

GHQ/SCAP Records(RG 331)
Description of contents

- (1) Box no. 2206
- (2) Folder title/number: (10)
House of Representatives Bills - 8th Diet

(3) Date: July 1950

(4) Subject:

| Classification | Type of record |
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| 310 | c, d, m |

- (5) Item description and comment:
Includes Contents List

(6) Reproduction: Yes No

(7) Film no. _____ Sheet no. _____

- | | |
|---|--|
| 1. Bill for Construction of Nara as International Sightseeing and Cultural City | Cleared GS (Rizzo) |
| 2. Bill for Construction of Kyoto as International Sightseeing and Cultural City | Cleared GS (Rizzo) |
| 3. Bill concerning the Authority of the Railway Security Agent | Cleared GS (Rizzo) |
| 4. Bill for the Administrative Scrivener | LS (Koshi) Obj |
| 5. Bill for Land and House Investigator Law | Cleared GS (Rizzo) |
| 6. Bill for Construction of Yokohama as International Port City | Cleared GS (Rizzo) |
| 7. Dog Race Bill | PHW (Beechwood) No obj NRS (Boulware) No obj ESS (Gillies) Obj LS |
| 8. Bill for Exceptions of the Qualification for Preliminary Examination of the National Dentists Examination | PHW (Johnson) NO obj LS No Obj |
| 9. Bill for Sales of Betting Tickets on the Winning Sumo | LS (reese) No comment ESS (Reed) No Obj PHW (Metsker) No Obj CIE (Bunce) No Obj |
| 10. Bill for Partial Amendmets to the Law for Exceptions of Qualificatio for Preliminary National Examination for Medical Practioners | LS (Koshi) No Obj |
| 11. Bill for the Cock-fight | PHW (Beechwood) No Obj NRS (Boulware) No Obj ESS LS |
| 12. Bill for Rabies Prevention | PHW (Beechwood) No Obj ESS (Mossler) Mo Obj |
| 13. Bill for Partial Amendment to the Public Offices Election Law | CIE (Loomis) No Obj GS/CS (Onodera) Obj |

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|---|---|
| 14. Bill for Partial Amendment to Law concerning the Financial Business by Cooperative Associations | ESS (Henry-Wohl) No Obj LS (Otto) No Obj |
| 15. Bill for Partial Amendment to the Fisheries Law | LS (Steiner) No Obj |
| 16. Bill for Construction of Kobe as International Port City | Cleared GS (Rizzo) |
| 17. Bill for Partial Amendments to Fisheries Law and Establishment Law of Fisheries Agency | NRS (Yoe) No Obj LS (Steiner) No Obj |
| 18. Bill for Partial Amendment to the Temporary Restaurant Business Control Law | ESS (Klein) No Obj LS (Brunckhorst) No Obj |
| 19. Bill for Partial Amendment to the Horse Racing Law | Cleared GS (Guida) |

July 17th, 1950.

Title of the Bill: Bill for Construction of NARA
International Sightseeing and
Cultural City.

I hereby certify that the above mentioned Bill does not violate any Directive issued by the Supreme Commander for the Allied Powers and the Constitution of Japan, and that any provision of this Bill, except those providing for exceptions, does not contradict any other law.

However, as this Bill is to be referred to the plebiscite of the inhabitants of NARA City in accordance with the provision of Article 95 of the Constitution of Japan, before its promulgation, the expenses of Yen 70,000 (according to the calculation by the Administration Section, National Election Administration Commission) necessary for the plebiscite is required to be woven in a supplementary budget of this fiscal year.

Toshio Irie

Chief, Legislative Bureau,
House of Representatives.

Cleared 7/21/50
FR

(9)

03

CW/JN/JW/GB

Draft Legislation

Justin Williams

26-6069

18 July 1950

Govt Section

ESS

1.

Attached hereto is the draft of a bill for Construction of Nara as an International Sightseeing and Cultural City, submitted by a member of the House of Representatives. The National Election Administration Commission estimated cost of plebiscite, should this bill be enacted into law, at \$70,000. Your comment thereon is requested.

1 Incl

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

JW
P & P DIV

(70)

File: 010(18 Jul 50)ESS/FF

From: ESS

To: Govt Section

John
WFM/EMR/JRM/eb
Mr. Mossler, 26-6148

25 JUL 1950

2

1. Subject Bill for Construction of Nara, International Sightseeing and Cultural City is quite similar to a number of other bills that have recently been proposed for introduction in the Diet. All such bills have incorporated articles which provide for exception to the existing National Property Law in order that certain municipalities might accelerate their city planning projects through the transfer without cost of National property to those public entities that carry out special city planning projects. It appears that the approval of suggested bill would encourage other groups to initiate special purpose legislation with the express objective of acquiring government properties at no cost, thereby creating a demand for exceptions and exemptions outside the present policy pertinent to National property administration. If it is considered necessary to make exceptions to the National Property Law, such amendments should more properly be incorporated in the Property Law itself.

2. The expenditure required of the central government in order to implement the plebiscite as required by Article 3 of the supplementary provisions is small. However, funds were not specifically provided in the 1950-51 fiscal year budget for this purpose and no funds are currently available for transfer unless supplemental budget action is taken.

3. Although the draft bill is considered to be poor legislation, the determination as to whether or not the bill should be cleared for introduction in the Diet depends upon the extent the SCAP intends to intervene in such problems. Even if the bill were to pass the Diet funds required for implementation of the plebiscite would not be forthcoming from the central government until necessary budget action is taken.

1 Incl:
n/c

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

Recd 65
7/26/50

July 17th, 1950.

Title of the Bill: Bill for Construction of Kyoto
International Sightseeing and
Cultural City.

I hereby certify that the above mentioned Bill does not violate any Directive issued by the Supreme Commander for the Allied Powers and the Constitution of Japan, and that any provision of this Bill, except those providing for exceptions, does not contradict any other law.

However, as this Bill is to be referred to the plebiscite of the inhabitants of Kyoto City in accordance with the provision of Article 95 of the Constitution of Japan, before its promulgation, the expenses of Yen 750,000 (according to the calculation by the Administration Section, National Election Administration Commission) necessary for the plebiscite is required to be woven in a supplementary budget of this fiscal year.

Folio Irie

Chief, Legislative Bureau
House of Representatives.

Cleared 7/24/50
FR

(2)

S.A. Reese
2635/473

Bill for Construction of Nara International Sight-
seeing and Cultural City
Bill for Construction of Kyoto International Sight-
seeing and Cultural City

4 August 1950

LS

GS

1 1. Since subject bills were both passed by the Diet at the close of the Emergency Session on 31 July 1950, LS refrains from offering detailed comments thereon.

2. Reference is made to Check Sheet No. 2 from LS to GS dated 15 April 1950, subject: "Bill for Construction of International Sightseeing City" (pertaining to the cities of Beppu, Atami and Ito). Inasmuch as the two subject bills are substantially the same as the bill previously submitted for review, the comments and objections of LS as made on 15 April 1950 are still regarded as applicable.

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

CW/JH/JW/CHH/gb

Draft Legislation

Govt Section

ESS

Capt. Morris
26-8076
18 July 1950

1. Attached hereto is the draft of a bill for the Construction of Kyoto as an International Sightseeing and Cultural City, submitted by a member of the House of Representatives. The National Election Administration Commission estimates cost of plebiscite, should this bill be enacted into law, at \$750,000. Your comment thereon is requested.

1 Incl

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

CP
P & P DIV

File: OIO(18 Jul 50)ESS/PF

From: ESS

To: Govt Section

James
WFM/EMR/JMM/eb
Mr. Messler, 26-6148

25 JUL 1950

2

1. Subject Bill for Construction of Kyoto, International Sightseeing and Cultural City is quite similar to a number of other bills that have recently been proposed for introduction in the Diet. All such bills have incorporated articles which provide for exception to the existing National Property Law in order that certain municipalities might accelerate their city planning projects through the transfer without cost of National property to those public entities that carry out special city planning projects. It appears that the approval of suggested bill would encourage other groups to initiate special purpose legislation with the express objective of acquiring government properties at no cost, thereby creating a demand for exceptions and exemptions outside the present policy pertinent to National property administration. If it is considered necessary to make exceptions to the National Property Law, such amendments should more properly be incorporated in the Property Law itself.

2. The expenditure required of the central government in order to implement the plebiscite as required by Article 3 of the supplementary provisions is small. However, funds were not specifically provided in the 1950-51 fiscal year budget for this purpose and no funds are currently available for transfer unless supplemental budget action is taken.

3. Although the draft bill is considered to be poor legislation, the determination as to whether or not the bill should be cleared for introduction in the Diet depends upon the extent the SCAP intends to intervene in such problems. Even if the bill were to pass the Diet funds required for implementation of the plebiscite would not be forthcoming from the central government until necessary budget action is taken.

1 Incl:
n/c

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

*Rec'd 65
7/26/50*

July 19th, 1950.

Title of the Bill: The Bill concerning the Authority
of Railway Security Agent Etc.

I hereby certify that the above mentioned Bill
does not violate any Directive issued by the Supreme
Commander for the Allied Powers and the Constitution
of Japan, and that any provision of this Bill, except
those providing for exceptions, does not contradict
any other law.

Toshio Irie

Chief, Legislative Bureau,
House of Representatives.

*Cleared
7/20/50
P.R. by
JW*

③

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

AG 014.12 (16 Jan 46)GC
(Scopin 605)

16 January 1946

MEMORANDUM FOR: IMPERIAL JAPANESE GOVERNMENT.

THROUGH : Central Liaison Office, Tokyo.

SUBJECT : Armament of Police Forces in Japan.

1. Information received at this Headquarters indicates that the Japanese Government has refrained from arming the Civil Police due to a misunderstanding of the disarmament directives. Directives issued by this Headquarters have not prohibited the arming of Japanese Civil Police with pistols where necessary nor has such prohibition been the intention of this Headquarters at any time.

2. The Imperial Japanese Government is hereby advised that the Japanese Civil Police are authorized to carry pistols in the performance of their duties, as deemed necessary by the Imperial Japanese Government, subject to the provision that the total number of pistols available to the Japanese Civil Police shall not exceed the strength of the Japanese Civil Police Force authorized by this Headquarters.

3. It is directed that all firearms, other than pistols authorized in accordance with the foregoing, currently in the hands of the Japanese Civil Police Force be delivered to United States Army Occupation Forces on or before 1 March 1946 in accordance with established disarmament procedures.

4. The Imperial Japanese Government is authorized to maintain a supply of 100 rounds of ammunition for each pistol authorized the Japanese Civil Police. Ammunition in excess of this amount will be turned over to United States Army Occupation Forces. Requests for resupply of ammunition may be submitted by police chiefs through local Occupation Force Commanders, as necessary.

FOR THE SUPREME COMMANDER:

H. V. Allen
H. V. ALLEN,
Colonel, A.G.D.,
Asst Adjutant General.

601

Goat

*Go
KO
file
CW*

Bill Concerning the Authority of Railway
Security Agents etc.

Mr. Otto - 2635/420
26 July 1950

LS

GS

1. Subject bill establishes a system of railway law enforcement personnel, known as "Railway Security Agents", on the Japanese National Railways, to investigate offenses "against the transport business" and offenses committed on railway property (Art. 1). These agents are authorized to carry "small-size weapons" (Art. 7). The provisions of the Code of Criminal Procedure as to criminal investigations are made to apply (Art. 3).
2. LS makes no comment as to the necessity of arming all security agents, particularly personnel with such primary duties as conductor on passenger trains.
3. The principal objection to the bill is that it is ambiguous and lacking in clarity both with respect to its own subject matter and its effect on existing legislation concerning railway police.
4. Thus subject bill makes no reference whatsoever to existing railway police laws, as follows: Law 234 of 1948, which re-enacts Imperial Ordinance 528 of 1923; Law 250 of 1948; and Law 58 of 1949.
5. a. Article 1 of subject bill provides a new, more centralized method of selecting security agents as distinguished from the present selection of railway police under Article 4 of the existing law.
b. It is also pointed out that while the present law is limited to flagrant offenses, with regard to such offenses the designated railway personnel apparently have full powers of judicial police as prescribed by the Code of Criminal Procedure. Under subject bill, the new security agents are to "perform the function of investigation" (Art. 1), and "the provisions concerning the criminal investigation by the judicial police officials provided in the Code of Criminal Procedure" are to be applied (Art. 3). It would appear that the agents would not be limited to flagrant offenses, but their authority would extend only to "investigation". The second sentence in Article 3 of the bill suggests that this power of "investigation" includes arrest of "suspects", as well as flagrant offenders, which would indicate a rather broad interpretation of the term.
c. Because of the different method of selection and different powers of the present railway police and the proposed security agents, and since subject bill does not expressly amend or repeal the existing Article 4, the net result might be the establishment of two, co-existing enforcement groups.

Bill Concerning the Authority of Railway
Security Agents etc.

LS

GS

Mr. Otto - 2635/420
26 July 1950

1
Cont'd.

It is not believed that such is the intention. To prevent such an interpretation, however, the present Article 4 should be deleted or amended.

d. In addition, the extent of the powers of the proposed security agents should be clearly stated. It would appear that by the use of the term "investigation" something less than full police power is actually intended, despite the reference in Article 3 to the arrest of "suspects". The term "crimes or troubles against the transport business" (Art. 1), in setting forth the jurisdiction of the agents, is also in need of clarification.

6. In Article 7, authorizing agents to ^(attached) carry "small-size weapons", the question of arms limitation under SCAPIN 605 comes into consideration. This point was raised in LS check sheet, 18 July 1950, concerning the bill for arming customs officials. Since railways security agents would come within the spirit, if not the letter of the term "civil police" as used in this SCAPIN, it is suggested that the term pistol be substituted in Article 7.

7. It is also pointed out that provision is made only for security agents among personnel of the Japanese National Railways. There is also considerable railroad mileage that is privately owned and operated, which might also be included in the bill.

8. Subject bill provides no limitation on the number of security agents. At the present time there are some 8,000 railway personnel performing judicial police duties. In the draft of the overall Special Judicial Police Bill, prepared by the AGO, a maximum of 5,000 "railway safety officials" with full judicial police powers is provided. Some such maximum limitation should be included in subject bill to conform with the general policy of restricting by law the total number of police personnel.

9. Accordingly, the following suggestions are made:

a. The extent to which subject bill repeals existing laws should be clarified by express provisions.

b. The extent of the authority of the railway security agents under the bill should be clarified.

c. Article 7 should limit armament to pistols.

Bill Concerning the Authority of Railway
Security Agents etc.

LS

GS

Mr. Otto - 2635/420
26 July 1950

1
Cont'd.

d. The question of providing for security agents on privately owned
railroads should be considered.

e. An overall limitation as to the total number of security agents
should be included.

10. If the primary purpose of subject bill is to provide for the arming
of railway police, it is suggested that a simple amendment to existing legisla-
tion would be the easiest procedure.

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

*Mr. Otto stated to the undersigned by phone on 7/25
that the above suggestions had conformally been
discussed with Mr. Atkins, Chief Legislative Coun., A.R.
on 7/25 and therefore felt no further meeting was
necessary.*

Gueto

HOUSE OF COUNCILLORS

Friday, July 28, 1950

Title

Partial Amendments to the Bill
concerning the Authority of
Railway Security Agent, etc.

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

K. Shunra

Director, Legislative Bureau,
House of Councillors

no objection
1/27/50
7/27/50

Partial Amendments to the Bill Concerning
the Authority of Railway Security Agent Etc.

LS

GS

Mr. Otto-2635/420
4 Aug 1950

1. No legal objections.

2. Subject amendments are minor in nature, having no relation to the serious objections set forth in LS check sheet to GS, 26 July 1950, concerning original bill.

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

July 19th, 1950.

Title of the Bill: Bill for Administrative Scrivener.

I hereby certify that the above mentioned Bill does not violate any Directive issued by the Supreme Commander for the Allied Powers and the Constitution of Japan, and that any provision of this Bill, except those providing for exceptions, does not contradict any other law.

Toshio Irie

Chief, Legislative Bureau,
House of Representatives.

*Cleared
7/21/50
PRC by
Jm*

(4)

Eric says membership is
Scribner's Association is
voluntary — not mandatory

Norris

via Shuman 7/29/58

The Administrative Scrivener Bill

LS

GS

G.M. Koshi, 2635-405
4 August 1950

1

1. Subject bill was first reviewed in LS checknote dated 15 May 1950. The objections therein explained have been eliminated to some extent by this draft bill.

2. There still remain elements of bureaucratic control and regimentation of the business of administrative scriveners. However, it is a matter of policy and since the scriveners hold fiduciary relationship with their clients, a certain degree of control and regimentation may be desirable.

3. LS has no legal objections. Attention is invited, however, to the following errors and omissions in the English translation:

a. In Article 3, paragraph 3, the phrase "equal or more" should be changed to "more than equal".

b. In Item 3 of Supplementary Provisions, the phrase "according to the provision of Article 6" should be inserted after "to have his name registered", and the phrase "registered and has" after the expression "and person who has" should be deleted.

c. In Item 7 of Supplementary Provisions, the phrase "at the time of enforcement of this law" should be inserted after "in Article 1."

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

July 18th, 1950.

Title of the Bill: Bill for the Land and House Investigator Law.

I hereby certify that the above mentioned Bill does not violate any Directive issued by the Supreme Commander for the Allied Powers and the Constitution of Japan, and that any provision of this Bill, except those providing for exceptions, does not contradict any other law.

As regards the enforcement of this law, expenditure of about ¥300,000 (estimated by the 1st Section of Civil Affairs Bureau of Attorney-General's Office) is needed for this fiscal year in order to carry out the registration systems, and this expenditure should be woven in the supplementary budget. Further, expenditure of about ¥13,000,000 (estimated by the above mentioned Section) is necessary for every fiscal year after 1951 for execution of examination and registration.

However, as examination-fee and registration-fee may be collected under the enforcement of this law, revenue larger than ¥13,000,000 (except ¥300,000 for this year) can be expected to come in every year.

Toshio Irie

Chief, Legislative Bureau,
House of Representatives.

Rec'd GS 7/19/50

Substantially the same bill
as submitted and cleared for 7th Session.
Art. 1 & 2 different than Art. 1 of old bill

OK

(5)

Cleared
7/20/50
FR by JW

Bill for the Land and House Investigator
Law

G.M.Koshi, 2635-405
4 August 1950

L3

GS

1

1. Revised subject bill complies substantially with objections set forth in Legal Section's checksheet to GS under date of 8 May 1950.

2. No legal objections to the revised bill. Attention is invited, however, to the following errors and omissions in the English translation:

a. In Article 4, Item 1, the words "for a" should be changed to "or any". In Item 4 of the same Article, "Article 12" should be changed to "Article 13".

b. In Article 8, Item 4, "Article 3" should be changed to "Article 4".

c. In Article 13, the word "legal" should be inserted between the words "Local" and "Affairs", to read, "Local Legal Affairs."

d. The phrase, "Federation of Investigators' Associations" should be set out in parenthesis as the caption for Article 17, and the remainder of the paragraph should be set out as Article 17, beginning with the words, "Investigators' Associations may,...."

e. In Article 21, "Article 10" should be changed to "Article 11".

f. In Article 22, "Article 11" should be changed to "Article 12".

g. In Article 23, Items 1 and 2, "Article 18" should be changed to "Article 19".

h. In Item 3 of Supplementary Provisions, at the end of the first paragraph, "Article 2" should be changed to "Article 3", and also "Article 2" in Item 2 should be changed to "Article 3".

i. In Item 7, "Article 4" should be changed to "Article 5".

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

July 22nd, 1950.

Title of the Bill: Bill for Construction of
Yokohama International
Port-City.

I hereby certify that the above mentioned Bill does not violate any Directive issued by the Supreme Commander for the Allied Powers and the Constitution of Japan, and that any provision of this Bill, except those providing for exceptions, does not contradict any other law.

However, as this Bill is to be referred to the plebiscite of the inhabitants of Yokohama City in accordance with the provision of Article 95 of the Constitution of Japan, before its promulgation, the expenses of approximately Yen 900,000 (according to the calculation by the Administration Section, National Election Administration Commission) necessary for the plebiscite is required to be woven in a supplementary budget of this fiscal year.

Toshio Irie

Chief, Legislative Bureau,
House of Representatives.

*Cleared
7/24/50
FRC by JW*

(6)

House of Representatives

July 27th, 1950.

Draft of Amendments to the Bill for Construction of
Yokohama International Port-City

(Proposed by Construction Committee.)

Article 5 shall be amended as follows:

(Furtherance of Enterprise)

Article 5. The State may, when it deems necessary for the furtherance of the Yokohama International Port-City Construction Enterprise, donate ordinary assets, regardless of the provision of Article 28 of the State Property Law (Law No.73 of 1948), to the public entity which bears the expenses necessary for the said Enterprise.

cn

Recd GS 2/27/50

Cleared FR 7/28/50
yokh

Bill for Construction of Yokohama International Port-City

LS

GS

4 August 1950

1

1. The bill entitled "International Port-cities Construction Bill" providing for the construction of Yokohama and Kobe as the representative international port-cities of Japan, was reviewed by this Section.

2. Subject bill provides for the construction of international port-city in Yokohama and leaves the city of Kobe to a separate bill. Although some changes have been made in the subject bill, the substance has remained the same.

3. LS therefore, refers to the checksheet to Government Section of 21 April 1950, subject: International Port-City Construction Bill. The comments contained therein, excepting the passage in Item 3 referring to Article 5 (2), are being repeated.

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

July 25th, 1950.

Title of the Bill: Dog Race Bill.

I hereby certify that the above mentioned Bill does not violate any Directive issued by the Supreme Commander for the Allied Powers and the Constitution of Japan, and that any provision of this Bill, except those providing for exceptions, does not contradict any other law.

Toshio Inoue

Chief, Legislative Bureau,
House of Representatives.

Rec'd GS 7/26/50

cc: NRS
PIHW
ESS
LS/LVS

(9)

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet) **CW/JH/JH/CRG/CS**

Subject: Draft Legislation

| ote No. | From: Govt Sec | To: LS/LAJ | Date: 26 July 1950 |
|-----------|---|-------------------|---------------------------|
| 1. | <ol style="list-style-type: none">1. Immediate introduction of the attached draft bill in the Diet is proposed by the House of Representatives.2. Your prompt comment is requested. | | |
| | 1 Incl Dog Race Bill | | |
| | C. W. | | |

P & P DIV

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet) CW/JA/JW/CFO/GB

Subject: Draft Legislation

| Note No. | From: Govt Sec | To: ISS | Date: 26 July 1950 |
|----------|--|---------|--------------------|
| 1. | <p>1. Immediate introduction of the attached draft bill in the Diet is proposed by the House of Representatives.</p> <p>2. Your prompt comment is requested.</p> <p>1 Incl Dog Race Bill</p> | | |

C. W.

P R P DIV

TO: ESS

GS

WFM/REG/LAS/HW/sm
R.M. Gillies, 26-6561
1 SEP 1950

1. Reference is C/N No. 1 from GS to ESS, 26 July 1950, requesting comment concerning draft of "Dog Race Bill". (Although the 8th session of the Diet adjourned without action on said bill, GS recently requested ESS comments thereon since reference legislation is scheduled for introduction at the coming Diet session.)
2. Subject draft bill proposes that the holding of dog races, accompanied by the sale of betting and admission tickets, be established as a local government monopoly "in order to contribute to the improvement of breeding of dogs, promotion of their expert and love of animals as well as to the replenishment of financial resources of local governments." Subject proposal calls for sponsoring local governments to be the prefectures and such cities, towns and villages as are designated by the Local Finance Commission. Sponsoring local governments are to retain 25% of the proceeds of betting tickets sales for their revenue and to pay over one-fifth of such revenue to the National Treasury. The National Government is directed to appropriate the whole or part of the amount received to the expenses for epidemic control, prevention of cruelty to animals, guidance and encouragement of work dogs, keeping of animals designated as national souvenirs, and registration of

(26 Jul 50)CS 1 SEP 1950
Subj: Draft Legislation

medium and small size animals. Provision concerning such appropriations are to be made by Cabinet Order.

3. Subject draft bill also stipulates that the sponsoring local governments may delegate the power to conduct dog races to the Domestic Animal Development Society, one of which is to be organized in each Prefecture. In the event of such delegation, the sponsor is to pay the Society one-fifth of its betting ticket revenue. Each of the prefectural societies is to become a member of the Federation of Domestic Animal Development Societies which is given the functions of registration of dog race tracks, referees and timers of dog races, and racing dogs.

4. Policy comments:

a. Creation of dog racing as a local government monopoly, together with the sale of betting tickets, as a national policy for raising government revenue is a prerogative of the Diet. However, the delegation of the operation of such a government monopoly to private associations and the delegation of registration functions to a federation of such associations is undesirable and clearly in conflict with established occupation policies as set forth in SCAPINS 1108, 1394 and 1860, which prohibits the delegation of government functions to non-governmental organizations and requires the elimination of monopolistic control associations.

b. The provision that the national revenue to be derived from dog racing must be utilized in whole or in part for purposes allied to racing of dogs as is to be set forth by Cabinet Order is undesirable and conflicts with established occupation policy regarding subsidization. Furthermore, appropriation of funds through Cabinet Order as proposed would infringe on the constitutional budgetary prerogatives of the Diet.

c. In addition, reference legislation appears to be of questionable constitutionality and inconsonant with other laws. It, in effect, nationalizes the conduct of a sporting event - which could be the subject of private enterprise. If the example of the Bicycle Race Law (prototype of reference legislation) is followed, the stadia and other physical facilities may be constructed by, and title vested in, the prefectural governments; and such governments will turn over actual management of races to the prefectural Development Society. The selling of tickets, choice of meeting dates, and all the operating details will be left to the officials, managers and employees of the Society. It will receive 20% of the

(26 Jul 50)GS 1 SEP 1950
Subj: Draft Legislation

revenue derived from betting tickets as compensation for its services. Society income will be tax-exempt. Recruitment of its employees, their qualifications, tenure of employment and rate of compensation, will be regulated by the private judgment of the officials of the Society. Its managers and employees, who will actually do the work of conducting the races, will not be government personnel subject to civil service examination.

The employment by the prefectural governments of the managerial services of private associations would be somewhat comparable to the national government turning over the operation of the government railways to a private company or association. The government, retaining title to the national railways, could discharge government railway employees and turn over the managerial task to a private organization, compensated by a certain percentage of the operating revenue and authorized to operate the railways for the government through privately-employed workers; such surrender of governmental powers intrinsic to the ownership and operation of a nationalized industry, or government monopoly, appears to involve an unconstitutional delegation of executive powers (Arts. 65 and 73(1) of the Japanese Constitution).

5. Further, reference legislation poses a number of novel issues which should be explored - to the end that applicable SCAP interests and objectives may be clarified. It is recommended that this be accomplished through discussion between representatives of interested staff sections, especially GS, LS, G2/PSD, and ESS. Subjects for discussion should include an understanding as to the significance of reference legislation upon:

a. Freedom of entry into business - which, in the present situation, means freedom of opportunity to manage dog races. Reference legislation authorizes the prefectural governments to procure necessary managerial services from one source only; namely, the local Development Society, on a permanent continuing basis. The procurement of such services is not limited in duration, and no opportunity is allowed for others to bid for the supply thereof, on a competitive basis, at periodic intervals. A suitable subject for further exploration would be the significance of such exclusive procedure upon sound government procurement practices.

(26 Jul 50)CS 1 SEP 1950
Subj: Draft Legislation

b. Public Welfare - it should be noted that public riots, bribes, as well as doping and other mistreatment of animals, commonly associated with dog-racing and responsible for its outlawry in most parts of the United States, suggest that reference legislation is a questionable revenue device at the expense of the public order, safety and morals.

6. ESS would appreciate learning GS reaction to participation in conferences between interested staff sections, especially with IS, G2/PSD and ESS, along the lines indicated in paragraph 5 above. It is considered likely that such conferences would develop points of agreement and a basis for firm Headquarters policy in respect to this type of legislation submitted with increasing frequency for review.

Incl:
w/d

Copies to:
LS
G2/PSD

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

MEMO FOR THE RECORD: (GS)

Mr. Rizzo, in a conference with Mr. Hauge and Dr. Williams on 11 September, stated that, insofar this bill was not cleared for Diet action in its 8th session, it is a dead issue at this time and therefore feels GS should not be involved in a conference as suggested in par. 6 above. If and when this bill is re-introduced for study would be time for discussing its merits or demerits in the usual way. Mr. Wohl, ESS/FTP was substantially so informed by phone by the undersigned A.M. of 12 Sept.

C.F.G.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

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

Subject: Draft Legislation

| Memo No. | From: Govt Sec | To: NRS | Capt. Guida 26-6076 Date: 26 July 1950 |
|----------|--|---------|--|
| 1. | <p>1. Immediate introduction of the attached draft bill in the Diet is proposed by the House of Representatives.</p> <p>2. Your prompt comment is requested.</p> <p>1 Incl Dog Race Bill</p> <p><i>for</i> C. W.</p> | | |
| 2 | <p>From: NR To: Govt Sec</p> <p>J. H. Boulware 26-6788 HGS/MBW/JHB/rf Date: 31 JUL 1950</p> <p>NR considers that dog racing is not within the scope of activities assigned this Section and believes that the Ministry of Agriculture and Forestry should not be required to engage in activities so unrelated to agriculture as the operation of dog racing as a revenue measure. However, the problem appears to be one for solution by the Japanese Government and NR offers no objection to the proposed bill.</p> <p>1 Incl n/c</p> <p>H. G. S.</p> | | |

Rec'd GS 7/31/50

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

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

Subject: Draft Legislation

| Note No. | From: Govt Sec | To: PH&W | Date: 26 July 1950 |
|----------|---|--------------|--|
| 1. | 1. Immediate introduction of the attached draft bill in the Diet is proposed by the House of Representatives. | | |
| | 2. Your prompt comment is requested. | | |
| | 1 Incl Dog Race Bill | | |
| | C. W. | | |
| 2. | From: PH&W | To: Govt Sec | Dr. Beechwood, 26-6149 Date: 28 July 1950 |
| | PH&W offers no objection to the introduction of the "Dog Race Bill". | | |
| | 1 Incl w/d | | |
| | -C. F. S.- | | |

Rec'd GS 7/31/50

July 26th, 1950.

Title of the Bill: Bill for Exceptions of the
Qualification for Preliminary
Examination of the National
Dentists' Examination.

I hereby certify that the above mentioned Bill
does not violate any Directive issued by the Supreme
Commander for the Allied Powers and the Constitution
of Japan, and that any provision of this Bill, except
those providing for exceptions, does not contradict
any other law.

Foshio Irie

Chief, Legislative Bureau,
House of Representatives.

*Cleared HR
7/29/50*

Recd GS 7/27/50

(8)

Bill for Exceptions of the Qualification
for the Prelim. National Exam. for Dental
Surgeons

LS

GS

11 Aug 1950

1

LS has no legal objections.

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

Read GS
8/14/50

////////////////////
SUPREME COMMANDER FOR THE ALLIED POWERS

Ccl. Johnson, 26-6995

Draft Legislation

PH&W

GS

21 July 1950

1 PH&W offers no objection to the proposed draft legislation.

2 Incls

Bill for Partial Amendment to Law #272, 1949 .
Bill for Exceptions of the Qualifications for the
Preliminary Nat'l Exam for Dental Surgeons

----- C. F. S. -----

*Recd GS
7/29/50*

July 14th, 1950.

Title of the Bill: Bill for the Sales of Betting
Tickets on the Winning Sumo (Wrestler).

I hereby certify that the above mentioned Bill does not violate any Directive issued by the Supreme Commander for the Allied Powers and the Constitution of Japan, and that any provision of this Bill, except those providing for exceptions, does not contradict any other law.

Toshio Irie

Chief, Legislative Bureau,
House of Representatives.

(9)

• E.SS/PF (HARRISON) ⁹NO OBJECTION.

7/17/50

CHW

7/16

Chuck:

(1) Give copy to Matsukata
for his opinion.

(2) 'Phone ESS/IR/MOSS

JW

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

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

Subject: Draft Legislation

Justin Williams
26-6076

Case No.

From: Govt Sec

To: IS/LJ

Date: 18 July 1950

1.

1. Immediate introduction of the attached draft bill in the Diet is proposed by H. R. member.

2. Your prompt comment is requested.

1 Incl

Sales of Betting Tickets
on Sumo Wrestling

C. W.

2.

From: IS

To: Govt. Sec.

S.A. Reese
2635/473

Date: 7 Aug 1950

1. Since subject bill was dropped and no action was taken thereon at the recent session of the Diet, IS reserves comment and objections until such time as the same subject matter is again submitted for review.

1 Incl.
w/d

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

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet) **CW/JH/JH/GO**

Subject: Draft Legislation

Justin Williams

26-6076

Note No.

From: Govt Sec

To: **ISS**

Date: **18 July 1950**

1.

1. Immediate introduction of the attached draft bill in the Diet is proposed by **H. R. number.**

2. Your prompt comment is requested.

1 Incl

**Sales of Betting Tickets
on Sumo Wrestling**

C. W.

JW
P & P DIV

103.10(18 Jul 50)ESS/PF

From: ESS

To: Govt Sec

Law
WFM/EMR/ec
Mr. Reed, 26-6212

28 JUL 1950

1. To the extent that the proposed bill on the Sales of Betting Tickets on Sumo Wrestling depends for its justification on the need of local Government revenue, ESS does not concur. Under the present financial program for local governments, they will be able to amply finance themselves without the revenues from sales of such betting tickets.

2. It has been the constant position of ESS that legalized gambling is not necessary to the support of the Japanese Government or its political sub-divisions. The bill, however, as proposed will not in any way hurt the economic stabilization objectives of the occupation and ESS, therefore, offers no objection to its introduction if for political reasons its introduction appears to be justified.

1 Incl
--n/c

V.P.M.

*Reed 65
7/29/50*

RECEIVED
JUL 29 1950
U.S. DEPARTMENT OF THE ARMY
WASHINGTON, D.C.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

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

Subject: Draft Legislation

Justin Williams

26-6076

Note No.

From: Govt Sec

To: PHAW

Date: 18 July 1960

1.

1. Immediate introduction of the attached draft bill in the Diet is proposed by H. R. members.

2. Your prompt comment is requested.

1 Incl

Sales of Betting Tickets
on Sumo Wrestling

C. W.

P & P DIV

Sumo Wrestling

From: HHS

To: Govt Sec

Mr. Holscher 26 9425
Date: 20 July 1950

2

Since draft bill does not relate to a welfare matter, HHS offers no comment.

1 Incl
v/d

-----C. F. H.-----

Rec'd GS
7/21/50

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

CW/JA/JW/gb

Subject: Draft Legislation

Note No.

From: Govt Sec

To: **CIAE**

~~Justin Williams~~
26-6076
Date: 18 July 1960

1.

1. Immediate introduction of the attached draft bill in the Diet is proposed by **H. R. member.**

2. Your prompt comment is requested.

1 Incl

**Sales of Betting Tickets
on Sumo Wrestling**

C. W.

J&P & P DIV

353.8

W.K. Bance 57-8313

From: CIE

To: GS

Date: 24 July 1950

Attn: Mr. Williams

2

1. Article 1 of the draft bill gives the impression that the remunerative aspect suggested itself to the drafters only as an after-thought and that the encouragement of gung and its contributions to the improvement of the physique were uppermost in their thoughts.

2. CIE deploras the uncandid phrasing of the purposes of the bill, but offers no objection to the proposed bill.

1 Incl n/e

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

*Recd GS
7/26/50*

July 26th, 1950.

Title of the Bill: Bill for Partial Amendment to
the Law for Exceptions of Qualifi-
cation for Preliminary National
Examination for Medical Practitioners.

I hereby certify that the above mentioned Bill
does not violate any Directive issued by the Supreme
Commander for the Allied Powers and the Constitution
of Japan, and that any provision of this Bill, except
those providing for exceptions, does not contradict
any other law.

Joshio Inoue

Chief, Legislative Bureau,
House of Representatives.

*Cleared 7/29/50
ih*

Recd 65 7/27/50

(FO)

G.M. Koshi
2635-405

Bill for Partial Amendment to the Law for
Exceptions of Qualification for Prelim.
National Exam. for Med. Practitioners
(Law No. 272, 1949)

11 Aug 1950

LS

GS

1

LS has no legal objection.

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

*Recd GS
8/14/50*

July 24th, 1950.

Title of the Bill: Bill for Cock-fight.

I hereby certify that the above mentioned Bill does not violate any Directive issued by the Supreme Commander for the Allied Powers and the Constitution of Japan, and that any provision of this Bill, except those providing for exceptions, does not contradict any other law.

Toshio Irie

Chief, Legislative Bureau,
House of Representatives.

Rec'd 65 7/26/50

*Cst: NRS
PH+W
ESS
LS/EYS.*

(11)

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet) **CW/JA/JA/CFO/GB**

Subject: Draft Legislation

| Note No. | From: Govt Sec | To: ISS | Date: 28 July 1950 |
|-----------|---|----------------|---------------------------|
| 1. | <p>1. Immediate introduction of the attached draft bill in the Diet is proposed by the House of Representatives.</p> <p>2. Your prompt comment is requested.</p> <p>1 Incl Bill for the Japanese Cook Games Law</p> <p style="text-align: right;">C. W.</p> | | |

P & P DIV

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet) *OW/JA/JW/CPG/CD*

Subject: Draft Legislation

| Memo No. | From: Govt Sec | To: <i>IS/IAS</i> | Date: <i>26 July 1950</i> |
|-----------|--|-------------------|---------------------------|
| 1. | <p>1. Immediate introduction of the attached draft bill in the Diet is proposed by the House of Representatives.</p> <p>2. Your prompt comment is requested.</p> <p>1 Incl Bill for the Japanese Cook Cane Law</p> <p style="text-align: right;">C. W.</p> | | |

P & P DIV

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

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

Subject: Draft Legislation

Para No.

From: Govt Sec

To: PH&W

Date: 26 July 1950

1.

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

2. Your prompt comment is requested.

1 Incl

Bill for the Japanese Cock Games Law

C. W. _____

2.

From: PH&W

To: Govt Sec

Dr. Beechwood, 26-6149
Date: 28 July 1950

PH&W offers no objection to the introduction of the "Japanese Cock Games Law". However, it is suggested that Article 4 para 2, last two words, "badly fatigued." be clarified as to exact meaning in order to avoid cruelty, gross injuries and loss of blood.

1 Incl
w/d

-----C. F. S.-----

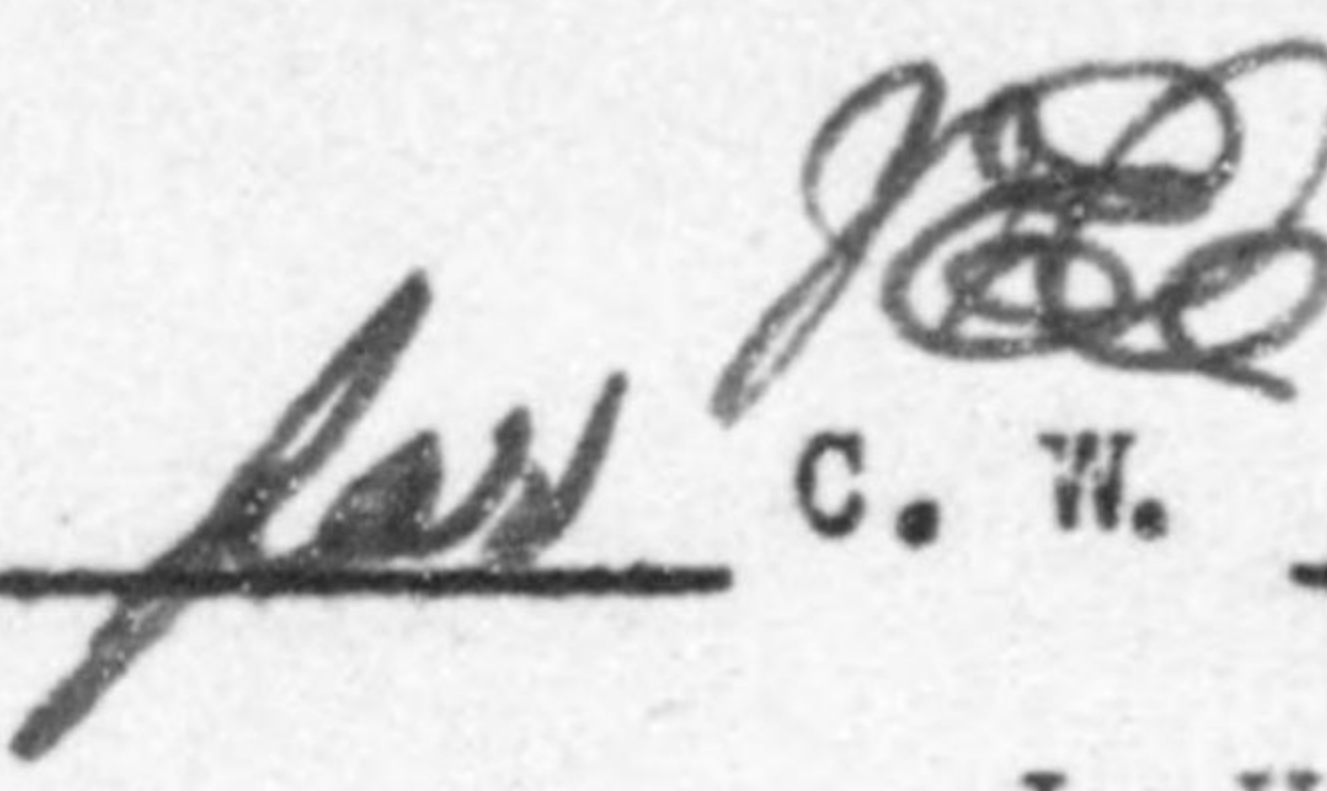
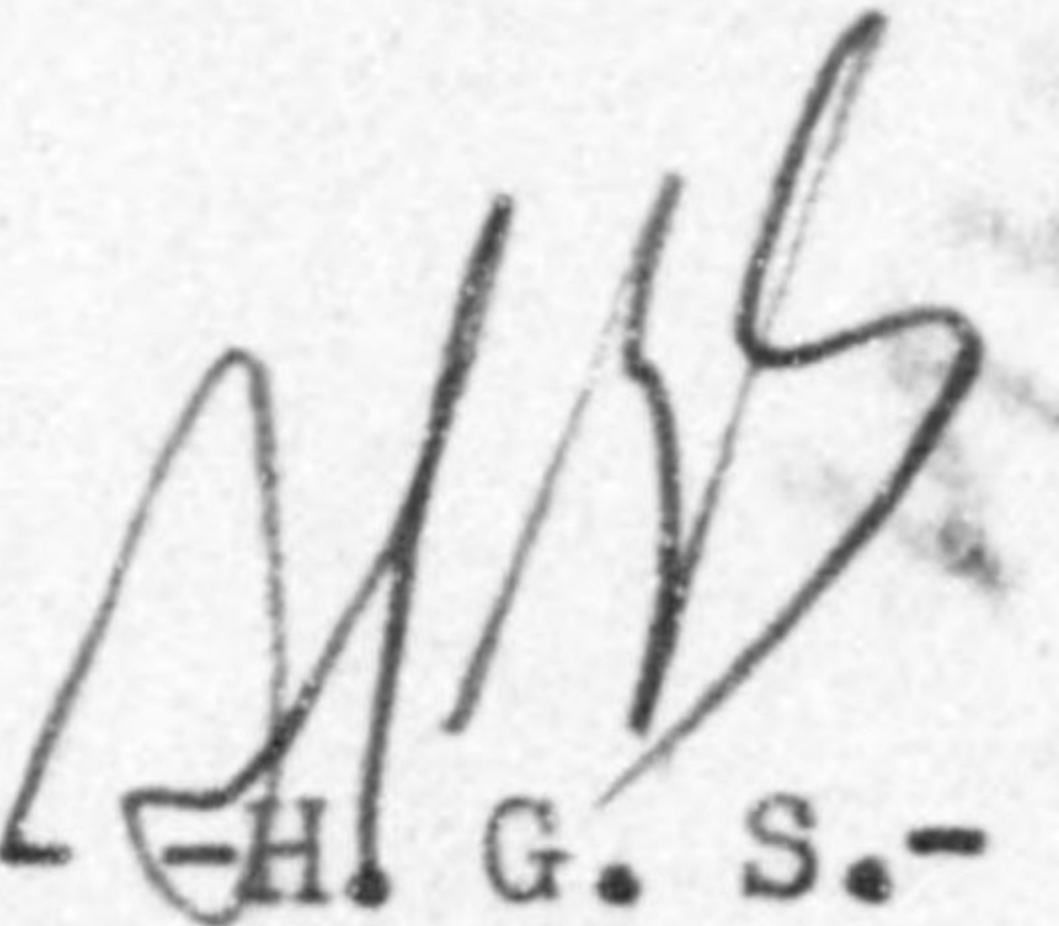
Rec'd GS 7/31/50

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

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

Subject: Draft Legislation

| To No. | From: Govt Sec | To: NRS | Capt. Guida 26-6076 | Date: 26 July 1950 |
|--------|--|--|------------------------|--------------------|
| 1. | 1. Immediate introduction of the attached draft bill in the Diet is proposed by the House of Representatives. 2. Your prompt comment is requested. 1 Incl Bill for the Japanese Cock Games Law |  C. W. | | |
| 2 | NR considers that cock fighting is not within the scope of activities assigned this Section and believes that the Ministry of Agriculture and Forestry should not be required to engage in activities so unrelated to agriculture as the operation of cock fights as a revenue measure. However, the problem appears to be one for solution by the Japanese Government and NR offers no objection to the proposed bill. 1 Incl n/c | J. H. Boulware - 26-6788 HGS/MBW/JHB/rf Date: 28 JUL 1950  H. G. S. | | |

Rec'd GS 7/31/50

July 25th, 1950.

Title of the Bill: Bill for Rabies Prevention.

I hereby certify that the above mentioned Bill does not violate any Directive issued by the Supreme Commander for the Allied Powers and the Constitution of Japan, and that any provision of this Bill, except those providing for exceptions, does not contradict any other law.

Joshio Inui

Chief, Legislative Bureau,
House of Representatives.

Rec'd GS 7/26/50

approved by PHNW (beachwood)

ESS (muscle + bradshaw) no objection

Cleared GS (Rizzo) 7/28

with deletion of Par. 1, Art. 22.

HOUSE OF COUNCILLORS

Sun., July 30, 1950.

Amendments to the Bill for Rabies Prevention

Presented by YAMASHITA Gishin (SD)

FUJIMORI Shinji (GB)

ARIMA Eiji (PD)

Bill for Rabies Prevention shall be partially amended as follows:--

In Article 4, paragraph 1, "through the head of city, town or village (concerning an area where a ward of Tokyo-to exists, Chief of the ward; hereinafter referred to as the same)" shall be added after "to the governors of To, Do, Fu and prefectures, is kept" and in paragraph 2 of the same Article, "through the head of city, town or village mentioned in the preceding paragraph" shall be added after "the license".

In Article 6, paragraph 4, "(concerning an area where a ward of Tokyo-to exists, Chief of the Health Centre; hereinafter referred to as the same)" shall be deleted.

In Article 9, paragraph 1, "at the place where it has been kept" shall be deleted.

In Article 21, "on the basis of the requirement prescribed by the Ministry of Welfare Ordinance" shall be deleted.

In Article 25, "Article 8, paragraph 2 and paragraph 3 and paragraph 15" shall be amended as "Article 8, paragraph 2 and paragraph 3".

In Article 26, "imprisonment not exceeding one year or" shall be deleted.

Reason

Spaid G s 7/31
Cleared by:

PHM (beachwood)

Cleared GS (Riggs) 7/31

(12)

Reason for Amendment

Amendment of Article 4 to make clear that the head of city, town or village shall come in contact with application for the registration and delivery of the license.

Amendment of Article 6 arrangement of provisions incident to the amendment of Article 4.

Amendment of Article 9.

It is not necessary to make the method of confinement the more inconvenient by limiting the place of confinement to the place where it has been kept.

Amendment of Article 21.

The interference of the Welfare Ministry Ordinance with the standard of the detention house would be too officious.

Amendment of Article 25.

It is necessary to transfer also the power concerning the restriction of movement mentioned in Article 15 to the mayor of the city where the health center is located.

Amendment of Article 26.

Only minor fine would be sufficient.

Remarks

It must be added that the authority and duties concerning Registration (Article 4), Detention (Article 6) Public Notice and Chaining (Article 10) Examination and Preventive Injection (Article 13) Permission for Autopsy of the Carcasses (Article 14) Cutting off or Restriction of Communication (Article 16) Prohibition of Gathering (Article 17) Detention (Article 18) Enforcement order

of

of the Welfare Minister (Article 19) Establishment of the Detention House (Article 21) shall be transferred to the head of a city, as far as it has the health center established (there are 30 such cities at present), in accordance with the provisions of Article 25.

July 27th, 1950.

Title of the Bill: Bill for Partial Amendment to
the Public Offices Election Law.

I hereby certify that the above mentioned Bill does not violate any Directive issued by the Supreme Commander for the Allied Powers and the Constitution of Japan, and that any provision of this Bill, except those providing for exceptions, does not contradict any other law.

Toshio Irie

Chief, Legislative Bureau,
House of Representatives.

Recd 65 7/27/50

(13)

28 July

Frank:

The attached Bill for Partial Amendment to the Public Offices Election Law has been submitted to us for clearance. It is an H. R. bill, sponsored by the Liberal Party.

The proposed amendment is the Liberal Party's attempt to ban teachers from all political activity.

Yesterday, five officials of the Japan Teachers Union registered a protest against this bill with GS/CSD/Onodera (see attached memo).

A copy of the bill was hand-carried to CIE/Loomis. CIE reports "no objection" to the bill.

Justin recommends that either (1) GS disapprove the bill now, or (2) GS "put it on ice" until late Monday, in order to keep it from being enacted during this session of the Diet. His reasons, in brief, are (1) it makes school teachers "second-class" citizens; (2) it is of sufficient importance to merit full and complete committee discussion, including public hearings, before enactment. Such would be impossible if the bill were cleared for introduction during this session. The late submission of this bill by the Liberals is an obvious attempt to secure hurried clearance so that they can railroad the legislation through the Diet without discussion. They fear open discussion of this bill.

It is known that the Social Democrat Party will oppose this legislation. I have just received a request from the following five Social Democrats who desire an appointment as soon as possible with General Whitney and Colonel Nugent to discuss the Liberal Party's efforts to ban political activity by teachers:

Mr. Sone (H.C.)
Mr. Wada (H.C.)
Mr. Araki (H.C.)
Miss Takada (H.C.)
Mr. Asanuma (H.R.; Secretary General of SDP)

One additional item to consider: if this bill is cleared now, it will be referred to the Local Administration Committee. In the H.C., that committee is earnestly attempting to complete deliberations on the Local Tax Bill on schedule. Should the Committee's time be divided in order to discuss both measures, the opposition parties would have a good excuse for failing to complete their study on the Local Tax Bill, which might result in the Tax Bill not being voted on in Committee on Sunday, or even Monday.

W. L. Loomis

HL

Dr. Loomis - 26-5679

014

Draft Legislation

CIE

GS

28 July 1950

1. Reference is made to draft legislation "Bill for Partial Amendment to the Public Offices Election Law (Incl 1), submitted to CIE informally for comment by GS, and to telephone conversation between CIE (Dr. Loomis) and GS (Capt Norris) this date.
2. CIE has no objection to proposed legislation.

1 Incl
Draft Bill

-----D. R. H.-----

*Recd GS
7/31/50*

CIVIL SERVICE DIVISION
Government Section

28 July 1950

MEMORANDUM FOR: Mr. Maynard N. Shirven, Acting Chief,
Civil Service Division

SUBJECT : Legislation Banning Teachers' Political Activities

On 27 July 1950, five officials of the Japan's Teachers Union, headed by Mr. Oka, Saburo as their spokesman, came to the Dai Ichi Building and requested an interview with Mr. Blaine Hoover. The undersigned was instructed by Mr. Salter, who just then busy, to interview them and learn of the purpose of their visit.

The problem as told to the undersigned to be transmitted to the Chief of the Civil Service Division is as follows:

The Teachers Union is in receipt of the information that the Liberal Party held a secret caucus on 26 July and has decided to introduce a special legislation to the present session of the Diet banning all political activities of the teachers.

The Teachers Union is strenuously opposed to this legislation and earnestly requests GHQ's cooperation in stopping this Liberal Party action. Explanations and arguments offered by the Union are:

1. Even according to delegates from the United States and Great Britain to the Federation of World Free Trade Union Convention, neither in the United States nor in Great Britain, two of the most advanced democracies in the world, is such restriction placed on teachers. Why should teachers in Japan be so singled out and legislated?
2. It is anticipated that the Liberal Party will try to accomplish its aim by introducing a bill which would insert an amendment article in the "Law concerning Special Regulations for Educational Personnel," and provide for the mutatis mutandis application of the NPA rule on public servants' political activities. It is emphatically pointed out that the teachers are not in the same category with general government officials whose functions are administrative.
3. One of the anticipated arguments which the Liberal Party will attempt to use will be that teachers as such can wield undue influence because of their socially recognized position and status. On this point, however, it must be remembered that such officials as village and town mayors, prefectural governors and others are not restricted in any way in their political activities

MEMO FOR: Mr. Shirven

- 2 -

28 July 1950

4. At the present time, and until the contemplated Local Public Service Law is enacted, no local public servants are prohibited by law to engage in political actions. Yet, in the present instance, teachers, many of whom are in the local autonomous bodies, are being singled out by this Liberal Party proposal and are in danger of losing their basic civil rights.
5. Several times, on previous occasions, the representatives of the Teachers Union met with Mr. MacCoy and Mr. Salter concerning various problems. On each occasion the Teachers Union was told that any political injustice could be corrected by proper constitutional procedure, by electing true representatives of the people, by appealing to popular support, etc. If the proposed Law is passed and their rights to engage in political activities outlawed, how can teachers resort to such political means of righting the wrong as suggested by Messrs. MacCoy and Salter?
6. It should be understood, of course, that what the Teachers Union is fighting for is not the right to engage in political activities and teachings at schools and during school hours, but the basic civil rights as an individual to criticize or approve, oppose or support any legal political parties, and to do so outside of their working hours.
7. The matter is urgent. This bill may be presented to the Diet within a day or two and railroaded through. The Teachers Union strongly appeals to GHQ for its help and cooperation in stopping this political trickery of the Liberal Party which is bent on suppressing all democratic forces in the country.

Various other points on the unconstitutionality, NPA recommendation that was never presented, etc., too numerous to mention, were also expressed.

The delegation left with the statement that they will await your summons, but in view of the urgent nature of this matter, they will call on you today if no summons is received.

SHO ONODERA
Classification and
Compensation Analyst

July 27th, 1950.

Title of the Bill: Bill for Partial Amendment to
the Law concerning the Financial
Business by Cooperative Associations.

I hereby certify that the above mentioned Bill
does not violate any Directive issued by the Supreme
Commander for the Allied Powers and the Constitution
of Japan, and that any provision of this Bill, except
those providing for exceptions, does not contradict
any other law.

Foshio Irie

Chief, Legislative Bureau,
House of Representatives.

*Cleared
Hh
7/29/50*

(14)

ESS / Banking + Foreign Exchange (Henry)
ESS / Fair Trade Practices (Wohl)

No objection.

anon.

7/29/50

pkw

Bill for Partial Amendment to the Law Concerning
the Financial Business by Cooperative Associations

LS

GS

Mr. Otto - 2635/420
8 Aug 1950

1. No legal objections. It is suggested, however, that the concluding phrase "violates the provisions of laws and orders" be changed to "violates the provisions of laws and cabinet orders" for the sake of clarity.

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

House of Representatives

July 30th, 1950.

Proposed Amendment to the Bill for Partial
Amendment to the Law concerning the Financial
Business by Cooperative Associations.

(proposed by Imazumi, Isamu and 20 others)

The Bill for Partial Amendment to the Law concerning
the Financial Business by Cooperative Associations shall
be partially amended as follows:

"or does not meet the standard stipulated by a Cabinet
Order." shall be added after "laws and order."

Recd C's 7/20/50

Cleared 7/31/50
FR
by [signature]

July 22nd, 1950.

Title of the Bill: Bill for Partial Amendment to the
Fisheries Law.

I hereby certify that the above mentioned Bill does not violate any Directive issued by the Supreme Commander for the Allied Powers and the Constitution of Japan, and that any provision of this Bill, except those providing for exceptions, does not contradict any other law.

Toshio Arai

Chief, Legislative Bureau,
House of Representatives.

15

Draft Bill for Partial Amendment to the
Fisheries Law

LS/L&J

GS

8 August 1950
Kurt Steiner-2635-479

1. No legal objections.

1 Incl. w/d

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

July 22, 1950.

Title of the Bill: Bill for Construction of Kobe
International Port-City.

I hereby certify that the above mentioned Bill does not violate any Directive issued by the Supreme Commander for the Allied Powers and the Constitution of Japan, and that any provision of this Bill, except those providing for exceptions, does not contradict any other law.

However, as this Bill is to be referred to the plebiscite of the inhabitants of Kobe City in accordance with the provision of Article 95 of the Constitution of Japan, before its promulgation, the expenses of approximately Yen 900,000 (according to the calculation by the Administration Section, National Election Administration Commission) necessary for the plebiscite is required to be woven in a supplementary budget of this fiscal year.

Toshio Irie

Chief, Legislative Bureau,
House of Representatives.

*clean
7/24/50
FR by JW*

(16)

Bill for Construction of Kobe International Port-City

G.M.Koshi, 2635-405
4 August 1950

LS

GS

1

1. The bill entitled "International Port-cities Construction Bill" providing for the construction of Yokohama and Kobe as the representative international port-cities of Japan, was reviewed by this Section.

2. Subject bill provides for the construction of international port-city in Kobe and leaves the city of Yokohama to a separate bill. Although some changes have been made in the subject bill, the substance has remained the same.

3. LS therefore, refers to the checksheet to Government Section of 21 April 1950, subject: International Port-City Construction Bill. The comments contained therein, excepting the passage in Item 3 referring to Article 5 (2), are being repeated.

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

House of Representatives

July 27th, 1950.

Draft of Amendments to the Bill for Construction
of Kobe International Port-City

(Proposed by Construction Committee)

Article 5 shall be amended as follows:

(Furtherance of Enterprise)

Article 5. The State may, when it deems necessary for the furtherance of the Kobe International Port-City Construction Enterprise, donate ordinary assets, regardless of the provision of Article 28 of the State Property Law (Law No. 73 of 1948), to the public entity which bears the expenses necessary for the said enterprise.

ys Recd GS 7/27/50

Cleared FR 7/28/50
WYCAN

NRS (Yoe):

1. This bill basically the same as HC bill introduced in 7th session, but not passed.
2. Does not violate SCAP policy or directive.
3. NRS feels the program is unwise at this time, but admits it is strictly an internal Japanese matter, and NRS cannot enter a formal objection.

7/21/50 tele

Norris

July 20th, 1950.

Title of the Bill: Amendments to the Bill for Partial
Amendments to the Fisheries Law and
the Establishment Law of the Fisheries
Agency.

I hereby certify that the above mentioned Bill
does not violate any Directive issued by the Supreme
Commander for the Allied Powers and the Constitution
of Japan, and that any provision of this Bill, except
those providing for exceptions, does not contradict
any other law.

Toshio Inui

Chief, Legislative Bureau,
House of Representatives.

*Rec'd GS
7/21*

*Cleared 7/22/50
FR*

(17)

Amendments to the Bill for Partial Amendments to the
Fisheries Law and the Establishment Law of the
Fisheries Agency.

LS/L&J

GS

Kurt Steiner-2635-478
8 August 1950

1. No legal objections.

1 Incl. w/d

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

July 15th, 1950.

Title of the Bill: Bill for Partial Amendment to the
Temporary Restaurant Business
Control Law.

I, hereby, certify that the above mentioned
Bill does not violate any Directive issued by the
Supreme Commander for the Allied Powers and the
Constitution of Japan, and that any provision of
this Bill, except those providing for exceptions,
does not contradict any other law.

Toshio Irie

Chief, Legislative Bureau,
House of Representatives.

*cleared
7/18/50
P.R. by
ju*

(18)

ESS, PRICE DISTRIBUTION (KLEIN)

No objections to proposed amendments.

7/17/50

CHN.

7/16

Church -

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trol + Rationing on
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ju

Bill for Partial Amendment to the Temporary
Restaurant Business Control Law

LS

GS

Mr. Brunckhorst-2655/420
24 July 1950

1. LS has no objections to subject bill.

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

Rec'd 65
7/26/50

G.M. Koshi
2635-405

Bill for Partial Amendment to the
Horse-Racing Law

LS

GS

11 Aug 1950

1

LS has no legal objection.

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

*Recd GS
8/14/50*

26 July 1950

Mr. Rizzo:

This amendment provides for one additional race track at Nagoya, raising the total number of such horse-racing tracks in Japan to twelve. It is an identical bill which was submitted for the 7th session, was cleared on 12 April 1950, passed the H.R. plenary session on 22 April and held up in Committee in the H.C. preventing its being enacted into law.

Request clearance for this bill.

C.F.G.

JK

Cleared 7/26
CB

July 24th, 1950.

Title of the Bill: Bill for Partial Amendment to the
Horse Racing Law.

I hereby certify that the above mentioned Bill does not violate any Directive issued by the Supreme Commander for the Allied Powers and the Constitution of Japan, and that any provision of this Bill, except those providing for exceptions, does not contradict any other law.

However, owing to preparation for establishment of race track and other preparation, no horse racing would not be carried out. Therefor, any budgetary appropriation is not required in this year. Furthermore, expenses necessary to hold horse racing at the "Chūkyō" horse racing track are expected to be covered by the receipt obtained by sale of the betting tickets at the horse race concerned.

Toshio Irie

Chief, Legislative Bureau,
House of Representatives.

Rec'd 85 7/26/50