaths and estates; repatriation and deportation; and other routine individual personal status problems involving respective individual foreign nationals in

Japan and individual Japanese nationals abroad.

- (e) Copyright, trade mark, and patent matters involving solely transmittal of correspondence and publications relating to procedural and administrative matters connected with copyright and industrial property registrations laws and regulations, and excluding correspondence having to do with specific copyrights or copyrighted materials, trade marks, or patent matters or transactions relating thereto.
- (f) Routine correspondence of an administrative, including fiscal, nature regarding transportation and communication facilities already authorized between Japan and foreign countries, such as authorized for telecommunications in SCAPIN 2085, 24 February 1950.
- (g) Routine correspondence of an administrative, including fiscal, nature between the Japanese Government and international organizations in which Japan maintains membership or affiliations, or with which such correspondence is necessary.
- (h) Details concerning establishment of Japanese representation abroad, after agreement regarding such establishment has been approved by the Supreme Commander for the Allied Powers.

- (i) Routine correspondence concerning the execution of bilateral or international treaties or agreements, after their conclusion has been approved by the Supreme Commander for the Allied Powers.
- (j) Requests for official publications normally exchanged between governments and arrangements for exchange of scientific, educational, and cultural publications prepared by semi-official and educational institutions.
- (2) On the subjects listed in paragraph 2c(1), oral consultation is permissible only on matters on which written communication has been made.
- (3) Communications between missions and the Japanese Foreign Office on all subjects listed in (1) above, which involve interpretation of or deviation from standing policies, will continue to be submitted through Diplomatic Section, General Headquarters, Supreme Commander for the Allied Powers.
- (4) Foreign diplomatic missions may continue to transmit communications authorized in paragraph 2c(1) through General Headquarters, Supreme Commander for the Allied Powers, if they so desire. Both accredited foreign diplomatic representatives and the Japanese Government may refer to the Supreme Commander for the Allied Powers for the latter's consideration, clarification or reply, any communication received

which may be considered controversial or involving policy, whenever it is deemed advisable in any particular case and without direct reply.

- (5) The Japanese Ministry of Foreign Affairs is required to submit to Diplomatic Section copies of all communications it receives from or dispatches to foreign missions under the provisions of paragraph 2c(1). An extra copy should accordingly be furnished by the mission for this purpose.
- (6) When any language other than English is employed in these communications, they are to be accompanied by an English translation.
- (7) The accreditation of foreign diplomatic representatives in Japan remains unchanged, being solely to the Supreme Commander for the Allied Powers.
- (8) In Tokyo, communications on authorized subjects are received by Economic and Scientific Section, at Room ____, Forestry Building; by G-2 at Room ____, Dai Ichi Building, and by Diplomatic Section, at Room 334, Mitsui Main Bank Building; while communications to the Japanese Ministry of Foreign Affairs are received at Room ____, Foreign Office Building.

(9) Mission branches and mission representatives in cities other than Tokyo are authorized to contact Diplomatic Section branches, Civil Affairs Regions (without prior arrangements made by Diplomatic Section), and Japanese Foreign Office Liaison and Coordination offices on conditions and subjects as prescribed above.

(10) This memorandum shall become effective 30 days after publication.

d. Members of the Allied Council for Japan will continue to submit their requests for information through the Secretary General thereof, who will use the facilities of the Diplomatic Section.

3. The Chief, Diplomatic Section, will take appropriate action on all communications received from foreign missions, except correspondence on commercial matters dealing with international trading operations addressed to the Economic and Scientific Section or the Ministry of International Trade and Industry; correspondence on matters of a military nature addressed to G-2; and correspondence on authorized matters addressed to the Japanese Ministry of Foreign Affairs.

4. No representative of a foreign mission will be received in a staff section of General Headquarters, Supreme Commander for the Allied Powers or Far East Command, unless prior arrangements have been made by the Diplomatic Section, except that no prior arrangements by the aforementioned staff sections are required for such representatives calling on the Economic and Scientific Section or the Ministry of International Trade and Industry relative to commercial matters dealing

with international trading operations, or on G-2 relative to military matters or on the Japanese Foreign Office for consultation on matters which have been the subject of direct written communication.

FOR THE SUPREME COMMANDER:

K. B. BUSH,
Brigadier General, USA,
Adjutant General.

MEMO FOR RECORD

SUBJECT: Summary of Comments by Staff Sections on DS Check Sheet, 27 April 1950, Subject, "Delegation by SCAP of Limited Functions to Japanese Ministry of Foreign Affairs".

C/N 2, G-1 to DS, 29 Apr 50

Concurrence; no comment. G-1 similarly concurred with DS check sheet dated 12 Jul 49 on same subject.

C/N 2, G-3 to DS, 2 May 50

Concurrence; no comment.

C/N 2, G-4 to DS, 28 Apr 50

Concurrence; no comment, except for one suggestion of an editorial nature which has been followed.

C/N 2, AG to DS, 16 May 50

The drafts of the proposed SCAPIN and amendment to Staff Memo 6 were reviewed and discussed with AG which, while suggesting no changes in content, made valuable contributions of an editorial nature.

The changes in Staff Memo 6 were originally incorporated in the form of an amendment. In accordance with an AG suggestion, Staff Memo 6 will be rescinded and a new staff memorandum published to incorporate the contents of the proposed amendment and pars. 5 through 8 of Staff Memo 6.

Following final concurrences the proposed final drafts will be returned to AG for final review and format concurrence prior to submission to the C/S for approval.

C/N 2, CA to DS, 2 May 50

Concurrence; no comment. It is noted that Civil Affairs Regions will render a valuable service under 2 a (3) (1) of the new Staff Memorandum as a channel for communication outside of Tokyo for foreign mission branches and representatives. This

will be particularly useful in locations where DS branches or Japanese Foreign Office Liaison and Coordination offices do not exist, and will eliminate any necessity for mission branches or representatives to deal direct with the local government or their agencies.

C/N 2, CCS to DS, 1 May 50

Consurrence. Suggestion made that JG be authorized to communicate direct with foreign governments and agencies on securing permission for Japanese officials and private citizens to visit foreign installations when traveling under the Import of Technology Program. It is believed that this proposal should be considered apart from the present study which is limited to correspondence between the JG and foreign missions in Japan. It is suggested that CCS could make necessary arrangements, through foreign missions in Japan, for visits to foreign installations under the ITP, in advance of such travel or that the JG could also make such arrangements under Pars. 3 or 9 of Appendix A.

C/N 2, CIE to DS, 11 May 50

Concurrence. CIE notes its understanding that the subjects listed in sub par 3.e. of the draft SCAPIN (repeated in par. 5 of Appendix A and 2 a (3)(a)5 of draft Staff Memorandum) are limited to "procedural and administrative matters" and do not extend to clearance of copyrighted materials of foreign origin for use in Japan or any other aspects of the assignment of rights to use such materials to Japanese publishers. This understanding is correct, and has been reinforced by the addition of a phrase prepared by CIE to cover this point.

CIE has also noted that it is not specifically referred to in Pars. 2 and 4 of the draft Staff Memorandum as a section of this headquarters with which foreign missions may have direct contact, and records its understanding that members of foreign missions may continue to confer direct with CIE on matters within its assigned responsibilities which involve no departure from established policy. In this connection, it is noted that the proposed new Staff Memorandum marks no departure from the present Staff Memorandum 6. The purpose of the proposed new Staff Memorandum is not, however, to disturb any existing, useful contacts between CIE and foreign missions on subjects for which the former is responsible. It is noted also that under par. 4 of the new Staff Memorandum, prior arrangements may be made with DS by any section not so authorized which may desire direct contact with foreign missions.

- 3 -

C/N 2, CPC to DS, 5 May 50

Concurrence; no comment. CPC similarly concurred with DS check sheet dated 12 Jul 49 on same subject.

C/N 2, CTS to DS, 3 May 50

Concurrence. Notation was made for the record, with reference to par. 6 of Appendix A, (par. 3 f of proposed SCAPIN), that it is the understanding of CTS that this provision will not in any way alter present procedures being employed in the handling of clearances for Japanese vessels to enter foreign ports. This understanding is correct. The proposed SCAPIN in no way allows the JG to alter any present SCAP procedure, policy, or regulation. Under the present proposal it is clearly established, under adequate control, that the field of correspondence between the JG and foreign missions, concerning transportation and communication facilities already authorized between Japan and foreign countries, is confined to matters of a routine and administrative nature not involving policy or other matters of primary interest to SCAP.

C/N 2, ESS to DS, 8 May 50

Concurrence; no comment. Previously in considering DS check sheet dated 12 Jul 49 on same subject, ESS had recommended that the draft SCAPIN exclude any reference to patent and copyright applications submitted by private individuals in which no foreign government agencies or missions are involved. Deletion was made at that time, and the recommendation has also been followed in the SCAPIN as presently drafted.

It should also be noted that the proposed new Staff Memorandum does not change the present procedure whereby foreign missions are directed to conduct official business relative to all commercial matters dealing with international trading operations through ESS, with the exception as before, that permission is granted to the foreign missions to deal directly with MITI on commercial matters, providing that all contractual agreements are subject to review and validation by ESS.

C/N 2, GS to DS, 16 May 50

Concurrence, subject to several comments and recommendations, as summarized below.

While recognizing that oral discussions on an unofficial

- 4 -

basis cannot, as a practical matter, be prevented, and may take place whether specifically authorized or not, GS suggests that inclusion of permission to conduct oral consultation would weaken the principle that official contact at this time shall be limited to written communications. However, if oral contact is to take place with or without permission, DS favors granting permission for oral contact on the very limited routine and administrative points of contact permitted, in order to relieve the Headquarters of the burden of acting in many cases as oral go-between on minor, routine matters on which written communications are permitted.

At the recommendation of GS, par. 3 d of the proposed SCAPIN has been clarified by insertion of the word "individual" to read: "personal status problems involving individual foreign nationals in Japan, and individual Japanese nationals abroad".

Following consultation with CIE, phraseology of par. 3 e of the proposed SCAPIN has been modified to define more closely the subject matter for correspondence on copyright, trade mark, and patent matters.

C/N 2, LS to DS, 28 Apr 50

Concurrence; no comment. LS similarly concurred with DS check sheet dated 12 Jul 49 on same subject.

C/N 2, NR to DS, 1 May 50

Concurrence; no comment.

Memo, COMNAVFE to SCAP (DS), 4 May 50

Concurrence; no comment.

C/N 2, G-2 to DS, 11 May 50

Non-concurrence. Due to their nature and extent the comments of G-2 have not been summarized, but are attached as enclosure no. 1 to this memo. As it would appear that the purpose and provisions of the proposed SCAPIN and amended Staff Memorandum have not been understood, observations are given below with respect to the comments of G-2, in the numerical order in which they appear on the check note:

- 5 -

1. No "abrupt and far-reaching changes" are contemplated or permitted. The dozen functions enumerated for delegation to the JG are of a routine nature not involving policy or other matters of paramount and continuing interest to SCAP; their nature and the limited extent of communication permitted between the JG and foreign missions are fully discussed in the accompanying Staff Study. The present liaison system will continue substantially as before, although it is anticipated that the burden of transmitting routine and administrative correspondence between the JG and foreign missions will be lessened. No change is made with regard to existing relations governing direct contact between the various sections of SCAP and the JG.

2. There is no provision for direct dealings between the JG and foreign nations. Foreign missions in Japan are accredited to SCAP. The proposed SCAPIN delegates to the JG authority to communicate directly with foreign missions on certain subjects of a routine and administrative character, while the proposed Memo to missions allows foreign missions who so desire to communicate directly with the JG on the same subjects. These subjects have been discussed with staff sections concerned in each case, are of a purely routine and administrative nature, and do not include within their scope subject-matter for "demands" or any policy matters. Interests of both foreign missions and the JG are safeguarded by the requirement that copies of all communications between them shall be furnished to GHQ, SCAP. Further protection of the interests of the JG, and of foreign missions, is given in the provision that, if deemed advisable either by foreign missions or by the JG they may, in any particular case and without direct reply on their part, refer any communication received to GHQ, SCAP. Supported by these provisions and the active interest of SCAP in Japanese relations with foreign missions, it is believed that there is no danger to the JG that it will be forced, or be allowed, "to acquiesce to the demands of foreign nations", or of foreign missions. It should also be pointed out that the proposed SCAPIN will enable the Japanese Government to ease its transition from defeated-nation status to that of an equal among nations, which will come abruptly following a peace-treaty.

3. The proposed SCAPIN and amended Staff Memorandum make no change in present arrangements for direct communication between the JG and staff sections of the Headquarters. The present services of G-2/JL are fully appreciated; however, nothing in the present proposal affects the functions of G-2/JL.

- 6 -

4. a. There is no provision in the proposed SCAPIN or Memorandum to permit diplomatic missions with local establishments to contact local government agencies. It is stipulated that outside of Tokyo, mission branches will contact DS branches, CA Regions, and Japanese Foreign Office Liaison and Coordination Offices on conditions and subjects prescribed in the SCAPIN and Staff Memo.

b. Accredited foreign missions are the only new "agencies eligible to contact the Japanese Government" under the conditions and subjects prescribed. No further definition is believed necessary. No change is made in contacts as presently established between staff sections of GHQ and the JG.

c. The subjects of a routine nature, concerning which the present proposals permit direct communication between the JG and foreign missions, have been defined as clearly as possible following consultation with each staff section concerned. If additional experience shows the JG to be capable of assuming further responsibilities in consonance with the objectives of the occupation, it may be found desirable in the future to expand the field of direct contact between it and foreign missions, or to delegate to it other functions. While the present proposals constitute a carefully limited step forward, the routine functions delegated cover topics which are sufficiently defined to eliminate any necessity for continuous revisions of the basic SCAPIN.

5. The proposed SCAPIN, as stated above, is not concerned with and does not effect the interpreter services or any other of the present functions and responsibilities of G-2/JL

6. As it is not clear what is "the critical transition stage through which may Allied Agencies are passing at present", it is not known how such conditions would affect the working of the present proposal which does no more than allow limited contact on specified, routine matters, under SCAP control, between foreign missions and the JG. The present liaison system will not be changed, although it is anticipated that its burden may be lightened to a certain degree with respect to routine, non-policy matters. The present proposals presented by the accompanying Staff Study are essentially simple, and there is every expectation that their effect will be practicable.

1 Incl:
C/N 2, G-2 to DS
dtd 11 May 1950.

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387.7 Proc
~~3330~~
~~4308~~
~~5608~~

Cdr. Hathaway 26-6038

Japanese Fishery Inspection System

G-4

NR

10 MAY 1950

1. Reference is made to NR C/W 1, subject as above, 3 May 50, which forwarded a proposed SCAPIN to various sections for concurrence and/or comments.
2. It is recommended that para 3b (1) of the proposed SCAPIN be changed to read as follows: "maximum speed of not less than 12 knots, nor more than 15 knots".
3. It is believed that there are insufficient sets of navigational radar presently available in Japan for installation on all vessels on which installation would be desirable. Radars should not be removed from cable laying vessels, ferrys, and other equally important uses, for installation on vessels of the Fishery Inspection System. It is therefore recommended that the comments of COMNAVFE be obtained regarding priority if installations cannot be accomplished on all vessels.

G. L. E.

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G-4 ROUTING	
A C/S G-4	_____
D AC/S G-4	_____
EXECUTIVE	_____
PLANS & POLICY	_____
OPERATIONS	_____
CONST & FAC	_____
SUPPLY	_____
PETROLEUM	_____
PERSONNEL	_____
ADMINISTRATION	_____

DEPARTED
10 MAY 1950

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SECRET

GD P&P ATH/we
9 May 1950

MEMORANDUM FOR RECORD:

Subject: Japanese Fishery Inspection System

1. NR, by C/N 1, subject as above, 3 May 50, requested G-2, G-3, G-4, DS, ESS, CCS, LS and GS for concurrence and/or comments on proposed SCAPIN to be issued in lieu of SCAPIN 2050.
2. SCAPIN 2050, 10 Oct 49, authorized the Japanese Government to establish a Fishery Inspection System to enforce the provisions of SCAP Directives pertaining to the authorized fishing area for Japanese fishermen. SCAPIN 2050 did not provide police powers to the personnel of this Fishery Inspection System. Had police powers been given to this organization, it would have been more appropriate to have assigned the tasks to the Maritime Safety Agency which is, in fact, a Japanese Coast Guard and exercises such police powers as are authorized and appropriate over Japanese nationals on the high seas.
3. Proposed SCAPIN, as drafted by NR, directs rather than authorizes the establishment of a Fishery Inspection System.
 - a. G-4 interest in this SCAPIN is minor. It is believed that the proposed SCAPIN should be selfsufficient, and that it should not be necessary to refer to other documents to understand the intent of this SCAPIN. This was called orally to the attention of the NR action officer, Mr. Terry. NR does not desire to change the method of presentation. G-4 interest is so small that this matter probably should not be presented.
 - b. Para 3b(1) of the proposed SCAPIN provides that the vessels of the Inspection Service shall have "maximum speed of not less than 12 knots". Since, in general, Japanese have not been permitted to construct vessels with a speed greater than 15 knots, this should be revised to state "maximum speed of not less than 12 knots nor more than 15 knots".
 - c. Para 3b(4) provides that the inspection vessels must "be equipped with radar of the surface search type". While there is no objection to these vessels being equipped with navigational (surface search type) radar, it is believed that the number of such sets of radar in Japan is very limited, and that the SCAPIN, as written, might require radar to be transferred from cable laying vessels, ferrys, and other equally important uses. It is believed that the priority for use of radar sets presently available should be determined by COMNAVFE.
 - d. G-2 and G-3 apparently have primary General Staff interest in this subject. If police powers are to be exercised, it is believed that this would come under the cognizance of G-2. If police powers are not to be granted, G-3 would probably continue to have the primary supervisory interest.
4. Instant C/N to NR furnishes G-4 comments regarding speed and radar. The proposed SCAPIN is not one in which G-4 should concur.
5. Within policy.
6. Completes action on G-4 Journal No. 5117.

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A.T.H.

A.J.C.

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*A
P/P*

W.M. Terry, 26-7561
HGS/WCH/CMA/WMT/ih

NR 433.2(3 MAY 1950)Fi

Japanese Fishery Inspection System

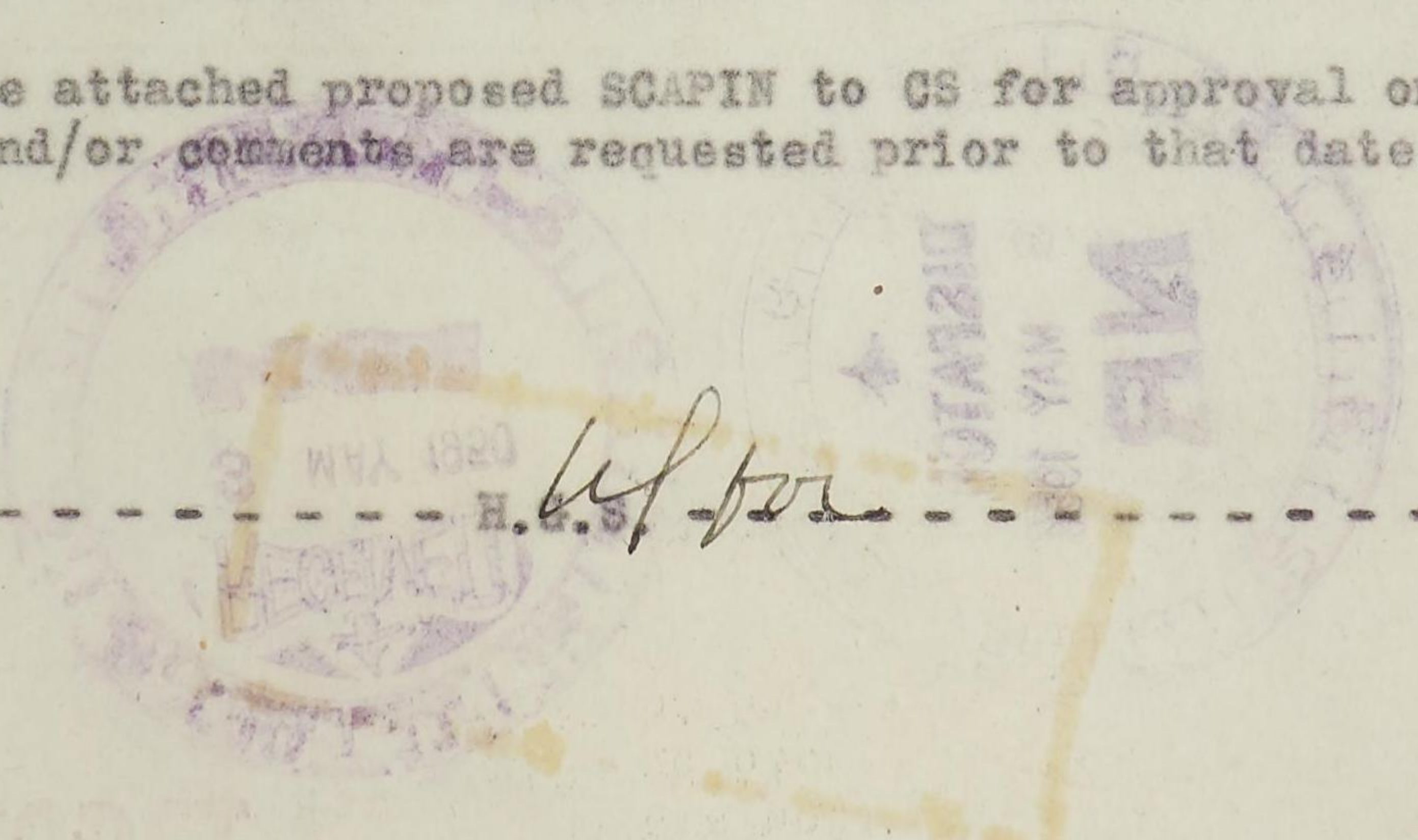
NR

- G-2
- G-3
- G-4 ✓
- DS
- ESS
- CCS
- LS
- GS

3 MAY 1950

1. Reference is made to SCAPIN 2050, subject as above, 10 Oct 49, which authorizes the Japanese Government to establish a fishery inspection system to enforce the provisions of SCAP directives pertaining to the authorized fishing area. (Incl 1)
2. NR has conducted a study of the inspection system, authorized by reference SCAPIN, during seven months of operation and has determined that the system is not and has not been effective in curbing violations of the authorized area. NR attributes this situation to inadequate support for the system from the Japanese Government and the fishing industry, which resulted in the allocation to the system of insufficient funds, qualified personnel, and adequate equipment. NR considers that a reorganization of the system is necessary to insure effective operation, and that the Japanese Government must be directed to effect certain minimum changes.
3. It is of utmost importance that the inspection system be placed on an effective basis immediately so as to avoid unfavorable effects upon Japan's interest in fishing area extension and international fisheries relations. For this reason NR proposes the attached SCAPIN, which contains changes that can and should be effected without delay. These changes, though not sufficient to correct all evils, will insure great immediate improvement in the system. Additional recommendations will be proposed after further investigation. (Incl 2)
4. NR plans to submit the attached proposed SCAPIN to CS for approval on 20 May 50. Your concurrence and/or comments are requested prior to that date.

3 Incls
 2-as indic above
 3-C.L.C.O. #2852



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W.M. Perry, 28-2581
EAS/WOM/GMA/INT/PA

Japanese Fishery Inspection System

HR 433 (S) 3 MAY 1950

3 MAY 1950

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1. Reference is made to SCAPIN 3030, subject as above, 10 Oct 48, which authorizes the Japanese Government to establish a fishery inspection system to enforce the provisions of SCAP directives pertaining to the authorized fishing areas. (Incl 1)

2. HR has conducted a study of the inspection system, authorized by reference SCAPIN, during seven months of operation and has determined that the system is not and has not been effective in curbing violations of the authorized area. HR attributes this situation to inadequate support for the system from the Japanese Government and the fishing industry, which resulted in the allocation to the system of insufficient funds, qualified personnel, and adequate equipment. HR considers that a reorganization of the system is necessary to insure effective operation, and that the Japanese Government must be directed to effect certain minimum changes.

3. It is of utmost importance that the inspection system be placed on an effective basis immediately so as to avoid unfavorable effects upon Japan's interest in fishing area extension and international fisheries relations. For this reason HR proposes the attached SCAPIN, which contains changes that can and should be effected without delay. These changes, though not sufficient to correct all evils, will insure most immediate improvement in the system. Additional recommendations will be proposed after further investigation. (Incl 2)

4. HR plans to submit the attached proposed SCAPIN to the JCS for their concurrence and/or requested prior to the date.

3 incls
2-as indic above
3-C.L.C.O. #2825



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GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
APO 500

AG 333(22 Jun 46)NR
SCAPIN 2050

10 October 1949

MEMORANDUM FOR: JAPANESE GOVERNMENT

SUBJECT: Japanese Fishery Inspection System

1. References:

a. Memorandum for the Japanese Government from General Headquarters, Supreme Commander for the Allied Powers, AG 333(22 Jun 46)NR, SCAPIN 1033/2, subject as above, 30 June 1949.

b. Memorandum for the Japanese Government from General Headquarters, Supreme Commander for the Allied Powers, AG 800.217(22 Jun 46)NR, SCAPIN 2046, subject, "Area Authorized for Japanese Fishing and Whaling," 19 September 1949.

c. Memorandum to General Headquarters, Supreme Commander for the Allied Powers, from the Japanese Government, C.L.C.O. No 2852 (2P), subject, "Measures to Prevent Japanese Fishing Boats from Trespassing Upon Area Outside Boundary of Authorized Area," 11 August 1948.

2. Memorandum for the Japanese Government, SCAPIN 1033/2, referred to in paragraph 1a above, is rescinded.

3. The Japanese Government is authorized to establish a fisheries inspection system as proposed by Memorandum referred to in paragraph 1c above, subject to the modifications listed below:

a. The purpose of the inspection system authorized by this Memorandum is to enable the Japanese Government to enforce the provisions of Memorandum for the Japanese Government, SCAPIN 2046, and any subsequent amendments or modifications thereof, as well as other pertinent fisheries regulations. Inspection vessels shall be responsible for assisting in the enforcement of instructions issued by the Supreme Commander for the Allied Powers and of laws and regulations of the Japanese Government in regard to Japanese fishery operations.

b. Available vessels of the type and size suitable for conducting inspection duties shall be put into immediate operation and provisions shall be made to increase the number of vessels used if the need for such is demonstrated to be necessary to insure effective enforcement.

c. Inspection vessels are authorized to operate within the area bounded as follows: From a point midway between Nosappu Misaki and Kaigara Jima at approximately 43°23'14"

And H 1

AG 333(22 Jun 46)NR
SCAPIN 2050

North Latitude, 145°50'30" East Longitude; to 43° North Latitude, 146°30' East Longitude; thence to 45° North Latitude, 165° East Longitude; thence east along the 45° parallel to 175° West Longitude; thence south along the 175th Meridian to 10° North Latitude; thence west along the 10° North Parallel to 132° East Longitude; thence to 22° North Latitude, 126° East Longitude; thence to 24° North Latitude, 122°30' East Longitude; thence north to 34° North Latitude, 122°30' East Longitude; thence east to 34° North Latitude, 128°40' East Longitude; thence to 40° North Latitude, 135° East Longitude; thence to 45°30' North Latitude, 140° East Longitude; thence east to 45°30' North Latitude, 145° East Longitude rounding Soya Misaki at a distance of three (3) miles from shore; south along the 145th meridian to a point three (3) miles off the coast of Hokkaido; thence along a line three (3) miles off the coast of Hokkaido rounding Shiretoko Saki and following a mid-channel course through the Nemuro Kaikyo to a point 43°26'17" North Latitude, 145°48'03" East Longitude; thence in a south-easterly direction to the starting point midway between Nosappu Misaki and Kaigara Jima.

d. Japanese inspection vessels shall not approach closer than three (3) miles to the coast of any island within the area defined in the preceding paragraph not under the present administration of the Japanese Government.

e. The modified International E instead of the Japanese flag shall be used to mark inspection vessels.

f. Inspection vessels shall not engage in fishing operations of any kind.

g. Inspection vessels shall obtain authorization for each voyage from Commander, United States Naval Forces, Japan.

h. Inspection vessels shall not be vested with police powers.

4. The Japanese Government shall take immediate action to carry out all phases of proposed plan as modified in paragraph 3, above.

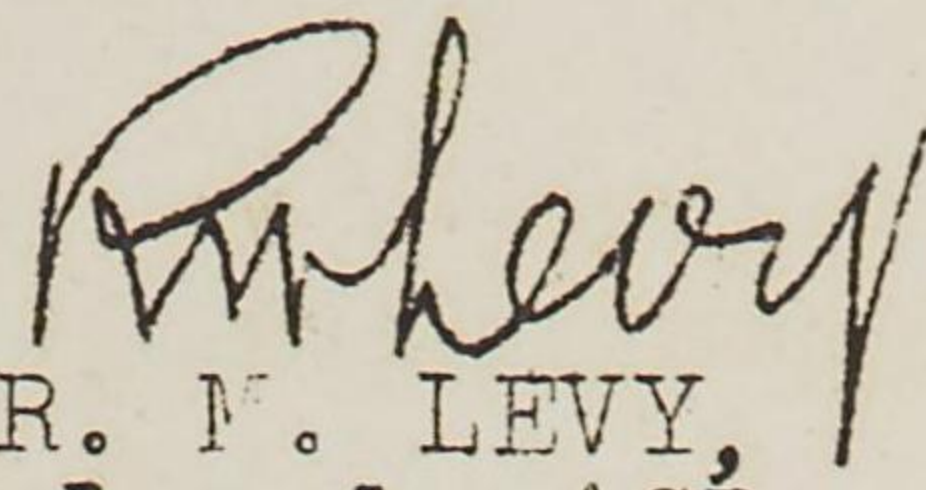
5. Direct communication between Natural Resources Section, General Headquarters, Supreme Commander for the Allied Powers and the Ministry of Agriculture and Forestry, concerning matters within the scope of this memorandum is authorized.

6. This authorization does not establish a precedent for the operation of inspection vessels in any other area for any subsequent period of time; nor is it an expression of Allied

AG 333(22 Jun 46)NR
SCAPIN 2050

policy relative to the ultimate determination of national jurisdiction, international boundaries, or fishing rights in the area concerned or in any other area.

FOR THE SUPREME COMMANDER:


R. N. LEVY,
Colonel, AGD,
Adjutant General.

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GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
APO 500

AG 333 ()NR
SCAPIN

MEMORANDUM FOR: JAPANESE GOVERNMENT

SUBJECT: Japanese Fishery Inspection System.

1. References:

a. Memorandum for the Japanese Government from General Headquarters, Supreme Commander for the Allied Powers, AG 800.217 (22 Jun 46)NR, SCAPIN 2046, subject: "Area Authorized for Japanese Fishing and Whaling, " 19 September 1949.

b. Memorandum for the Japanese Government from General Headquarters, Supreme Commander for the Allied Powers, AG 333 (22 Jun 46)NR, SCAPIN 2050, subject: "Japanese Fishery Inspection System", 10 October 1949.

c. Memorandum to General Headquarters, Supreme Commander for the Allied Powers, from the Japanese Government, C.L.C.O. No 2852 (2P), subject: "Measures to Prevent Japanese Fishing Boats from Trespassing Upon Area Outside Boundary of Authorized Area," 11 August 1948.

2. Memorandum for the Japanese Government, SCAPIN 2050, referred to in paragraph 1b above, is rescinded.

3. The Japanese Government is directed to establish a fisheries inspection system as proposed by Memorandum referred to in 1c above, subject to the modifications listed below:

and the 2

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SCAPIN

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a. The purpose of the inspection system is to enable the Japanese Government to enforce the provisions of Memorandum for the Japanese Government SCAPIN 2046, and any subsequent amendments or modifications thereof, as well as other pertinent fisheries regulations. Inspection vessels shall be responsible for assisting in the enforcement of instructions issued by the Supreme Commander for the Allied Powers, and of laws and regulations of the Japanese Government relative to Japanese fishery operations.

b. Thirteen inspection vessels shall be put into immediate operation. These vessels shall meet the following standards:

- (1) Maximum speed of not less than 12 knots.
- (2) Range of not less than 50 days at cruising speed.
- (3) Be equipped with sufficient communications facilities to permit operation on all maritime and fisheries radio frequencies.
- (4) Be equipped with radar of the surface search type.

c. Provisions shall be made to increase the number of vessels used if the need for such to insure enforcement is demonstrated.

d. Inspection vessels are authorized to operate within the area bounded as follows: From a point midway between Nosappu Misaki and Kaigara Jima at approximately 43°23'14" North Latitude, 145°50'30" East Longitude; to 43°

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North Latitude, 146°30' East Longitude; thence to 45° North Latitude, 165° East Longitude; thence east along the 45° parallel to 175° West Longitude; thence south along the 175th Meridian to 10° North Latitude; thence west along the 10° North Parallel to 132° East Longitude; thence to 22° North Latitude, 126° East Longitude; thence to 24° North Latitude, 122° 30' East Longitude; thence north to 34° North Latitude, 122° 30' East Longitude; thence east to 34° North Latitude, 128° 40' East Longitude; thence to 40° North Latitude, 135° East Longitude; thence to 45° 30' North Latitude, 140° East Longitude; thence east to 45° 30' North Latitude, 145° East Longitude rounding Soya Misaki at a distance of three (3) miles from shore; south along the 145th meridian to a point three (3) miles off the coast of Hokkaido; thence along a line three (3) miles off the coast of Hokkaido rounding Shiretoko Saki and following a mid-channel course through the Nemuro Kaikyo to a point 43° 26' 17" North Latitude, 145° 48' 03" East Longitude; thence in a south-easterly direction to the starting point midway between Nosappu Misaki and Kaigara Jima.

e. All deck, engineering, and communications officers assigned to inspection vessels shall be thoroughly qualified individuals, employed by the Japanese Government, and in no way connected with commercial fishing interests.

f. Japanese inspection vessels shall not approach closer than three (3) miles to the coast of any island within

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the area defined in the preceding paragraph not under the present administration of the Japanese Government.

g. The Modified International E instead of the Japanese flag shall be used to mark inspection vessels.

h. Inspection vessels shall not engage in fishing operations of any kind.

i. Inspection vessels shall obtain authorization for each voyage from Commander, United States Naval Forces, Japan.

j. Captains of inspection vessels shall be authorized to halt and board Japanese fishing vessels found beyond the limits of authorized fishing area to conduct immediate investigations, and shall, if deemed necessary, seize logs and charts as evidence.

k. The owners of any fishing vessel found outside the authorized fishing area, and the captain thereof shall be liable to punishment as proposed in paragraphs 1, 2 and 3 of "Notes" on page 3 of Annexed sheet No 1 of reference Memorandum, unless the captain of a fishing boat found beyond the limits of the authorized fishing area proves beyond reasonable doubt that his vessel operated outside the authorized fishing area because of circumstances beyond his control.

1. Continuation of the requirements concerning the reporting of noon positions contained in paragraphs C,a and "Remarks" 1,2 and 3 on page 4 of Annexed sheet

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SCAPIN

No 1 of reference Memorandum is not approved.

m. Fishing vessels (Otter trawlers, bull trawlers over 50 gross tons, and tuna boats over 75 gross tons) shall be required to answer immediately all radio or other signals from inspection vessels or shore radio installations.

4. The Japanese Government shall take immediate action to carry out all phases of the proposed plan as modified in paragraph 3, above.

5. Direct communication between Natural Resources Section, General Headquarters, Supreme Commander for the Allied Powers, and the Ministry of Agriculture and Forestry, concerning matters within the scope of this memorandum is authorized.

6. This authorization does not establish a precedent for the operation of inspection vessels in any other area for any subsequent period of time; nor is it an expression of Allied policy relative to the ultimate determination of national jurisdiction, international boundaries, or fishing rights in the area concerned or in any other area.

FOR THE SUPREME COMMANDER:

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NOTE FOR RECORD:

1. SCAPIN 2050 authorized the Japanese Government to establish a fishery inspection system to assist in enforcing the provisions of SCAPIN 2046, which defines the area in which Japanese fishing and whaling operations may be conducted. The system was to be established in conformity with proposals submitted by the Japanese Government in Memorandum C.L.C.O. No 2852 (2P), subj: Measures to Prevent Japanese Fishing Boats from Trespassing Upon Area Outside Boundary of Authorized Area," 11 August 48, and modifications thereof contained in SCAPIN 2050.

2. A study of the inspection system during seven months of operation reveals that the system is not and has not been effective. NR attributes this to a lack of support from the Japanese Government and the fishing industry, which resulted in the allocation of insufficient funds, qualified personnel, and equipment to the inspection system. In addition, no real attempt has been made to correct deficiencies which have appeared in operation. NR considers that a reorganization of the system is necessary to insure effective operation. The changes contained in the proposed SCAPIN can be effected immediately. Others require further investigation and coordination with interested SCAP staff sections.

3. The proposed SCAPIN rescinds SCAPIN 2050 and makes the following changes:

a. Directs rather than authorizes the Japanese Government to establish an inspection system (para 3). Since the Japanese Government has not established an effective inspection system, it must be directed rather than authorized to do so.

b. Directs the Japanese Government to place 13 inspection vessels in operation, and specifies minimum standards which these vessels shall meet (para 3b). SCAPIN 2050 directed that: "Available vessels of the type and size suitable for conducting inspection duties shall be put into immediate operation and provisions shall be made to increase the number of vessels used if the need for such is demonstrated.....". A study of seven months of operation, during which time as few as six and no more than nine vessels were in full time service, has convinced NR that the number of vessels operated is inadequate and that a minimum of 13 vessels is necessary to insure reasonably effective inspection. In addition none of the vessels in service is suitable for inspection duties. Since the Japanese Government has not increased the number of vessels in spite of a demonstrated need it must be directed to place at least 13 vessels in operation, and minimum standards must be specified.

c. Requires that all deck, engineering, and communications officers assigned to inspection vessels be thoroughly qualified personnel, employed by the Japanese Government, and

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SCAPIN

in no way connected with commercial fishing interests (para 3e). At present most inspection vessels are chartered from fishing companies and are manned by crews in the employ of those companies, a single Government inspector being assigned to each vessel. It has been found that crews are not reliable, since their sympathies lie with fishermen rather than with the government, and that they have at times acted so as to hamper the efforts of the Government inspector. Further, certain of the Government inspectors have been found to be unqualified. The employment of qualified officers by the Government will assist in correcting these faults.

d. Directs that captains of inspection vessels shall be authorized to halt and board Japanese fishing vessels found beyond the limits of the authorized fishing area to conduct immediate investigations, and shall, if necessary, seize logs and charts as evidence (para 3j). At present prosecution of suspected violators of SCAPIN 2046 depends entirely upon evidence provided by the inspector assigned to the reporting inspection vessel. In many cases such evidence is the statement of the inspector that the accused vessel was found outside the authorized area, supported by the log of the inspection vessel. An outright denial by the captain of the fishing boat, supported by log and chart, both of which can easily be falsified, makes conviction extremely difficult. By authorizing captains of inspection vessels to conduct on-the-spot investigations and to seize logs and charts as evidence, convictions of the guilty and acquittal of the innocent will be expedited.

e. Directs penalties for violations of SCAPIN 2046 proposed by the Japanese Government to be imposed unless the captain of a fishing vessel found outside the authorized fishing area proves beyond reasonable doubt that his vessel was operated in violation of SCAPIN 2046 because of circumstances beyond his control (para 3k). The Japanese Criminal Code prohibits punishment for acts committed without criminal intent unless specifically provided for in law. The Cabinet Order which implements SCAPIN 2050 contains in its penalty clauses no specific provisions for punishment regardless of intent. Thus in each case of reported violation it is necessary to prove intent. The difficulties in so doing are so great that in none of the 35 cases reported since the initiation of the system has a court decision been reached. Not only do wilful violators escape rapid convictions, but the entire group of fishermen who operate outside the area because of unnecessarily careless navigation cannot be dealt with effectively. Under these circumstances the efforts of the most effective inspection system are nullified. Both evils can be removed by requiring the captain of a fishing vessel reported outside the area to prove that he operated

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in violation because of circumstances beyond his control, e.g., engine failure, weather.

f. Disapproves continuation of the requirement that all fishing vessels (Otter trawlers, bull trawlers over 50 gross tons, and tuna boats over 75 gross tons) report their noon positions to the Japanese Government daily (para 3L). The Japanese Government proposed this requirement in order that inspection vessels might use radio direction finding equipment to fix the position of each fishing vessel as it reported its position. In operation this procedure has proved ineffective in strengthening control over fishing vessels and has overloaded communications channels. No reason exists for continuing it.

g. Directs that the vessels specified in f above, be required to answer all radio or other signals from inspection vessels and shore radio stations (para 3m). This requirement will permit inspection vessels to use radio direction finding equipment to fix positions as deemed necessary without involving additional heavy radio traffic.

4. NR considers these steps to be the minimum for immediate improvement of the inspection system. Other measures will be proposed upon completion of investigation.

W.M.T. _____ 26-7561

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Transmittal Letter is -
CICCO No. 2852 (2F).

TO : GENERAL HEADQUARTERS OF THE SUPREME COMMANDER
FOR THE ALLIED POWERS.

FROM : Ministry of Agriculture and Forestry.

SUBJECT: Measures to prevent the violation of the Japanese
fishing area limitation.

M.A.F. No. 83-'48.

August 10, 1948.

Reference. SCAP Memorandum AG 800.217 (SCAFIN 1033) NR.
dated June, 22, 1946, Subject, "area Authorized
for Japanese Fishing and Whaling".

1. The Japanese Government has often served warnings to Japanese fishermen to observe reference Memorandum, and when the violation was committed, has taken proper actions to punish the offenders severely for the purpose of extermination such violations.

Notwithstanding the Government's efforts mentioned above, the violations have greatly increased recently.

These facts are not only the acts disgraceful for the goodwills of GHQ, which were shown on increasing distribution of fishing materials and on the authorization of Antarctic whaling expeditions, but also the matters of grave concern of Japanese fishery.

2. Japanese Government is well conscious of effective and proper steps having to be taken in order to exterminate these violations and have a plan to carry out action mentioned on the Annexed Sheets No. 1.

3. In order to carry out the plan mentioned above, the Japanese Government applies to GHQ, for the permission of these vessels as mentioned on the Annexed Sheets No. 1 being used as patrol boats, and in case of these vessels being authorized to be used as patrol boats, the Government applies for the permission of their navigation within the area drawn on the Annexed Sheet No. 2.

4. For the purpose of carrying out the plan mentioned above, it is necessary to install radio equipments on the vessels without them. As for the matter, the Japanese Government ought to distribute the materials mentioned on the Annexed Sheet No. 3 to the makers concerned.

5. For the same purpose, the Japanese Government requires the appropriation of approximately ¥100,000,000.00. The items of the appropriation are as stated on the Annexed Sheet No. 4.

6. The Japanese Government will be able to make the people concerned observe the directive of reference Memorandum, carrying out these plans, when it has been authorized by CHQ. of the actions referred to in paragraph 3 and has come to be able to distribute the materials referred to in paragraph 4 and, in addition to the said two conditions, be able to disburse the appropriation referred to in paragraph 5.

For The Minister

S. Katayanagi

Vice Minister of Agriculture
and Forestry.

Annexed Sheet No. 1Counter Measures for Prevention against Violation
of Fishing Area Limits.

1. Measures to be taken:

The Fisheries Agency shall take the following steps;

- A. The Government supervisory power for fishing industry shall be strengthened as soon as possible in order to produce practical effects.
- B. A firm policy of administrative disposition for a violator shall be established.
- C. The Government and the official patrol boats shall always be informed of the position of every fishing boat in operation.
- D. A captain, a person who takes charge of a captain's duties or a person who commands fishing operation shall swear himself to observance of fishing ground limits.
- E. Every fishing boat shall newly bear the mark of her registration number (the size of each letter or number shall be approximately 30 sq. cm) at a place suitable to be seen from the upper air, other than the mark prescribed by the Fishing Boat Registration Regulation.

On the part of private enterprisers of fishing industry, the following measures shall be taken thereupon:

- A. To promote self-swakening for the importance of keeping fishing ground limits.
 - (a) A warning shall be given to a suspected person of violation which shall be reported furthermore to the Director of the Fisheries Agency.
 - (b) Under the instruction of the Fisheries Agency, posters for prevention of violation shall be put up at fishing bases, fishing ships, the pilot houses and crew spaces by all the deep sea fishing boats.

2. Main Points:

- A. Arrangement of Fisheries Patrol Boats.
 - a. On the Eastern China Waters.

Name of office to which the patrol boat belongs	Name of boat	Tonnage	Patrol term	Base Port
Fisheries Agency	Hatsutaka-maru	268	Patroling at present	Karatsu Port, Saga Prefecture
Fisheries Experimental Station, Nagasaki Prefecture	Tsura-maru	123	From August	Nagasaki Port, Nagasaki Prefecture
Fisheries Agency	No.2 Tamazono-maru	316	From Sep.	Tobata Port, Fukuoka Prefecture
Ditto	No.11 Akabeno-maru	372	Ditto	Shimonoseki Port, Yamaguchi Pref.
Ditto	No.12 Taiyo-maru	283	Ditto	Ditto
Ditto	No.15 Taiyo-maru	284	Ditto	Ditto
Ditto	No.1 Koyagi-maru	273	Ditto	Nagasaki Port, Nagasaki Pref.
Ditto	No.2 Koyagi-maru	274	Ditto	Ditto
The First Fisheries College	Shinyo-maru	235	From Oct.	Karatsu Port, Saga Prefecture

Total Number 9 ships

b. On the Pacific Ocean side:

Name of office to which the patrol boat belongs	Name of boat	Tonnage	Patrol term	Base Port
First Fisheries College	Shunkotsu-maru	531	From Oct.	Tokyo Port
Fisheries Agency	Sasshu-maru	261	Ditto	Ditto

Total Number 2 ships

Remarks:

1. Regarding the marks of a patrol boat, Japanese flags shall be painted in the middle of the both sides of the boat and white line around the ship.
 2. Above mentioned ships marked with ● shall be chartered from fishermen to be used as patrol boats.
- B. Administrative dispositions of a vessel which has committed a violation of fishing area limits:
- a. Regarding the vessel which has committed the violation, her license of fishing operation shall be cancelled.

Notes:

A vessel which has committed a violation of fishing area limits shall be dealt with as follows:

1. As a rule, the catch made by the ship which has violated the fishing ground limits shall be confiscated and in case the catch can not be confiscated, the price equivalent to the catch shall be imposed on the operator.

The estimated value of catch made by a fishing vessel of each type shall be as follows:

By and otter trawling vessel	¥2,500,000
By bull trawling vessels	¥2,000,000
By tuna boat in 75 ton class	¥1,000,000
in 95 ton class	¥1,600,000
in 135 ton class	¥2,300,000

2. As a rule the fishing facilities carried by the vessel shall also be confiscated.

The current value of fishing facilities used by a vessel of each kind of fishery shall be as follows:

Otter-trawling vessel	¥ 550,000
Bull trawlers	¥2,500,000
Tuna Boat .. in . 75 ton class	¥ 620,000
in 95 ton class	¥ 750,000
in 135 ton class	¥ 880,000

3. The captain of a fishing boat which has committed the violation, shall be sentenced to imprisonment with hard labor not more than (10) years or to a fine not more than 75,000 yen, or to detention or to a minor fine. And according to circumstances, he shall be sentenced to imprisonment and a fine at the same time.

C. Reporting the position of vessels:

(a) Fishing vessels with radio equipments (e.g. otter trawlers, bull trawlers over 50 gross tons and tuna boats over 75 gross tons) shall by wireless report every day their position at noon to the patrol boats and to the Fisheries Agency.

Remarks:

1. An otter trawler, small trawler over 50 tons (in case of bull trawler, the main boat) and a tuna boat which have no radio equipments, shall be equipped with radio within 6 months from the day of approval given by G.H.Q. for this Memorandum.

DECLASSIFIED

Authority NM 975029

2. Any fishing vessel with radio equipments shall, while in operation, also report the positions of vessels without radio and are in operation near her.
3. In case a fishing vessel without radio equipments does not come to be equipped with radio within the above mentioned period, the fishing area available for the vessel shall be reduced to a limit that there is no fear to violate the authorized fishing area limit.

Annexed Sheet No. 3

Materials necessary for furnishing the radio equipment.

(1) Number of fishing boats.

Otter trawler	56 boats
Small trawler (over 50 tons)	380 pairs
Tuna boat (over 75 tons)	544 boats

(remark) Small trawler operate by one pair of boat, so one boat of a pair shall be furnished of radio.

(1) Number of fishing boats that are furnished of radio equipments.

Otter trawler	56 boats
Small trawler	171 pairs
Tuna boats	527 boats

(1) Number of fishing boats lacking in radio equipments.

Otter trawler	0
Small trawler	209 pairs
Tuna boats	17 boats

(1) Materials necessary for furnishing of radio equipment.

The following materials are required by 226 sets of radio
(125 W - 135 sets)
(50 W - 91 sets)

Steel	113,000 kg.
Copper.	74,300 kg.
Lead	36,000 kg.
Lumber.	2,500 koku
Pig-iron	7,300 kg.

Annexed sheet No. 4

The estimated expenditure necessary for carrying out the counter-measures for violation of fishing ground limits.

A. Estimated expenditure by vessel ¥95,263,000.00
 (Charter fee and navigation fee)

Particular:

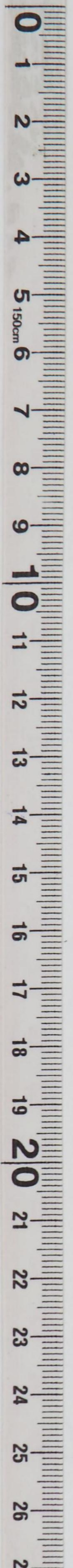
- 1. HATSUTAKA-MARU ¥ 7,802,000.00
- 2. TSURU-MARU ¥ 1,271,300.00
- 3. No. 3 TAMAZONO-MARU ¥14,416,800.00
- 4. No. 11 AKIBONO-MARU ¥ 9,766,800.00
- 5. No. 12 TAIYO-MARU ¥14,416,800.00
- 6. No. 15 TAIYO-MARU ¥14,416,800.00
- 7. No. 1 KOYAGI-MARU ¥10,972,300.00
- 8. No. 2 KOYAGI-MARU ¥10,972,300.00
- 9. SHINYO-MARU ¥ 1,167,300.00
- 10. SHUNKOTSU-MARU ¥ 3,359,800.00
- 11. SASHU-MARU ¥ 6,700,800.00

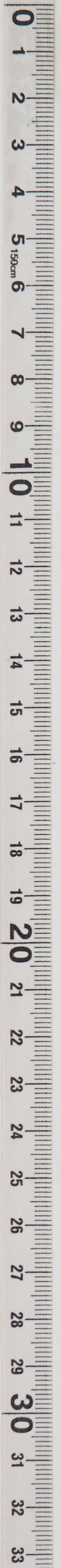
B. Other estimates ¥ 2,800,000.00

Particular:

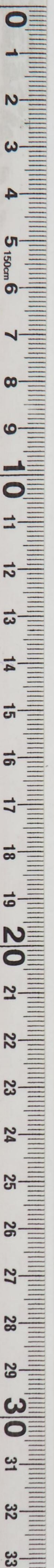
- 1. Fishing vessel
 - Communication expenses ¥ 1,500,000.00
- 2. Printing expenses ¥ 300,000.00
- 3. Miscellaneous ¥ 1,000,000.00

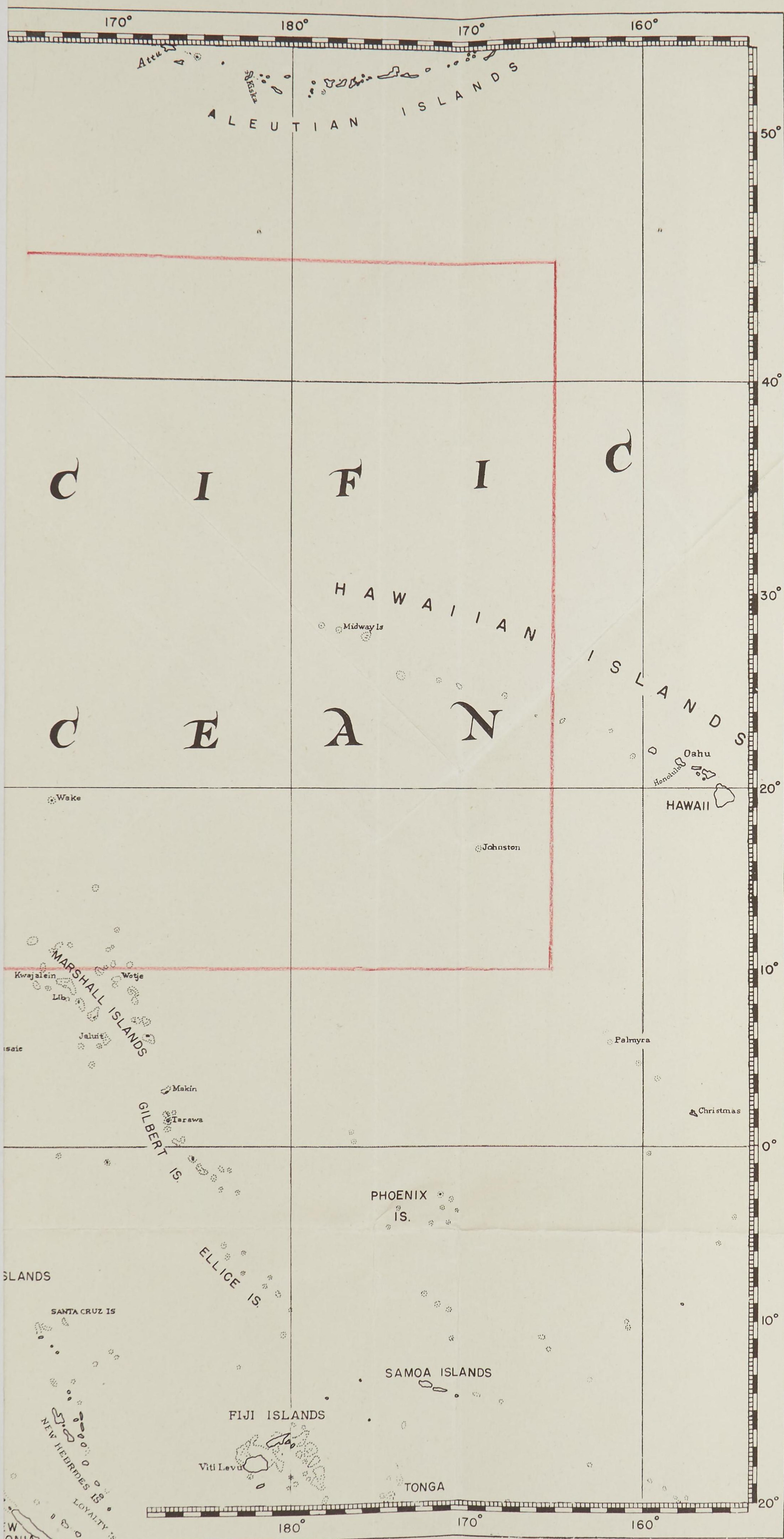
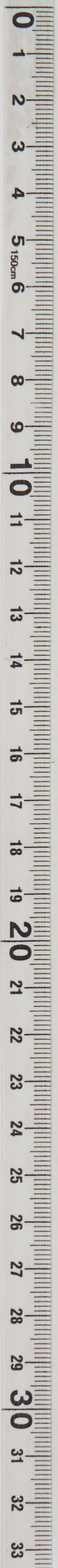
Total estimate ¥98,063,000.00





WESTERN PACIFIC





387.7 Proc.
~~X411~~

G-4 ROUTING	
A/C/S G-4	
D/AC/S G-4	
EXECUTIVE PLANS & POLICY	<i>[Signature]</i>
OPERATIONS	
CONST & FAC	
SUPPLY	
PETROLEUM	

9 May 1950

MEMORANDUM FOR THE CHIEF OF STAFF

I. THE PROBLEM:

To return to the Japanese Government the responsibility for control of weapons, ammunition and explosives in the possession of Japanese civilians.

II. FACTS BEARING ON THE PROBLEM:

A. SCAPIN 12 (Incl 1) to the Chairman of the Military Commission in Yokohama, stated that swords which were the personal property of Japanese military personnel may be retained on condition, that henceforth it will be understood that they have no military significance whatsoever, but are household treasures; but swords issued by the Japanese Government would be turned in with other weapons of war.

B. SCAPIN 50 (Incl 2) directed Japanese Government to collect privately owned weapons in the possession of civilians, except swords having particular value as objects of art.

C. SCAPIN 181 as amended by SCAPIN 1586 (Incls 3 & 4) directed the Japanese Government to surrender all firearms, swords, bayonets, daggers, ammunition and explosives collected from the civilian population to US Army representatives, except weapons required for hunting purposes and explosives required for legitimate business by industrial organizations.

D. SCAPIN 574 (Incl 5) reaffirms the policy permitting swords to be retained provided they are actually objects of art and are in the hands of bona fide civilians.

E. Individual licenses and permits covering above exceptions are issued by the Japanese Government and reported monthly, by list, to Occupation Force Commanders.

III. DISCUSSION:

A. The Japanese Government has performed excellently in carrying out instructions and directives on control and licensing of weapons. PSD/G-2 is of the opinion that in keeping with the policy of general relaxation of control over the Japanese Government, instructions requiring the Japanese Government to render periodic reports on weapons in possession of Japanese civilians should be rescinded and that the Japanese Government should assume full responsibility for control over such items.

B. Surveillance of the above SCAPINS has been the responsibility of Eighth Army exercised through its Civil Affairs Teams. Eighth Army has informally indicated that the necessity for rendering reports, by Japanese Government, no longer exists.

C. Proposed SCAPIN (Incl 6) rescinds SCAPINS 12, 50, 181, 574 and 1586, and states that possession by the civilian population of Japan of privately owned firearms, swords, bayonets, daggers, and other weapons, ammunition, explosives or component parts thereof is prohibited except as stated therein. It also states that the Japanese Government will take the necessary action to regulate the possession, use and disposal of such firearms and other weapons in accordance with this directive.

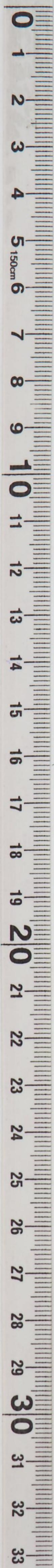
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G-4 CHQ

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G-4 Info

CIS/PSD/HEP/sm

1/22



IV. RECOMMENDATIONS:

A. That proposed SCAPIN (Incl 6), placing responsibility on the Japanese Government for control of all firearms, weapons and explosives in the possession of Japanese civilians, be approved.

B. That command letter to Eighth Army (Incl 7), which informs of the above action and general surveillance by Civil Affairs GHQ Regional Teams, be approved.

Concurrences:

CA, GHQ Maj Gen Shephard concurs

G-4 Maj Gen Eberle concurs

C. A. W.

7 Incls

1. SCAPIN 12
2. SCAPIN 50
3. SCAPIN 181
4. SCAPIN 1586
5. SCAPIN 574
6. Proposed SCAPIN
7. Proposed Ltr to 8th A

DRAFT

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
APO 500

AG 388.3 ()GB/CIS/PSD
SCAPIN

MEMORANDUM FOR: JAPANESE GOVERNMENT

SUBJECT: Instruction on Surrender of Arms by Japanese
Civilians

1. Reference is made to following memoranda for the Japanese Government from General Headquarters, Supreme Commander for the Allied Powers:

- a. AG 386.3 (4 Sept 45)CS, SCAPIN 12, 7 September 1945.
- b. SCAP radio, SCAPIN 50, 24 September 1945, subject, "Collection of Revolvers, Rifles and Swords in Possession of Civilians."
- c. AG 388.3 (23 Oct 45)CIS, SCAPIN 181, 23 October 1945, subject, "Instructions Concerning the Surrender of Arms by the Civilian Population of Japan."
- d. AG 386.3 (10 Jan 46)CIS, SCAPIN 574, 10 January 1946, subject, "Retention of Swords Classified as Objects of Art in Civilian Hands."
- e. AG 388.3 (27 Mar 47)GB/CIS, SCAPIN 1586, 27 March 1947, subject, "Instructions Concerning the Surrender of Arms by the Civilian Population of Japan."

2. References cited in paragraph 1 above, are rescinded.

3. Possession by the civilian population of Japan of privately owned firearms, swords, bayonets, daggers, and other weapons, ammunition, explosives or component parts thereof is prohibited except as follows:

- a. Air rifles.
- b. Firearms, daggers or other weapons, component parts thereof or ammunition required for fishing, hunting, trap or skeet shooting, whaling, or life saving purposes.
- c. Explosives required for industrial or exhibition purposes.
- d. Firearms, swords, bayonets, daggers, and other weapons or the component parts thereof in possession of recognized museums,

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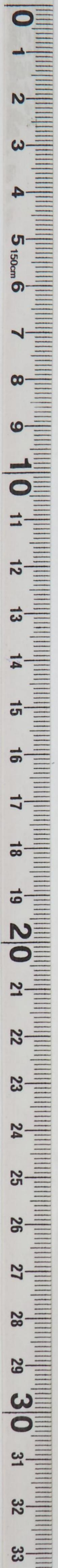
AG 388.3 ()GB/CLS/PSD
SCAPIN

exhibitions, collections, authorized manufacturers and dealers, repairmen or theatrical and motion pictures companies for use as stage properties.

e. Firearms, swords, bayonets, daggers and other weapons or component parts thereof which are objects of art, antiques, or family heirlooms.

4. The Japanese Government will take the necessary action to regulate the possession, use and disposal of such explosives, ammunition, firearms and other weapons in accordance with this directive.

FOR THE SUPREME COMMANDER:



DRAFT

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
APO 500

AG 388.3 ()GB/CIS/PSD

SUBJECT: Instruction on Surrender of Arms by Japanese Civilians

TO: Commanding General
Eighth Army
APO 343

1. Reference, Memorandum to the Japanese Government, SCAPIN
2. The Supreme Commander for the Allied Powers deems reporting by the Japanese Government of firearms and other weapons in the possession of Japanese civilians no longer necessary, and in reference SCAPIN places the responsibility for control and use of privately owned firearms and other weapons upon the Japanese Government.
3. General surveillance of the enforcement of the reference SCAPIN will be conducted by the Chief, Civil Affairs Section, GHQ, SCAP.

BY COMMAND OF GENERAL MacARTHUR:

DRAFT

Incl 1

387.7 Proc.

Lt. Col. Ruhlen 26-6039

Delegation of SCAP of Limited Functions to
Japanese Government

G-4

DS

28 APR 1950

2

G-4 concurs. Recommend that paragraph 3b of proposed SCAPIN clarify phrase "furnished by Headquarters." It is inferred that the word "this" has been inadvertently omitted.

5 incls
n/c

G. L. E.

GD P&P GR/we
28 April 1950

MEMORANDUM FOR RECORD:

1. C/N from DS requested comment or concurrence by G-4 (and other staff sections), and return to DS, on a revised DS study recommending delegation by SCAP of certain limited functions to the Japanese Government, and authorizing direct communication on specific subjects between Japanese Government and those foreign missions accredited to SCAP.
2. Copies of such communications from foreign missions and Japanese replies thereto will be furnished in english to GHQ. Communications authorized must be of a routine nature not involving policy on other matters of paramount and continuing interest to SCAP. Subjects listed in Appendix A.
3. Subjects are not of major interest to G-4, but publication of this proposed SCAPIN may reduce number of routine queries or individual requests concerning entry of foreign nationals, logistic support not furnished by this headquarters, or transportation and communication facilities already authorized between Japan and foreign countries. These subjects covered in paragraphs 3a, 3b and 3f of proposed SCAPIN.

4. Within policy.

5. Completes action on G-4 Journal No. 4884.

EXECUTIVE	
PLANS & POLICY	<i>mm</i>
OPERATIONS	
CONST & FAC	
SUPPLY	
PETROLEUM	
PERSONNEL	
ADMINISTRATION	<i>RA7</i>

G.R. *[Signature]*
A.J.C. *[Signature]*

P.P

4884

G-4 File Copy

G-4 File Copy

387.7 Proc

Col Akin 26-6055

Draft of Proposed SCAPIN to Replace SCAPIN 1872

G-4

Comptroller

28 Apr 50

2 G-4 concurs in the draft of proposed SCAPIN to replace SCAPIN 1872.

1 Incl
SCAPIN w/5 incls

G. L. E.

GD SP AKA/EHM/ey

MEMO FOR RECORD:

1. By C/N 1, 18 Apr 50, Comptroller distributed draft of proposed SCAPIN to replace SCAPIN 1872 with request that comments and/or concurrence be furnished Comptroller not later than 28 Apr 50. Proposed SCAPIN retains basic controls established by SCAPIN 1872, eliminates items no longer applicable in the old SCAPIN and incorporates new and approved fiscal controls and procedures effective with the current Japanese Fiscal Year.
2. Close review of the draft indicates that the old SCAPIN and amendments thereto have been successfully brought up to date in one document, therefore, instant C/N gives G-4 concurrence to the draft.
3. Coordinated with: G-4, BIC (Lt. Col. Laux) and Plans and Policies (Lt. Col. Fitch).
4. Action complete on G-4 Journal Number 4708.

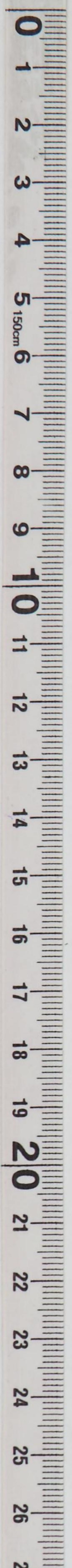
AKA AKA 26-6055

EHM _____ 26-6043 (Div Chief)

G-4 ROUTING	
C/S G-4	_____
D AC/S G-4	_____
EXECUTIVE	_____
PLANS & POLICY	_____
OPERATIONS	_____
CONST & FAC	_____
SUPPLY	_____
PETROLEUM	_____
PERSONNEL	_____
ADMINISTRATION	_____



Sup
4708
G-4



GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

CHECK SHEET

Lt Col Irvin 26-6189

(Do not remove from attached sheets)

File No: Subject: Draft of Proposed SCAPIN to Replace SCAPIN 1872

Note No: From: COM-B To: See Distr. Date: 18 April 1950

1

1. Attached draft of Proposed SCAPIN is designed to replace SCAPIN 1872.

2. Rather than continue to amend and to rescind portions of the basic SCAPIN, it is proposed to rescind the current directive and to issue a complete new one. It will be noted that:

a. Basic controls established by 1872 are retained.

b. Special items essential in JFY 1949 and provided by amendments to 1872 have been eliminated as no longer applicable.

c. Additions have been made to incorporate approved fiscal procedures and control effective 1 April 1950.

3. Request comments and/or concurrence, and return to COM not later than 28 April 1950.

1 Incl
SCAPIN w/5 incls

[Handwritten signature]
L. L. W.

Distribution:

- | | | |
|------------|----------|---------|
| G-1 | Hq Comdt | Sp Sv |
| G-2 | Med | SPB |
| G-3 | GPA | Trans |
| G-4 (3) | Ord | TI&E |
| ESS/FI (3) | PH&W | COM (6) |
| CTS | QM | |
| CCS | Legal | |
| Eng (3) | Sig | |

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GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
APO 500

AG 400.12 ()COM-B

SCAPIN

MEMORANDUM FOR:

SUBJECT: Control of Obligations and Expenditures of Funds Appropriated
for Requirements of the Occupation Forces

1. Recissions:

a. Supreme Commander for the Allied Powers Memorandum for the Japanese Government, AG 400.12 (31 Mar 48)CE-GD, SCAPIN 1872, Subject: Expenditures from Funds Appropriated for Occupation Force Requirements, 31 March 1948 and changes 1872/1 thru 1872/11 thereto.

b. Supreme Commander for the Allied Powers Memorandum for the Japanese Government, AG 400.12 (3 May 49)OGA, SCAPIN 1999, Subject: Adoption of a Procurement Account Code to Control Funds Appropriated for Occupation Force Requirements, 3 May 1949.

c. Supreme Commander for the Allied Powers Memorandum for the Japanese Government, AG 400.12 (4 Jun 49), SCAPIN 6616-A, Subject: Funds for Operation of Ocean Weather Station "Tare", 4 January 1949.

d. Supreme Commander for the Allied Powers Memorandum for the Japanese Government, AG 400.12 (11 Sep 48), SCAPIN 1932, Subject: Deviation Report on Employment of Japanese Civilian Guards and Firemen, 11 September 1948.

2. References:

a. Manual of Budget and Fiscal Administration for Japanese Appropriated Funds.

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b. Supreme Commander for the Allied Powers Memorandum for the Japanese Government, AG 701 (23 Aug 48)PH, SCAPIN 1949, Subject: Responsibilities of Japanese Government Relative to Physical Examination, Immunization, Medical Care, Hospitalization and Other Benefits for Japanese Nationals Employed for the Occupation Forces, 13 December 1948.

3. Purpose. This memorandum defines and limits the instruments, which will be used by the Occupation Forces to obligate funds appropriated by the Japanese Government for the support of such forces and the instruments which authorize disbursement of TOW (Works) funds by the Japanese Government. Applicable instruments previously used have been retained and others have been added to implement the procedures established by reference 2a above.

4. The TOW Appropriation. The annual budgetary requirements for support of the Occupation Forces in Japan during the next succeeding Japanese Fiscal Year, as approved by the Supreme Commander for the Allied Powers, will be submitted for action by the Diet at its regular session during the month of November, preceding the Japanese Fiscal Year. The Termination of War Appropriation for such requirements will be established and maintained separately and distinctly from all other appropriations contained in the Japanese General Budget.

5. Responsibilities for Control of Obligations and Expenditures.

a. Obligations against the TOW appropriation (Works Portion) can be made by authorized representatives of the Occupation Forces only, through the use of procurement instruments specified in paragraph 7 below.

b. Expenditure of funds from the TOW appropriation (Works Portion) to liquidate any obligation incurred by the Occupation Forces can be made by properly designated disbursing officers of the Japanese Ministry of Finance only upon expenditure documents, (paragraph 8 below), properly

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authenticated by a representative of the Occupation Forces. Such expenditure documents must contain a certificate of availability of funds and accounting classification over the signature of a fiscal or obligating officer of the Occupation Forces.

6. Procedures for Obligating and Expending TOW (Works Portion)

Appropriation.

a. Requirements for support of the Occupation Forces will be transmitted to the responsible procurement agency of the Japanese Government by means of "Procurement Instruments," (paragraph 7 below) which, when applicable, include items mutually beneficial to both the Japanese people and the Occupation Forces. Procurement Instruments are directives to the Japanese Government to effect procurement of certain labor, supplies, materials and/or services according to specifications established by the Occupation Forces and to deliver such labor, supplies, materials and/or services to an individual or agency at a specific time or within a given period. Procurement instruments will not be construed as obligating documents nor as expenditure documents in any sense.

b. Procurement of utilities, services, and maintenance, and plant or operating facilities necessary to provide utilities or services as demanded will be accomplished as follows:

(1) Utilities and Services:

- (a) Procurement instruments and receipts for utilities or services, including public carrier and communications services, will be executed for only the utility or service.

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(b) The acquisition of special additional plant, equipment, real estate and supplies; the construction or rehabilitation and maintenance of structure and equipment as may be required in connection with a service or utility furnished by the Japanese Government to meet a requirement for the occupation forces, will be covered by separate and specific procurement instruments.

(c) Procurement instruments issued under the provisions of paragraph 6 b (1)(b) above are issued to the extent only that the existing facilities, which are available to the agent of the Japanese Government, inadequate to provide the utilities or services required.

(2) Maintenance. All maintenance of equipment, structures, roads and other facilities performed by the Japanese Government in response to an occupation force requirement will be covered by a specific procurement instrument (GPA Form #1 or GPA Form #8) or by properly executed work orders issued against an appropriate procurement instrument, approved and issued for a specific facility, area or service. Acknowledgment of accomplishment of maintenance will be made on GPA Form 2 or GPA Form 5, as appropriate.

c. Disbursing officers of the Japanese Government will:

(1) Maintain a file of specimen signatures of each certifying officer of the Occupation Forces authorized to certify to the availability of funds on obligating instruments. (Incl 1

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- (2) Verify such signatures with the signatures appearing on the instruments containing the certificate of the fiscal or obligating officer.
- (3) Insure that payments from the TOW (Works) Appropriation are made only upon instruments which contain the Certificate of Sufficiency (Availability) of funds certified to by a fiscal or obligating officer of the Occupation Forces whose signature is on record in the office of such disbursing officer.
- (4) Pay only the amounts shown on the instruments certifying to the availability of funds unless the payroll or the vendor's invoice is in an amount less than the amounts stated in the instrument containing the certification, in which case the lesser amount will be paid.
- (5) Verify receipts furnished by the representatives of the Occupation Forces for supplies and/or services rendered with the vendor's invoice and, where the receipt for such supplies and/or services furnished is in an amount less than the invoice, will pay an amount not greater than that contained in the receipt of the Occupation Forces.
- (6) Insure that vendors submit invoices for deliveries made and/or services rendered immediately upon receipt or notification from the Occupation Forces that the deliveries have been made or the services have been furnished.
- (7) Make payment immediately upon receipt of the necessary instruments; i.e., acknowledgment of receipt and vendor's invoice which permit payment; to ascertain that all

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transactions which authorize discounts for prompt payment are paid within the discount period; and to submit a statement as to the reason for the loss of the discount when such discount is forfeited.

- (8) Furnish to the representatives of the Occupation Forces a copy of the documents upon which payment was made, prepared in the manner outlined by the Occupation Forces.

This document shall be furnished the representatives of the Occupation Forces immediately after payment has been made.

- (9) Furnish the Reconciliation Unit, Office of Comptroller, GHQ, a Schedule of Disbursements for personal services (Object Class 01) (Incl 2) and a Schedule of Disbursements for other than personal services (Incl 3) immediately after the close of business on the day on which such disbursements occur.

- (10) Likewise, upon the discharge or termination of any disbursing officer by the Japanese Government, a Schedule of Disbursements by such officer shall be furnished the Occupation Forces indicating thereon the reason for such submission.

d. The Japanese Government will furnish the Supreme Commander for the Allied Powers a list of the names and locations of the various disbursing officers making disbursements of TOW funds for the purpose of establishing a disbursing officers' station list. Changes in locations, deletions or additions to the original submission shall be reported as they occur.

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7. Procurement Instruments. The term "Procurement Instrument" as used herein refers to the following three instruments only:

a. Procurement Demand, GPA Form 1. The Eighth United States Army is the only authorized agency to issue these demands. The method of issue is as prescribed by the Commanding General, Eighth Army. Except for limited purposes as defined in paragraphs b and c below, the Procurement Demand, GPA Form 1, is the only instrument authorized for procurement of real estate, technical floor space, construction, rehabilitation, maintenance, equipment, services, supplies, or any other requirement for the support of the Occupation Forces. Technical floor space is defined as indoor or outdoor space required by the Occupation Forces for the installation, operation, maintenance, control or supervision of Occupation Force-owned or indigenous equipment, for which direct responsibility has been retained by the Occupation Forces. Indoor or outdoor space incident to the provision of a service and utilized for the installation, operation, maintenance, control or supervision of Occupation Force-owned or indigenous equipment, for which direct responsibility has been assigned to the Japanese Government, does not require separate procurement. Charges for provision of the services involved will include rental of essential space. Acknowledgment of accomplishment of Procurement Demand, GPA Form 1, in whole or in part, is indicated by receipt on GPA Form 2.

b. Communication Order, GPA Form 8. This is a special form of Procurement Instrument served on the Japanese Government through the Japanese Bureau or Ministry of Communications through the designated Signal representative of the Supreme Commander for the Allied Powers or Commanding General, Eighth Army, for the procurement of communications services, materials, equipment, technical personnel and construction incident to installation,

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maintenance or operation of communications equipment. It will not be used for construction, maintenance or acquisition of buildings, real estate (except cable or wire right of ways), water, heat, power or sewage, as such. Acknowledgment of accomplishment of Communications Orders (GPA Form 8), in whole or in part, is indicated by receipt on GPA Form 5.

c. Labor Requisition, Labor Form 1. This is a special form of Procurement Instrument for labor required by the Occupation Forces, but not included in requirements stated in Procurement Instruments, GPA Forms 1 and 8. The Eighth United States Army is the only authorized agency to issue these requisitions. The method of issue is as prescribed by the Commanding General, Eighth Army. Acknowledgment of accomplishment of Labor Requisition (Labor Form 1), in whole or in part, is indicated by certification of Unit Labor Officer.

"SCAPINS," "Letter Directives," "Work Orders," or "Travel Orders," are not procurement instruments within the terms of this directive.

8. Obligating Documents.

a. The contract (bi-lingual form) presently in use and negotiated by the Japanese Government with a qualified vendor for supplies and/or materials, in accordance with any form of procurement instrument listed in paragraph 7 above, is an obligating document when duly authenticated by a fiscal officer of the Occupation Forces. Each obligating document must contain a certificate of availability of funds and the accounting classification under which the obligation is made.

b. Work Orders or delivery orders issued under a service contract, when duly certified as to availability of funds, become obligating documents. The service contract is not an obligating document per se.

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c. Payrolls, for payment of directly employed indigenous personnel, when certified by a unit labor officer for the Occupation Forces and by a fiscal officer as to availability of funds, are obligating documents.

d. Reimbursement Vouchers for authorized travel of indigenous employees for the Occupation Forces, SCAP AGO Form #14 (Incl 4) and for transient hotel services to Occupation Forces personnel when properly certified by a fiscal officer of the Occupation Forces will be paid in the amount specified thereon and will be reported on the Schedule of Disbursements (Incl 3).

e. A miscellaneous Expenditure Voucher, SCAP AGO Form # (Incl 5) has been designed to:

- (1) Cover one time purchases of materials or supplies when the cost does not exceed ¥ 20,000.
- (2) Control those expenditures required by Japanese Law for requirements not covered by P.D., such as:
 - (a) The Japanese Government's share of premium payments for Health Insurance and for Welfare Pension Insurance covering indigenous employees for the Occupation Forces. Appropriation 106, GESA, P 424-12 (See Ref 2 b).
 - (b) Injury and/or death allowances under Workmen's Accident Compensation in excess of the 90 days regular pay by unit payrolls as authorized by SPB regulation. Appropriation 106, GESA, P 425-12.
 - (c) Seaman's Insurance.
 - (d) Unemployment Insurance.
 - (e) Unemployment allowance.

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- (f) Seaman's Welfare (food, culture on shipboard).
- (3) Provide a medium for transfer of funds between TOW (Works) Appropriations when directed by the Supreme Commander for the Allied Powers.
- (4) Authorize advancement of funds to agencies of the Japanese Government for services under Procurement Demand.

No form of Procurement Instrument will be issued for the requirements under d and e above. SCAP AGO Form # will be prepared in accordance with instructions thereon.

9. a. In those cases where a procurement instrument for services specifies or requires that such services be performed by an agency of the Japanese Government, and when such government agency does not have funds within its own budget to initiate the services required by the Occupation Forces, the Ministry of Finance may be authorized to advance TOW (Works) funds to such agency, pending processing of receipt forms GPA 2 or 5, as applicable. The Japanese Government Agency specified in the procurement instrument as the supplier, may request a transfer of funds from the Ministry of Finance as follows:

- (1) A sum equal to three (3) times the monthly cost of such services as specified in the Procurement Instrument, or
- (2) A sum equal to one-fourth ($\frac{1}{4}$) the annual cost specified in the Procurement Instrument.

b. The Ministry of Finance will prepare and submit SCAP AGO Form # to the Supreme Commander for the Allied Powers for certification and authority to advance the funds requested by the supplying agency. Obligation of the funds will be controlled by the using agency stipulated

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in the Procurement Instrument. Utilitization of funds by the Japanese Government agency to which transferred will be limited to furnishing the services specified in the applicable Procurement Instrument, and total expenditures thereunder will not exceed the sum of the amounts for which receipt forms GPA 2 or 5 are issued to the Japanese Government agency by the Occupation Forces.

10. In all cases of deviation from the above procedures, immediate report will be rendered to the Supreme Commander for the Allied Powers. A full report, listing all pertinent details, will be rendered as soon as the facts are available. A copy of each immediate report and each full report will be rendered the Commanding General, Eighth United States Army.

11. Directives issued by the Supreme Commander for the Allied Powers for accomplishment of work or projects which are for the benefit of the Japanese people, or to carry out the terms of surrender, or to otherwise accomplish the purposes of the occupation, are or will be issued in the form of memoranda to the Japanese Government (SCAPINS). The implementation of these directives will be under the surveillance of occupation forces and Civil Affairs agencies charged with such surveillance by the Supreme Commander for the Allied Powers. No form of procurement instrument will be issued to cover these requirements and receipts will not be given for supplies or services necessary for their accomplishment. Payments will not be made from Japanese Government funds pursuant to directives from the Supreme Commander for the Allied Powers, unless such payments are fully justified by the provisions of the original SCAPIN, by implementing instructions issued by those occupation force agencies charged with surveillance or by a plan submitted by the Japanese Government and approved by the Supreme Commander for the Allied Powers.

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a. The Japanese Government will be required to accomplish certain geodetic and mapping projects in the Japanese home islands. The projects covered by these instructions are for the benefit of the Japanese people or to otherwise accomplish the purposes of the Occupation as defined above; and no form of procurement instruments or receipts will be issued in connection therewith. The funding of these projects will continue as a normal function of the Japanese Government, and no payments for services or materials required in connection therewith may be made from funds appropriated to meet the requirements for support of the Occupation Forces.

b. The recovery of looted property is a responsibility of the Japanese Government in carrying out the terms of the surrender. Accordingly, no procurement instrument will be issued for the services required of personnel summoned by the Civil Property Custodian in connection with the recovery of looted property. Neither will any portion of the costs incurred be authorized for payment from funds appropriated for support of the Occupation Forces.

12. The Comptroller, GHQ, SCAP will make periodic examination of Japanese expenditures to insure compliance with the provisions of this memorandum.

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Name (Type or Print)	Grade	Organization
Station	Date	
Signature of Officer Authorized to Certify Vouchers for Payment		
Class of Vouchers		
I certify that the above is the signature of the authorized certifying officer.		
(Signature of Commanding Officer)		
Name (Type or Print)	Grade and Title	
WD FORM NO. 35 AR DEPARTMENT SIGNATURE CARD (MAY 1945)		

Incl 1

SCHEDULE OF DISBURSEMENTS (For Personal Services)												
Sheet No. ___ of ___ Sheets						Disbursing Office _____						
Schedule No. _____						Station No. _____						
Month _____ 195__						Ministry or Prefecture _____						
Date of Payment	D.O. Vou. No.	Pay Roll Vou. No.	Accounting Classification					Gross Pay	Deductions			Net Pay
			Appn	Com Code	Fiscal Station No.	Project Acct	Object Class		Tax	Health Ins	Welf Ins	
Totals												

Incl 2

SCHEDULE OF DISBURSEMENTS						
Sheet No. ___ of ___ Sheets				Disbursing Office _____		
Schedule No. _____				Station No. _____		
Month _____ 195__				Ministry or Prefecture _____		
Date of Payment	Voucher Check No.	Contract No.	Delivery of Purchase Order No.	PD No.	Accounting Classification	Total Amount Paid

Incl 3