FUNCTIONS AND RESPONSIBILITIES
OF
SPECIAL PROCUREMENT BOARD

No. 46

FISCAL BUREAU
Budget Section

1. Receives from the Engineering Bureau the estimated cost of all procurement for the occupation forces for a specific period of time.

2. Consolidates the cost of procurement by months, quarters and fiscal year.

3. Revises the estimated cost quarterly based on new estimates furnished by the Engineering Bureau.

4. Makes formal request for SPB for budget appropriations to cover the estimated cost of procurement.

5. Makes formal request for SPB for allocations of funds to be made to designated disbursing officers to cover obligations incurred.

6. Arranges with financial institutions and government agencies for making available funds for use of contractors in general.

7. Compiles fiscal statistics concerning budget appropriations and currency allocations.

8. Supervises the activities of similar work performed by the field branch offices of the SPB.

FUNCTIONS AND RESPONSIBILITIES
OF
SPECIAL PROCUREMENT BOARD

No. 47

FISCAL BUREAU

Accounting Section

1. Receives copy of all contracts before execution.

2. Certifies sufficiency of appropriation to cover the obligation incurred by the contract.

3. Records the financial obligation incurred by virtue of executing the contract.

4. Records expenditures made against all contracts.

5. Initiates action to increase obligation of funds where expenditures exceed obligated amount.

6. Initiates action to decrease obligation of funds where obligated amounts exceed expenditures.

7. Compiles fiscal statistics concerning obligations of funds and expenditures.

8. Supervises the activities of similar work performed by the field branch offices of the SPB.

FUNCTIONS AND RESPONSIBILITIES
OF
SPECIAL PROCUREMENT BOARD

No. 48

FISCAL BUREAU

Auditing Section

1. Pre-audits all contracts prepared by the Central Office for legal sufficiency and approves such contracts for the Fiscal Bureau.

2. Receives all vouchers for payment on Central Office contracts from contractors or expediters, pre-audits all such vouchers (advance, partial or final payment) presented for legal sufficiency and approves such vouchers for Fiscal Bureau.

3. Post-audits all contracts prepared by field branch offices for legal sufficiency upon receipt of contract in the Central Office.

4. Takes exceptions to all contracts improperly prepared by branch offices and returns for corrective action.

5. Upon appeal by branch offices prepares analysis and recommendations and submits to Board of Procurement Review for final decision.

6. Post approves all contracts prepared by field branch offices for the Fiscal Bureau.

7. Receives all field vouchers upon which payment has been made by field disbursing officers.

8. Post audits all field vouchers.

9. Takes exceptions to all vouchers improperly processed and paid by field offices and returns for corrective action.

10. Upon appeal by branch offices prepares analysis and recommendations and submits to Board of Procurement Review for final decision.

11. Post approves all field vouchers for the Fiscal Bureau.

12. Makes particular comparison of fiscal records of SPB and disbursing officers.

13. Reconciles differences in fiscal records due to erroneous entries in SPB books and reports differences due to erroneous entries in disbursing officers' books to supervisory agency, Ministry of Finance and Board of Audit.

14. Makes special audits as requested of Central Office units and branch offices.

15. Supervises the activities of similar work performed by the field branch offices of the SPB.

FUNCTIONS AND RESPONSIBILITIES
OF
SPECIAL PROCUREMENT BOARD

No. 49

OPERATIONS BUREAU
Management Department
Transportation and Storage Section

1. Performs second and third echelon maintenance on passenger vehicles owned and operated by the SPB.

2. Performs first, second and third echelon maintenance on truck vehicles owned and operated by the SPB.

3. Operates garages, maintenance and repair shops for SPB vehicles.

4. Performs truck hauling service with SPB vehicles and personnel on call of expeditors.

5. Receives, inspects, unloads and stores commodities purchased by SPB for future delivery and use.

6. Repacks commodities for reshipment in different lots.

7. Issues and loads stored commodities.

8. Maintains records of receipts and issues of stored commodities.

9. Maintains current inventory of contents of warehouses and forwards to Priorities and Allocations Section.

10. Supervises the activities of similar work performed by the field branch offices of the SPB.

52 — 49 general
53 — 50 Tokyo
49 — 51
51 — 52 construction equipment section
50 — 53

FUNCTIONS AND RESPONSIBILITIES
OF
SPECIAL PROCUREMENT BOARD

No. 50

OPERATIONS BUREAU
Management Department
Central Booking Section

1. Solicits auditions of entertainers and in conjunction with occupation forces rates entertainers as to desirability, quality of performance, cost and availability.

2. Maintains consolidated list of entertainers by type and location available for entertaining occupation forces on call.

3. Upon request of occupation force contacts type and number of entertainers desired and arranges for performance.

4. Executes contract using approved standard form.

5. In conjunction with occupation force establishes a performance rating for the performance.

6. Supervises the activities of similar work performed by the field branch offices of the SPB.

FUNCTIONS AND RESPONSIBILITIES
OF
SPECIAL PROCUREMENT BOARD

No. 51

OPERATIONS BUREAU
Management Department
Construction Equipment Section

1. Assures to construction contractors, service contractors and purchasing and hiring sections construction equipment including bull dozers, tractors, scrapers, concrete mixers, air compressors, dump trucks, cranes, power shovels, road rollers, etc.

2. Furnishes trained operators for construction equipment loaned out.

3. Furnishes construction operators, maintenance personnel and supervisory personnel for construction equipment loaned out.

4. Stores, maintains, reconditions and repairs construction equipment not on loan.

5. Maintains stock of construction equipment parts.

6. Employs and trains operators, maintenance, repair and supervisory personnel.

7. Maintains records of construction equipment including date issued and returned, to whom issued, hours of operation and condition of equipment.

8. Supervises the activities of similar work performed in the field branch offices of the SPB.

FUNCTIONS AND RESPONSIBILITIES
OF
SPECIAL PROCUREMENT BOARD

No. 52

OPERATIONS BUREAU
Management Department
General Purchase and Hire Section

1. Employs a force of construction superintendents and foremen.

2. Employs a force of skilled craftsmen such as carpenter, masons, tile layers, plumbers, electricians, concrete workers, cement finishers, mechanics, roofers, plasterers, bricklayers, welders, steamfitters, millwrights, sheet metal workers, glaziers, etc.

3. Employs a force of unskilled laborers.

4. Maintains a stock of hand tools.

5. Maintains a working stock of supplies and construction materials.

6. Performs construction, rehabilitation, alteration, maintenance and demolition work in the area of responsibility of the Central Office except Tokyo-to when it is not deemed advisable to perform such work by contract.

7. Supervises the activities of similar work performed by the field branch offices of the SPB.

FUNCTIONS AND RESPONSIBILITIES
OF
SPECIAL PROCUREMENT BOARD

No. 53

OPERATIONS BUREAU

Management Department

Tokyo Purchase and Hire Section

1. Employs a force of construction superintendents and foremen.

2. Employs a force of skilled craftsmen such as carpenters, masons, tile layers, plumbers, electricians, concrete workers, cement finishers, mechanics, roofers, plasterers, bricklayers, welders, steamfitters, millwrights, sheet metal workers, glaziers, etc.

3. Employs a force of unskilled laborers.

4. Maintains a stock of hand tools.

5. Maintains a stock of supplies and construction materials.

6. Performs construction, rehabilitation, alteration, maintenance and demolition work in Tokyo-to when it is not deemed advisable to perform such work by contract.

7. Supervises the activities of similar work performed by the field branch offices of the SPB.

FUNCTIONS AND RESPONSIBILITIES
OF
SPECIAL PROCUREMENT BOARD

No. 54

OPERATIONS BUREAU
Labor Department
Labor Management Section

1. Supervises the activities of the prefectural labor exchanges to insure that employees furnished by the labor exchanges to the occupation forces receive full payment for services rendered, that no discrimination or corruption is practiced, that employees receive fair treatment and that employees rights are not abridged.

2. Entertains complaints from eployees, occupation forces and prefectural governments of malpractices and takes action to settle complaints.

3. Recruits labor in the type and quantity desired by the occupation forces including arranging with appropriate government agencies for the migration of labor to areas where needed.

4. Supervises the activities of similar work performed by the field branch offices of the SPB.

FUNCTIONS AND RESPONSIBILITIES
OF
SPECIAL PROCUREMENT BOARD

No. 55

OPERATIONS BUREAU
Labor Department
Wage and Allowance Section

1. Makes comparison studies of rates of pay and conditions of employment for employees of occupation force and employees of government agencies and private industry.

2. Makes recommendations to appropriate government agencies regarding new rates of pay, hours of employment, bonuses, allowances, job qualifications and other conditions of employment.

THE SPECIAL SUPPLY OFFICE ACT

(Tokubetsu Chotatsu Cho)

Chapter 1 - General Provisions

Art. 1. The Special Supply Office shall be under control of the office of the Irime Minister and have for its object, arranging for the burilding and repairing of building and utilities and the procurement and delivery of the materials or services procured for the Allied forces and for the Imperial Japanese Government at the designation of the competent Minister in accordance with the basic policy for procurement formulated by the Director General of the Economic Stabilization Board and with the schedules as will be set forth by the competent Minister.

The Special Supply Office shall be a juridical person.

Art. 2. The Special Supply Office shall have its main office established in Tokyo. The Special Supply Office may with the approval of the competent Minister establish branch offices where necessary.

Art. 3. There will be no authorized capital or working funds Iayment for all buildings, utilities, and goods (hereinafter called goods) or services shall be made from funds appropriated therefor by the Diet to the respective ministries using or responsible for payment for such goods or services. Upon procurement of any goods or services (building and repairing included ; the same hereinafter) by the Special Supply Office for any agency for which it is authorized to procure, the Special Supply Office shall at the same time forward to the ministries responsible for payment for such goods or services a voucher showing the quantity, price and supplier of building, repairing, goods or services to whom payment shall be made. In the case of goods and services supplied to the occupation forces the voucher shall be clearly

identificable for occupation procurement and shall show the procurement demand by number.

Art. 4. The Special Supply Office shall stipulate the following matters in its Articles of Incorporation :

1. Object
2. Name
3. Location of office
4. Matters pertaining to the principal officials.
5. Matters pertaining to the business and its execution
6. Matters pertaining to accounting.
7. Matters of the public notices.

The Articles of Incorporation may be revised with the approval of the competent Minister and the Director General of the E.S.B.

Art. 5. The Special Supply Office shall have its registrations made as prescribed by the Imperial Ordinances.

The matters required to be registered as provided for in the preceding paragraph shall not be valid against a third person until after they are registered.

Art. 6. The Special Supply Office shall be exempted from income tax, and corporation tax.

The prefecture, city, town, village and the like shall not levy local taxes on the business of the Supply Office. This, however, shall not apply if and when the Minister of Home Affairs and the Minister of Finance have given approval for such exception under special circumstances.

Art. 7. The Special Supply Office shall be dissolved by order of the Director General of the E.S.B.

Matters pertaining to the dissolution of the Special Supply Office other than stipulated in the preceding paragraph shall be prescribed by an Imperial Ordinance.

Art. 8. Any person other than the Special Supply Office shall not use the words "Special Supply Office" or similar words in his firm name.

Art. 9. The provisions of Articles 44, 50, 54 and 57 of the Civil Code and Article 35, paragraph 1 of the Non-Litigant Case Procedural Law shall apply correspondingly to the Special Supply Office.

Chapter 2 - Officers

Art. 10. The Special Supply Office shall have as its principal Officers one president, one vice-president, two or more directors and one or more auditors.

The president shall represent the Special Supply Office and supervise its business in accordance with Article 15.

The vice-president shall, as prescribed in the Articles of Incorporation, represent the Special Supply Office, control the business of the Special Supply Office assisting the president, act for the president in case he cannot take his duty and perform the president's function in case the post becomes vacant.

The directors shall, as prescribed in the Articles of Incorporation, represent the Special Supply Office, control the business of the Special Supply Office, assisting the president and vice-president, act for the president and or the vice-president in case they cannot take their duty and perform their functions in case their positions become vacant.

The auditors shall inspect the business of the Special Supply Office.

Art. 11. The president, vice-president, directors and auditors shall be appointed by the Prime Minister.

Art. 12. The president, vice-president and directors may, in accordance with the provisions of the Articles of Incorporation, assign staff to authorize them to perform all juridical or

non-juridical conducts pertaining to the business of the main or subordinate offices of the Special Supply Office.

Art. 13. The officers and employees of the Special Supply Office shall not be permitted to be stockholders or employees or to have any beneficial interest in any company or enterprise engaged in contracts with the Office for procuring materials or services or engaged in building, repairing, production, fabrication, storage, sale, purchase, transportation services procured by Special Supply Office, or receive benefits in connection with such, matters.

Art. 14. All officers and employees of the Special Supply Office shall be the government officials and employees.

The president shall be not less than Vice-Ministerial rank and the principal officials other than the president shall be ranked "first grade" or others ranked with first grade and the rest shall be either the "first, second or the third grade", others ranked with preceding ranks and the number of them shall be decided by the Prime Minister.

The officials and employees of the Special Supply Office shall be governed by all laws and ordinances relating to the government employees.

The special exception concerning the amount of salaries, allowances or other civil service rules, may be stipulated by the competent minister with the approval of the Director General of the E.S.B.

Chapter 3 - Business

Art. 15. The Special Supply Office shall perform the following business in compliance with the basic policy for procurement formulated by the Director General of the E.S.B. and with the schedules and instructions relating thereto as will be set forth by the cometent minister.

Arranging for building and repairing of building and utilities necessary for the Allied Forces or Japanese Government as where designated by the competent Minister.

2. Procurement of services and materials nesessary for the occupation, and for the Government where designated by the competent Minister.

3. Such other business for the occupation forces as may be disignated by the Director General, E.S.B. if it is necessary to obtain.

The Special Supply Office may not purchase any materials unless to full specific procurement orders or to build stockpiles which have been specifically approved by the competent minister in accordance with the policies of the Director General of E.S.B.

Art. 16. The Special Supply Office shall at the commencement of its functioning establish the method of executing its business and submit same to the Director General of the E.S.B. for his approval.

The same step shall be taken when revising the said method, too.

The Director General of the E.S.B. shall consult the competent Minister and the Finance Minister when giving approval on matters prescribed in the preceding paragraph but the final responsibility for the approval rests with the Director General of the E.S.B.

Art. 17. The Special Supply Office shall, at the beginning of each fiscal term as defined in Art. 18. prepare a business program and financial scheme for each term and submit same to the Director General of the E.S.B. for his approval. This shall also apply to when a revision is to be made therein.

The Director General of the E.S.B. shall consult the competent Minister and the Finance Minister when giving approval on matters prescribed in the preceding paragraph, but the final Responsibility for the approval rests with the Director General of the E.S.B.

Chapter 4 - Accounting

Art. 18. The business year of the Special Supply Office shall be from 1 April each year to 31 March of the following year, and shall be divided into a 1st and 2nd term.

Art. 19. The Special Supply Office shall prepare a statement of assets, a statement of affairs, and a statement of profit and loss account for each term and after the expiration of the terms submit them to the Director General of the E.S.B. within two months for his approval.

The Director General of the E.S.B. shall consult the competent Minister and the Minister of Finance when giving the approval as prescribed in the preceding paragraph, but the final responsibility for the approval shall rest with the Director General of the E.S.B. within 15 days of the receipt of the documents referred to in the preceding paragraph.

The Special Supply Office shall make public notice of the statement of assets, the statement of affairs and the statement of profit and loss account and keep them together with the articles of Incorporation at the main and branch offices immediately when the approval was given by the Director General of the E.S.B. as prescribed in the first paragraph.

The statement of assets, the statement of affairs and the statement of profit and loss account shall be inspected and approved by the Board of Audit.

The Special Supply Office shall, when it has obtained the approval of the Director General of the E.S.B. pay to the national treasury entire cash as determined by stipulations of the Ordinance within two months from the end of each term.

All books, documents and records of the Special Supply Office shall be clearly written and ready for inspection by the Board of Audit and the E.S.B. and the competent government office and the Board of Audit shall continually carry out precise inspection of them.

Chapter 5 - Supervision and Fostering

Art. 20. The Director General of the E.S.B. will direct the Special Supply Office in regard to the basic policy for procurement.

The Director General of the E.S.B. may when deemed necessary to secure the procurement of materials or services for the Allied Forces and for the Imperial Japanese Government designated by the competent Minister issue necessary order to the Special Supply Office.

The competent Minister may when deemed necessary to secure the procurement of materials or services for the Allied Forces and for the Imperial Japanese Government and the materials designated by the competent Minister issue necessary order to the Special Supply Office in accordance with the basic policy for procurement of materials or services formulated by the Director General of the E.S.B.

The competent Minister or the Director General of the Economic Stabilization Board may when deemed necessary have the Special Supply Office submit a report of have an official concerned inspect a necessary place to examine the state of business, books, documents or any other necessary matters.

In case the official concerned is sent for inspection and examination in accordance with the provisions of the preceding paragraph, he shall carry an identification certificate to prove his post as prescribed by orders.

Art. 21. The Special Supply Office shall prepare rules on remuneration for its officers and employees when deemed necessary to pay special payment to them, and submit them to the Director General of the E.S.B. for his approval. This shall apply where a change is to be made thereto.

The Director General of the E.S.B. shall inquire to the competent Minister and the Minister of Finance when he approves by the preceding paragraph. In this case, however, the final responsibility for approval shall lay with the Director General of the E.S.B.

Art. 22. The competent Minister may remove an officer from the Special Supply Office in case he violates laws and ordinances Articles of Incorporation for orders issued on the basis of this law.

The Director General of the E.S.B. may also remove an officer of the Special Supply Office if he considers that he is not suitable o properly carrying out his duties in connection with the objects and business of the Special Supply Office.

Chapter 6 - Penalties

Art. 23. The Officers and employees of the Office shall be liable to penal servitude not exceeding five years and or a fine not exceeding ¥ 50,000 in the following cases :

1. When perform business which is not prescribed in Art. 15.
2. When violate supervisory orders of the Director General of the E.S.B. or the competent Minister, prescribed in Art. 20, paragraph 2 or 3.
3. When performing business in violation of Art, 13.

Art. 24. Any persons who fail to make a report as required by this law or submit a false report or refuse, interfere or evade inspections shall be liable to a penal servitude not exceeding 1 year and or a fine not exceeding ¥ 10,000.

Art. 25. In case a representative of a juridical person or an agent, employee or any other persons other than the Special Supply Office engaged by a juridical person or a person violates this Act as prescribed in Art. 23 or the preceding Article in connection with the business of such juridical person or the person not only the offender shall be object to penalties but also the juridical person shall also be liable to penalties as refered to in the preceding two Articles.

Art. 26. Those who used the name "Special Supply Office" or the like in violation of Art. 8 shall be liable to a fine not exceeding ¥ 10,000.

Supplementary Provisions

Art. 27. The date of enforcement of this law shall be set forth by an Imperial Ordinance.

Art. 28. The Competent Minister shall appoint an Organizing Committee to take charge of the works relative to the establishment of the Special Supply Office.

Art. 29. The Organizing Committee shall prepare the Articles of Incorporation and obtain the approval of the competent Minister and Director General of the E.S.B.

Art. 30. Upon approval of the preceding article, the Organizing Committee shall hand over without delay the business to the President of the Special Supply Office.

When the president has taken over the work referred to in the preceding paragraph, all of the President, Vice-President, Directors and Auditors shall effect the registration of the establishment without delay.

The Special Supply Office shall come into being upon the registration of the establishment.

Art. 31. A part of the Registration-Tax Law is amended as follows

In Art. 19, Section 7, the "Special Supply Office" is added after "Kodans stipulated by laws", and "Special Supply Office Act" is added after "Laws relative to Kokans".

Art. 32. A part of the Stamp Tax Law is amended as follows :

The following sub-section is added to Art. 5, section 6-6.

"Section 6-6-2 Certifying documents and books relative to business of the Special Supply Office".

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Government Section

11 September 1947

MEMORANDUM FOR THE RECORD

SUBJECT: Newly Organized Central Supply Agency of the Japanese Government

A meeting was held in Government Section, 10 September 1947, to discuss the newly organized central supply agency of the Japanese Government. Present were Mr. Toyoichi NAKAMURA, Vice President of the Special Procurement Board and Mr. FUJISAKI of the CIO. National Government Division was represented by Mr. Kent.

The Japanese representatives were asked to describe the nature of the new organization, and explain the reasons for its creation.

Mr. Nakamura pointed out that the Eighth Army had recently centralized all procurement for the occupation forces, and that all requests on the Japanese Government are now processed by one office. The Chief of the Procurement Division of Eighth Army (Colonel Fregosi) suggested that the Japanese consider the creation of a central procurement agency in the government to insure more effective coordination with Eighth Army. The same idea had also occurred to various Japanese officials. Accordingly, on the first of September a new office was established under the office of the Prime Minister. This was authorized by an act of the Diet entitled the Special Supply Office Act. A copy of this act is attached. Mr. Nakamura remarked that the term Special Supply Office represented a poor translation from the Japanese and that a better title would be Special Procurement Board.

The following additional facts were presented:

The Board now consists of approximately 500 individuals, all located in Tokyo. It is contemplated that this number will be increased to 1000 in the near future. All of the persons are expected to be transferred from other government agencies formerly engaged in procurement. Moreover, eight branch offices (Sapporo, Sendai, Nagoya, Fukuoka, Yokohama, Kyoto, Osaka, Kure), each employing approximately 200 individuals, are to be opened. These branch offices will process contracts and requests formerly handled by the governor. A chart showing the structure of the Board was presented, together with descriptive material clarifying the chart.

It is expected that the Board will, at a later date, administer procurement for the Japanese Government, as well as for the occupation forces, but this idea has not yet been crystallized.

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(9)

Mr. Nakamura stated that, in his opinion, the present Diet law is inadequate and must be amended. A new law, describing the functions and powers of the Board in greater detail, is now being prepared, and will be presented to the Diet during the present session.

GUY J. SMOPE
Chief, National Government Division

Prepared by:
Paul J. Kent

DRAFT

Memorandum

Subject: Meeting in Government Section 10 September 1947, between NAKAMURA Toyoichi, Vice President of the Special Procurement Board, Mr. Fujisaki of CLO and Mr. Kent, National Government Division.

Kent: Will you explain the organization of the Board, what its potential duties will be.

Nakamura: All procurement for occupation forces is now centralized - the Japanese have centralized their procurement also by establishing a special supply office called the Special Procurement Board to take care of any requirement of the occupation forces. Now limited to the occupation - perhaps later it will procure for Japanese also.

Kent: Formation of the Board was whose idea? Who made the suggestion?

Nakamura: 8th Army and the Japanese government. Chief of the Procurement Division of 8th Army, Col. Ferguson.

Kent: Will it be under a ministry?

Nakamura: (Referred to the Special Supply Office Act)
He further explained that the ~~Board~~ necessity for centralizing procurement had been discussed by the Anti-Trust Division of SCAP, Ministry of Commerce, SRS, ESS, CLO.

Kent: Who is handling the procurement now before the functioning of the Board?

Nakamura: The Board is functioning as of 1 September - it is not a government agency as yet. In the beginning it was a kind of kodan but later the plan was changed to cho (board) - having no capitalization. Uses only appropriation from the budget assigned to ministries. The law is poorly written and will have to be amended - planning to introduce same in Diet. Government officials working on the Board.

Kent; You say this Board is authorized by a Diet law and that the members are receiving money from funds voted by the Diet under regular appropriations to the Ministry. Does all money in possession of the Board come from Diet appropriation?

Nakamura: Expenses for rent, furniture, etc., will be paid from a fund assigned to the Board from the Ministry of Finance. But operation - purchase of commodities - no funds allotted to pay for it. We supply the purchaser and make the 1st indorsement, paid by the Ministry of Finance.

(10)

Kent: Approximately how many people in Board?

Nakamura: Still negotiating with Ministry of Finance but there will probably be 1000 employees in Tokyo. There will be branch offices in Sapporo, Nagoya, Fukuoka, Yokohama, Kyoto, Osaka, Kure, - 8 branches. About 200 in each branch office - the idea being to consolidate purchasing agencies throughout Japan to save money. The idea was copied after the Procurement Board in U.S.

Kent: How was it administered before this Board?

Nakamura: For example, before a procurement demand was submitted to CLO, then to Ministry of Commerce and Industry - they made inspection and delivered through the transportation agency to depot of 8th Army. Now it will be expedited - requisition from 8th Army open to public bid and purchase endorsed by the Board.

Kent: Who administered this system in local areas?

Nakamura: Power given by CLO to the governor of the prefecture.

Kent: Will prefectural governments participate in these projects after establishing branch offices? Will governor still have power?

Nakamura: Mostly no - but the governor may be president of the procurement branch office. The contracts will be made by the branch office and not by governor.

Kent: After the bill is amended and introduced to the Diet it will be a government board similar to ESB or Rehabilitation and operate directly under the Prime Minister the same as other agencies mentioned?

Nakamura: Yes. (then something about government officials in the Procurement Board and no government official can be a juridical person.)

Kent: The old law abolished entirely or amended? It will eliminate the juridical person concept and make it a government agency?

Nakamura: Yes.

Kent: Do you plan to have the Diet appropriate funds to the Board so the Board can pay . . . ?

Kent:

[redacted] The funds which Finance Ministry are now using for these services has been appropriated for such?

. . . . .

Kent: You plan to intoduce in presant session of Diet within the next month?

Nakamura: The responsible persons for Board wish to, yes.

Kent; How many now in Board?

Nakamura: About 500.

Kent: Why responsible to the ESB?

Nakamura: I do not know - ask Col. Ferguson. Board personnel composed of CLO members, Trade Corporation and Board of Reconstruction.

ESS interpretation concerning powers of the Special Procurement Board, Kodans and the Construction Board.

1. The government corporations as specified in Paragraph 3 of SCAPIN 1394 shall be construed to mean Kodans and Special Procurement Board and are a part of the Japanese government.

2. The competent Minister in the case of Kodans and the prime minister in the case of the Special Procurement Board shall issue instructions to all necessary officials to this effect.

3. With respect to the Special Procurement Board, the Prime Minister shall issue instructions to the appropriate officials as follows:

a. To the Minister of Finance and other appropriate ministries, the Special Procurement Board is the part of the government responsible for making contracts and certifying vouchers for payment with respect to operations under its jurisdictions.

b. To prefectural governors, that the Special Procurement Board is the part of the government responsible for supervising operations defined in the Special Procurement Board law.

4. The transfer to the Special Supply Board of those functions pertaining to the requirements of the Occupation Forces from the Board of Reconstruction and the Central Liaison Office will be completed by 1 January 1948.

11

Revisions of the Draft Law Concerning the Establishment of the Construction Board

Article 1. The Construction Board shall, under the jurisdiction of the Prime Minister, take charge of affairs concerning national land-planning, local-planning and city-planning; affairs concerning topography; affairs concerning expropriation of land; affairs concerning civil engineering such as rivers, roads, sand control, and public owned water surfaces (with the exception of those within harbors) and streams; affairs concerning housing, residential lots, construction, maintenance of buildings to be defrayed by the national Treasury, and contract business of civil engineering and construction works, except as otherwise provided by law; and technical supervision and inspection of all construction works required by SCAP in order to prevent undue expenditure of government funds.

Instead of Article 9, (1), insert new Article 9, (1), as follows:

"Affairs concerning technical supervision and inspection of all kinds of construction and installation work as required by the Supreme Commander for the Allied Powers in order to prevent undue expenditure of governmental funds."

Swope
NGB

Meeting
11/13/47

The Law concerning the Establishment of the
Construction Board

Art. 1. The construction Board shall, under the jurisdiction of the Prime Minister, take charge of affairs concerning national land-planning, local-planning and city-planning; affairs concerning topography; affairs concerning expropriation of land, affairs concerning civil engineering such as rivers, roads, sand control, and public owned water surfaces (with the exception of those within harbors) and streams, affairs concerning housing, residential lots, construction, maintenance of buildings to be defrayed by the national Treasury ~~(with the exception of those works which, by reason of the nature of the buildings, etc., are regulated by consultation of the competent Minister with the Prime Minister)~~ except as otherwise provided by law; and contract business of civil engineering and construction works; ~~and affairs concerning the maintenance of buildings and equipments, and also the procurement of their fixtures as required by the Supreme Commander for the Allied powers~~ and technical supervision and inspection of all construction works in order to prevent undue expenditure of government funds

Art. 2. The Construction Board shall consist of the President's Secretariate and the following six Bureaux.

General Affairs Bureau

Rivers and Canal Bureau

Roads and Land Bureau

City Bureau

Building Bureau

Special Construction Bureau

Art. 3. The President's Secretariate shall be in charge of the following business.

1. Affairs confidential.
2. Affairs concerning the appointment, dismissal and status of personnel.
3. Affairs concerning the inspection of the administration under the ~~charge of the Board.~~

4. Affairs concerning the receiving, forwarding, compiling and safe-keeping of official documents.

5. Affairs concerning the budget, settlement of accounts, and accounts.

6. Affairs concerning enlightenment, publicity and liaison business.

Art. 4. The General Affairs Bureau shall be in charge of the following business.

1. Affairs concerning national land-planning and local-planning.

2. Affairs concerning geographical ~~investigations~~ survey.

3. Affairs concerning materials, machines and tools.

4. Affairs concerning funds and labour.

5. Affairs concerning statistics and investigations pertaining to administration under the charge of the Board and affairs concerning the co-ordination and adjustment of administration of the Board.

6. Affairs concerning contract business of civil engineering and architecture.

7. Affairs concerning the supervision over the business of the Tohoku Kogyo Kabushiki-Kaisha.

8. Affairs concerning the execution of the Regulations governing the Emergency Measures for Controlling Moving-in of People to Municipal Areas.

9. Affairs not under the charge of the President's Secretariate or the other Bureaus.

Art. 5. The Rivers and Canal Bureau shall be in charge of the following business.

1. Affairs concerning rivers.

2. Affairs concerning sand control.

3. Affairs concerning public water surfaces (with the exception of those within harbors) and streams.

4. Affairs concerning canals.

5. Affairs concerning flood prevention associations.

ESS prepared
21 Oct 47

1

Ref 11

We hereby promulgate the enactment of the Law for the Establishment of the Special Procurement Board.

IMPERIAL SEAL

Tetsu Katayama, Prime Minister

Law No. _____

LAW FOR THE ESTABLISHMENT OF THE SPECIAL PROCUREMENT BOARD

Article 1. There shall be established under the Jurisdiction of the Prime Minister, the Special Procurement Board for the purpose of performing the following functions:

a. Acquire by lease or purchase, lands, buildings and structures; procure by contract, or when in the interest of the Government, perform the operation, maintenance, repair and rehabilitation thereof; and procure supplies, materials, equipment, labor, construction and other services required for use by the Occupation Forces or Japanese Government.

b. Conduct any additional business and execute any related contracts as may be approved by the Prime Minister to consummate the transactions stipulated in the preceding sub-paragraph.

Artic1 2. Ministries requesting procurement action by the Special Procurement Board will sub-appropriate portions of their appropriation to the Special Procurement Board to cover the cost of the procurement. The Prime Minister will be responsible to obtain the budgeted appropriation to cover the cost of procurements to be effected for the Occupation Forces and upon approval of the Diet will sub-appropriate it to the Special Procurement Board.

12

Budgeted appropriations to cover the cost of operating the Special Procurement Board and its branch offices, will be obtained by the Prime Minister and sub-appropriated to the Special Procurement Board.

Article 3. Whenever necessary for the successful accomplishment of the functions authorized under this law, the Prime Minister may issue orders and directives to prefectural governors.

Article 4. All business, activities and personnel of the Special Procurement Board shall be under the direct supervision and administration of the President of the Board.

Article 5. In order to effectively conduct the affairs authorized under this law, the Special Procurement Board shall be composed of a Presidential Secretariat and the following bureaus:

Coordination Bureau
Fiscal Bureau
Purchasing & Contracting Bureau
Engineering Bureau
Expediting & Inspecting Bureau
Operations Branch

Article 6. The Presidential Secretariat will supervise all activities pertaining to office personnel, accounts and supplies and will be responsible for general administrative matters not within the jurisdiction of any other bureau.

Article 7. The Coordination Bureau will be responsible for drafting a plan of organization, for preparing laws and ordinances affecting procurement policy, for maintaining liaison with the Occupation Force, and to establish and operate a training and inspecting service to assure a high degree of efficiency among officials and employees of the Board.

Article 8. The Fiscal Bureau will be responsible for all fiscal matters affecting procurement, including the preparation of the budget and maintaining records which accurately reflect the cost of procurement.

Article 9. The Purchasing and Contracting Bureau will conduct investigations, supervise all phases of the bid procedure and letting of contracts in connection with procurement activities of the Board.

Article 10. The Engineering Bureau will do all designing which is the responsibility of the Board, estimate material requirements and supervise the inspecting, testing and approval of samples.

Article 11. The Expediting and Inspecting Bureau will maintain liaison with suppliers, manufacturers and contractors to assure prompt and efficient performance on all contracts, assist in the allocation of materials made by the Government and to conduct exploratory activities to locate new and additional sources of supply.

Article 12. The Operations Bureau will supervise all activities in which the Board performs as an actual operating agency such as the central booking agency for entertainers, and the storage and distribution of materials and equipment.

Article 13. The regulations under which the Special Procurement Board will operate shall be issued by the Prime Minister and will specify in detail responsibilities of the Board with respect to those of other Government agencies, as well as the methods by which the affairs of the Board will be conducted.

Article 14. At the discretion of the Prime Minister, branches of the Board may be established at any place deemed necessary to effectively carry out its functions, and each branch established will have an organization similar to that of the central office and may be permitted to conduct all activities authorized the Special Procurement Board under this law.

Article 15. The date of enforcement of this law shall be determined by Government Ordinance not later than thirty days from enactment thereof.

Article 16. The date upon which the Special Procurement Board shall commence procurement activities on behalf of the Japanese Government shall be determined by the Prime Minister and announced in a Government Ordinance.

Article 17. Simultaneously with the enforcement of this law, Law No. ____, Special Procurement Board Law, shall become null and void.

TETSU KATAYAMA

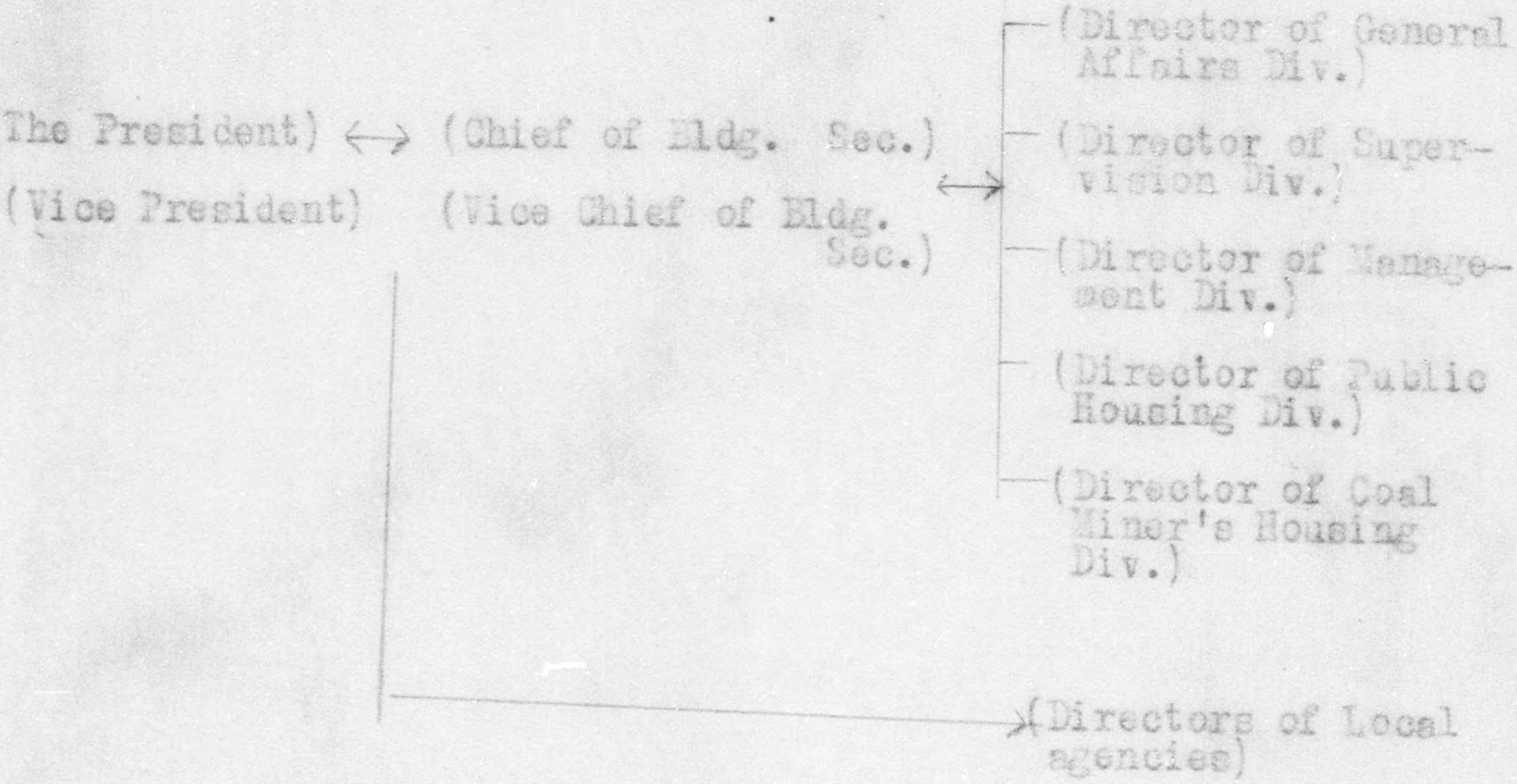
Prime Minister

"file"

TABLE, SHOWING THE SYSTEM, COMPOSITION AND BUSINESSES OF THE LOCAL AGENCY OF THE RECONSTRUCTION BOARD

Central

1) The System



For instance, illustrating the Composition of Tokyo Agency.

(Director of Tokyo Agency) —

— General Affairs Div. (24 persons)

1. re Keeping the official seals.
2. re Plan of the business.
3. re Personnel affairs.
4. re Document and Correspondence,
5. re Accounts.
6. re Statistics and investigation of the buildings.
7. re businesses which not belong to the other divisions.

— Directing Div. (46 persons)

1. re Examining applications for the building permit.

— Equipment Div. (6 persons)

1. re Examining applications for installing machines or equipments permit.

(13)

2. re Allocating the materials for installing machines or equipments.

— Inspection Div. (74 persons)

1. re Inspecting building works and machines or equipments.

— Material Div. (13 persons)

1. re Allocation, distribution and assistance of building materials.

— Supply Div. (14 persons)

1. re Supply and distribution of the materials for public housing.

— Public Building Div. (48 persons)

1. Connection for buildings of local public bodies.

2) The business contents

1. re Giving permit or other disposition in accordance with the Regulation Concerning the Temporary Buildings Restriction.

dings permitted.

3. re Inspecting building etc.
4. re Statistics and investigation as regards buildings.
5. The director has general control over the business and directs and supervise his subordinates under leader ship and superintendence of the President of the Reconstruction Board.
6. The director may permit buildings in accordance with the Regulation Concerning the Temporary Buildings Restriction or disposes of illegal buildings instead of the President of the Reconstruction Board.
7. The director stations his subordinates at indispensable places within the jurisdiction of the agency in order

to allot the business, (These stationed officials are called the Building Inspector, who are about 2,000 persons in the whole country).

3) The personnel (fixed numbers)

Hokkaidō	121	Mie	75
Aomori	48	Shiga	42
Iwate	50	Kyōto	76
Miyagi	65	Ōsaka	301
Akita	43	Hyōgo	200
Yamagata	43	Nara	36
Fukushima	68	Wakayama	60
Ibaragi	64	Tottori	33
Tochigi	60	Shimane	45
Gunma	58	Okayama	77
Saitama	49	Hiroshima	114
Chiba	66	Yokushima	44
Kanagawa	172	Kagawa	41
Niigata	72	Ehime	67
Toyama	52	Kōchi	40
Ishikawa	44	Fukuoka	157
Fukui	53	Saga	40
Yamanashi	42	Nagasaki	76
Nagano	67	Kumamoto	67
Gifu	75	Ōita	63
Shizuoka	101	Miyazaki	50
Aichi	204	Kagoshima	62
		Total	3,935

TABLE, SHOWING THE SYSTEM, COMPOSITION AND BUSINESSES OF BLDG. SEC. IN PREFECTURAL OFFICES.

The system:

(The governor) → or (Chief of prefectural Public Works Dep.) → (Director of Bldg. Sec.)
(Chief of prefectural Administration Dep.)

For instance, illustrating the composition and business contents of the Bldg. Sec. of the Construction Bureau in Tokyo Metropolitan Office.

Bldg. Sec.)

— General Affairs Sub-Sec. (21 persons)

1. re Enforcement of the Urban Bldg. Law and other building.
2. re the Bldg. Regulation by order of the Governor.
3. re businesses which not belong to the other sub-Sec.

— 1. re Technical directions and supervision of buildings.

— Material sub-Sec. (12 persons)

1. re Receiving and distributing building materials allocated by the Local Agency of the Reconstruction Board.
2. re Receiving building & repairs materials allocated by the Local Agency of the Reconstruction Board.

— Bldg. & Repairs No. I sub-Sec. (35 persons)

1. re Bldg. & repairs of buildings except buildings regarding the Educational Bureau and the Traffic Bureau.

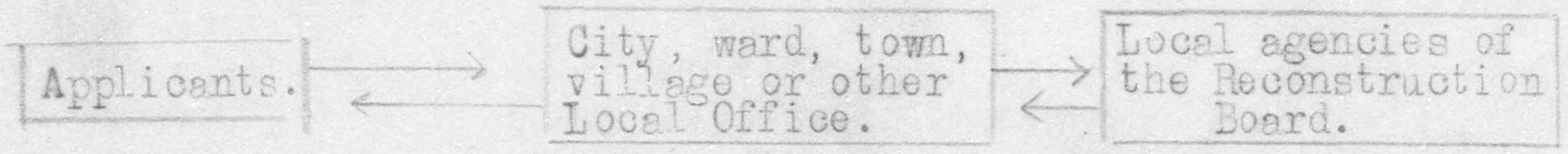
Bldg. & Repairs No. 2 sub-Sec. (12 persons)

1. re Bldg. & repairs of buildings regarding the Educational Bureau.

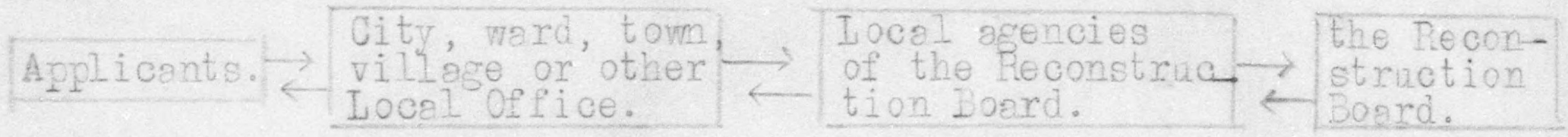
"D"

TABLE, SHOWING PROCEDURES FOR THE BUILDING PERMITS

1) Dwelling houses, farm houses, fishermen's houses and dwellings combined shops.

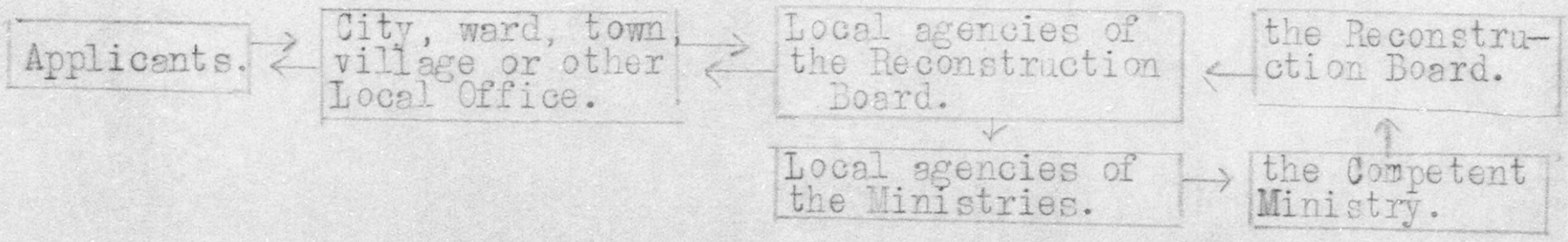


2) Shops, theaters, hotels and restaurants, etc.

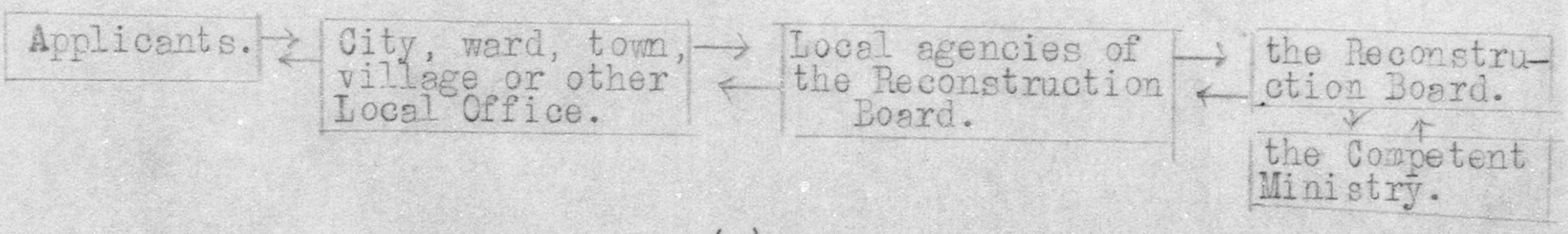


3) Buildings for various industries, (factories and offices, etc.), buildings for traffic or transportation, (stations, car-sheds and warehouses, etc.) buildings for the organ of monetary circulation, (banks and exchanges, etc.) buildings for education or reseach (schools and laboratories, etc.) Cultural institutions (libraries and museums, etc.) buildings for religion, (churches, shrines and temples, etc.) welfare institutions (hospitals and bath-houses, etc.) and public institutions(public offices, police stations and fire-brigade stations, etc.) shall come to one of the following three procedures by the substance of enterprise.

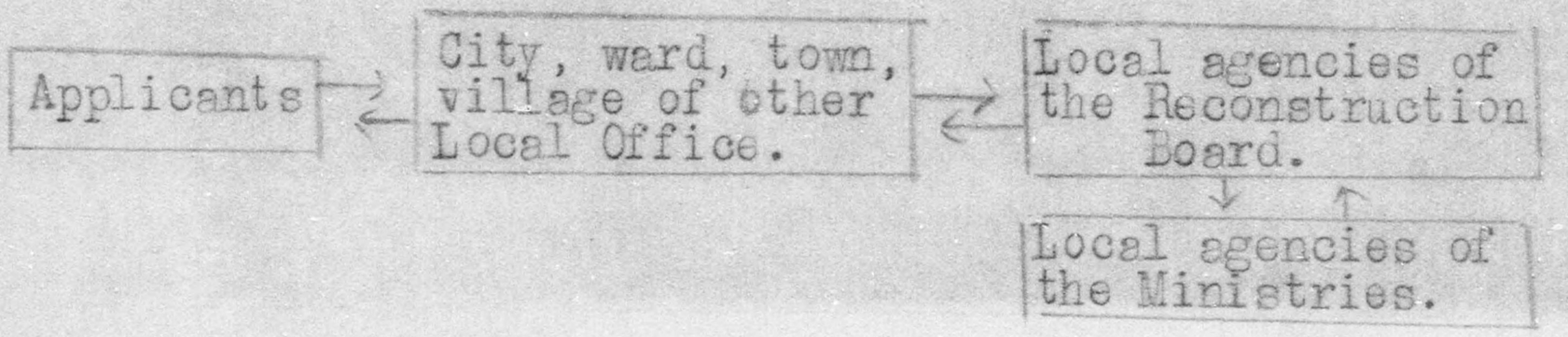
(a)



(b)



(c)



Local Govt. Div.

1947.

To: The Government Section of GHQ, SCAP.

Subject: Concerning Special Local Administration agencies.

The investigations concerning the opinions of the Local Governments and various other sources of Tochigi and Shizuoka Prefectures have been made by the dispatched officials regarding Special Local Administration agencies, the following result of which shall hereby be submitted to you for reference.

The Accounts.

1. Automobille Office.

(1) Opinion of Prefectural Government.

1. The accurancy of the investigations was expected in the days when the guidance and supervision of the business of Automobille traffic and the disposal of ration of the materials for automobilles were made by the Polic Division, which had the agencies for investigations to the minute details.
In the case of the investigations made by the direct agencies of Transportation Ministry, it difficult to realize the situation on account of lack of such agencies as Police Division have, and the following defects have been picked up.

15

(a) There is a tendency to have the result that it is taken advantage of by the automobille traffic enterprisers who have close connection with the railway authorities.

(b) There is a tendency that the licences for the domestic use of automobilles are excessively issued (in some instances, going too far in issuing them for the stolen automobilles)

2. The tendency to the extension of bus traffic managed directly by Transportation Ministry has been strong the ned by the establishmend of Automobille Office, and it is rumoured that the private enterprises are subjected to pressure on that account.

3. With regard to the urgent Transportation Business relating to the Occupation Forces, it is not carried out quickly as it cannot be executed unless the connection are made by Prefectural Government to Automobille Office.

4. Regarding to the ration of materials for automobills was formerly arranged by Prefectural Government by establishing Nation Committee for investigation and planning of the ration, At the present time, however, as a result of the single-handed arrangement made only by Automobille Office its appropriateness cannot be expected.

5. For the reasons above stated, the Prefectural Governor and Vice-Governor insists upon abolishing it without delay.

(2) Opinion of the members of Prefectural Assembly.

The concrete opinion relating to Automobille Office has

not be given, Yet, according to them, it is a break of trust of the prefectural people towards the local government to deprive the Governor of his authority by established detached agencies, As this is quite contrary to the spirit of having the governor publicly elected, so Automobille Office should be abolished.

(3) Opinion of the Enterprisers.

The private enterprisers are of the same opinion as that of the Prefectural Government, particularly they have entertained the doubt of putting pressure upon them by the preferential ration of materials in connection with automobile, made by Transportation Ministry to the business directly managed by it.

II. Branch Office of Construction of Reconstruction Board.

(1) Opinion of Prefectural Government.

As Chief of ~~Chief of~~ Planning Section of Prefectural Government is concurrently nominated to the post of Chief of Branch Office, the effectuation of the business related to the approval of constructions and the allatments of materials in accordance with Temporary Regulations concerning the Limit of Construction and others do not drift into error with the prefectural administration, But, as for the constructive materials, the dispatched officials whose Business is mutually different are in charge of them respectively, so the conferences are very often held with the related agencies, Moreover, Branch Office has no authority for the final

decision which has caused delay in business, It is proper, therefore, to plan for making Constructive administration unitary by transferring the authority entirely to the Local administration.

(2) Opinion of the members of Prefectural Assembly.

1. Even if Branch Office of Construction has been established, the business concerned cannot be transacted quikly as the authority of final decision has been retained in the Central Government.

2. Regarding the allotment of materials connected with construction, it is disposed by the dispatched agencies of various ministry of the Government, Accordingly, the approval for the construction cannot be given unitarily. Branch Office, though particularly established, is of very little practical use.

(3) Opinion of Prefectural People.

It is the same with that of the members of Prefectural assembly.

3. Office of Commerce and Industry Bureau.

(1) Opinion of Prefectural Government.

When the authority of allotment of materials in Connection with commerce and industry was formerly in the hands of the governor, Committee for the Ration of Goods was organized with those concerned who investigated the plannigg of the ration. Then any evil practices based on the ration was not recognized, Now that Commerce and Industry Office is disposing it single-handedly, it has brought the

result far from the real state of affairs.

2. The authority entrusted to Commerce and Industry Office itself is extremely limited, and the efficiency has been diminished more than before. Such an office, though particularly established, very little practical usesis found.

3. As the ration business of these goods has been deprived of the Governor who was responsible for the guidance of commerce and industry of middle and small classes, it has brought about the result that the Governor's authority of the guidance for their promotion has declined.

(2) Opinion of the Members of Prefectural Assembly.

and Prefectural People.

1. The establishment of Commerce and Industry Office has been based on the idea of the preservation of bureaucracy and has produced the result of turning the cold shoulders to the middle and small class enterprisers who should be the foundation of reconstruction of Japan.

2. The result has been produced that the organization with particularly complicated proceedings has only been established for the business which had smoothly been carried out in the past, though inconvenient, by the Prefectural Government.

the ration of goods are

3. And yet no decisive measures cannot be taken at this sort of offices. In view of the transaction of business, sufficient efficiency is not obtained. Under the present circumistances we are standing face to face with the reopening of regular foreign trade, more of the authority should

be transferred to the local administration.

For the present, it is desirable to revert at least to the state of affairs as it was before.

IV. Office of the Adjustment of Materials of Agriculture and Forestry Ministry.

(1) Opinion of Prefectural Government.

1. As a result that the ration of productive materials for agriculture has come to be made by the two agencies of Prefectural Government and Adjustment Office, it is now impossible to make all-round appropriate distribution in accordance with the adjustment of material items.

(2) The Conference in connection with the ration was formerly held with those who concerned, and the plan for distribution was made comparing the guidance of agricultural production with the delivery quota. It is now difficult to transact the business of guidance for the increase of outputs and the encouragement for the delivery quota.

3. The certificates for shipment of timber, etc., to the outside of the prefecture have been issued by Material Adjustment Office. The staffmembers of it are not familiar with the actual circumstances of localities and cannot precisely understand the condition of demand within the prefecture. Consequently, serious difficulties have been brought about because of their inability for the proper ~~withdrawal~~ understanding of the limit for shipment to the outside of the prefecture.

(2) Opinion of the Members of Prefectural Assembly.

It is the same opinion with that of Prefectural Government.

(3) Opinion of the Farmers.

The newly established office itself has not yet distinctly been recognized by the farmers, who still believe that this sort of business belongs to the authority of the Governor, and therefore their movement against it has not been started systematically. But, as the actual circumstances become obvious, the opposite opinion is expected to rise.

V. Foodstuff Office.

(1) Opinion of Prefectural Government.

1. Until the middle of the war the foodstuffs only carried out of the prefecture had been wrought upon by the Central Government and the foodstuffs consumed within the prefecture had been left to the discretion of the prefectural government to do so. Responding to the planning of the ration of stable articles of food, the working up of them had been made, but at present the position has been taken to the great impediment by the Central Government.

2. When it formerly belonged to the Governor, Foodstuff Inspection Office and Inspectors were also playing the important role of guidance for the increase of outputs. But now, by having been unified into the direct agencies of the Central Government, all the inspectors do only to inspect it, and, as their position has become the government officials, they impress us to be on the way of isolation from the prefectural people. And the inspectors and the prefectural people are sharply pitted against

each other.

2. In short, the rice bought by the Central Government is owned by it. But it is impossible to execute as the actual question the claim of the Government as to whenever and wherever it can be freely, carried out. Without the consent of the local people, however, it can absolutely not be done so. Even at the present time the question has been solved through the political negotiations between Agriculture and Forestry Ministry and Prefectural Government, the function of Foodstuff Office is actually of no use.

(2) Opinion of the Members of Prefectural Assembly and Prefectural People.

The Inspectors have hitherto transpected the business in harmony with the intention of cities, towns and villages. But now that they have occupied the position of government officials, their attitude towards the people is tyranical, and as the immature and inexperienced young men are taking charge of the inspection business, it is not expected to have the business carried out properly. Therefore, they have lost the confidence of prefectural people. It is desirable that the inspectors should do their duties on the democratic management under the supervision of the Governor.

VI. Crops Information Office.

(1) Opinion of the Prefectural Government.

It may be possible to report, without regarding the feelings of the local people, the quantity of agricultural products in bigger figures than their estimation. Under the

present circumstances, however, the figures, if not assented to by them, would not be accepted. It is considered that the prefectural government can make the report which would give satisfactory results with confidence. In short, it is asserted by the prefectural government that no more practical results can be given by the present arrangement than a very bad influence exerted upon the feelings of the prefectural people.

(2) Opinion of the Members of Prefectural Assembly and the Prefectural People.

With regard to the Crops Information Office, nothing is known in particulars about its beginning. But it is rather dangerous to arrange the delivery quota of agricultural products which have come from above in accordance with the investigation of the actual circumstances. Whatever figures may be estimated about the agricultural products by the method which is not asserted by the local people, no satisfactry results can be expected. Moreover, it is certain that the disatisfaction of the people will be violent, if it is known to them what sort of work the men in the service of such an office are taking charge of.

VII. Charcoal Office of Agriculture and Fosestry Ministry.

(1) Opinion of the Prefectural Government.

The financial arrangements of Charcoal Office are made in accordance with Special Accounts. And the cost of its maintenance relies on the inspection charge of charcoal.

In consequence .that the office is thus in the midway between production and consumption, the difference between the price of sale and delivery of the producers and the price paid by the consumers is made bigger and bigger with the result of hampering the products and rations of charcoal. Such unreasonable exploitations in the midway have wonderfully decreased the producing desire of Charcoal producers. The affairs concerning the purchase, transportation and ration of wood and charcoal regarded as the duties of Charcoal Office are now transacted by the efforts of the Prefectural Government and the Agricultural Association. In the present condition, nothing can be done by the authority of Charcoal Office alone. How that Charcoal Office cannot show its own function, it is safely can be said that it has fallen so low that it is rather a harmful agency. It is, therefore, strongly desired that the production, collection and ration should be unified under the authority of the Governor.

(2) Opinion of the Members of Prefectural Assembly and the Prefectural People.

As a large sum of the cost of maintenance is taken at Charcoal Office, so the adjustment of the prices between the producers and the consumers cannot be attained. Such an instance may be given as the powder charcoal is thrown away near the Charcoal-Kilen by the producer. Thus the increase of charcoal production is hampered. Charcoal Office is most severely criticised by the Assembly Members and the people in general.

VIII.. Labour Standard Bureau.

(1) opinion of prefectural Government.

The establishment of Labour Standard Bureau has resulted in dividing Labour Administration Section of the Prefectural Government substantially into two. It is obvious that this will cause the labour administration business to be managed unsmoothly by making the connection between those divided two parts worse. But, on the other side, the Prefectural Government can take charge of promoting the Labour Union without assuming the complicated supervisory business which folows the enforcement of Labour Standard Law.

IX General Opinion Concerning Excessive Establishment of Agencies on the Spot.

(1) Opinion of Prefectural Government,

The excessive establishment on the spot is against the principal object of local self-government, and, as a result of increasing the dispatched officials, the burden for the people have been very heavy. Accordingly, it is considered from every point of view as more economic-al and efficientiaal to abolish the whole of these agencies and unify various sorts of administration by entrusting the authority to the prefecture

(2) Opinion of the Members of Prefectural ASSEMBLY

The reason why the system of public election of the governor has been taken in the Law of self-Government

is to adapt the administration to the real state of affairs in every prefecture. In the present state of excessive establishment of Agencies, the Elected Governors make no effect and the promotion of self-governning will never be expected.

(3) Opinion of Enterprisers.

It is the uncredit towards the local public bodies and the idea of preservation of bureaucracy to state that the fairness and the accuracy of duties can only be expected from being government officials. Far from it, the examinations for the ration business made by the staff members who have not sufficient experiences in the transaction of business are not fair on many occasions, and it brings about the diminishing of the desire for production of those concerned. Consequently, even only from the point of the effectual management of various local administration, it is disirable to transfer the authority of the Central Governmnet to the Local Government.and unify it.

(4) Opinion Investigation Officials.

1. Even after the enforcement of Local Self-Government Law, no Change has been occurred to the position and faculty of the Governors of metropolis, Districts and prefectures as the administrative agencies of the State.

In other words, the governorhas his duty to carry out as the local generalised administrative government office the local administration of the state smoothly, appropriately and agreeable to the particular local conditions with the consent of people.
So it is not proper to have divided and taken the governors' authorities and established before or after the Revision of Local

System a large number of local administration agencies without examining the matter thoroughly.

2. The authority of the allotment of materials for production which is part of productive administration has been taken from the Governor as the result of the establishment of agencies on the spot. Accordingly, it is impossible to lead the local industry skilfully and effectively with the appropriate and smooth management of the authority of allotment of materials, which was formerly possible to have. Now the guidance of local industry has almost become nominal.

In consequence, the opposition made by Prefectural Government against the agencies on the sport is principally aimed at this point.

3. With regard to the National Administration Affairs disposed by the Governor, it is possible for the Diet to request his expdanation m about it and to criticise it in according to the Local Self-Government Law, through which the proper execution of national administration affairs can be expected. But, regarding the disposal of National Administration Affairs made by the agencies on the sport, such opportunities are not given to the local people. And it is apt to lead to the result that the disposals are made to the advantages of particular persons. It is, therefore, quite reasonable that the discredit to the agencies is g gradually becoming clamorous,

4. The establishment of Local agencies on the spotthas not merely some regretable points in regard to the efficiency of administtation and the proper management but also is the serious cause of the increase of the administrative expences.

5. It is necessary that the arrangement should be made for the prevention of the establishment of local administrative agencies in future, and at the same time the present Office for the ration of materials, Charcoal office, and Automobile Office should be abolished. It is also necessary that Foodstuff Office and the agencies on the spot connected with labour should be adjusted so m as to place it under governor and cause him to carry out the affairs under unified standardmtof the State, so that he may let his fanction as the generalized government administration office have its swing.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Government Section

15 September 1947

MEMORANDUM FOR THE RECORD

SUBJECT: Examination of the National Government Structure with Special Reference to Offices Recently Opened in the Prefectures

Pursuant to verbal authorization given by the Chief, Government Section, the undersigned discussed this problem with Mr. Sone, Deputy Secretary General of the Cabinet, on 8 September. The question was presented to the Cabinet on 12 September and the Cabinet formally decided to charge Minister Saito with the responsibility of causing the Administrative Research Bureau, of which he is head, to make an examination of the subject.

Today the undersigned and Mr. Kent of this Division visited Minister Saito at the official residence of the Prime Minister. Also present at the conference were Mr. Sone, and from the Administrative Research Bureau Mr. Kanezashi and Mr. Maeda.

It was suggested that the following procedure might be followed: The Bureau would summon high officials of each Ministry in turn for the purpose of examining into the reasons for the recent establishment of branches in the prefectures. Also invited would be some governors, presidents of prefectural assemblies, mayors, headmen of smaller towns and interested private citizens, especially authorities on government. Fitting into this procedural pattern representatives of this Division would sit constantly with the Bureau for the purpose of being continuously informed and also to make it possible to ask certain important questions which members of the Bureau might overlook. It is suggested that the Local Government Division keep in close touch with developments. Also, as the various Ministries were scheduled, other interested staff sections would be invited to have representatives present.

Since it is apparent to the undersigned that on many of these questions it is likely that other staff sections will hold views completely at variance with those of this Section, it is intended that no policy discussions among members of GHQ would be held in front of the Japanese; it would be desirable to confine the activities of GHQ personnel in these informal hearings or meetings to the asking of questions which would bring out the facts. The determination of the final SCAP viewpoint would then be had in private meetings between members of other staff sections and this Section.

The plan suggested above would of course apply to all independent executive agencies as well as the Ministries. It was agreed that Mr. Maeda would submit a procedural plan by next Monday, 22 September.

GUY J. SWOPE
Chief, National Government Division

NAT GOVT DIV FILES

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Government Section

19 July 1947

MEMORANDUM FOR THE RECORD

SUBJECT: Remarks by Mr. Uchiyama, Governor of Kanagawa Prefecture, Concerning the Conduct of National Business in the Prefectures

1. Home Affairs

The governor expressed the need of a new ministry similar to our Department of Interior or the French Ministry of Internal Affairs and which would exercise some of the functions of the recently abolished Home Ministry. He emphasized that such a ministry was needed for the purpose of coordinating the activities of the various ministries in order to eliminate orders and instructions to the prefectures which are often conflicting in nature.

It is the opinion of National Government Division that this objection is not valid but simply echoes the sentiments of old-line Home Ministry bureaucrats. The prefectural governor is the logical agency to resolve conflicts in instructions by consulting with the central government organs involved. Furthermore, it is the intention of SCAP to require the Japanese Government to reorganize the administrative structure of the national government so as to eliminate insofar as possible overlapping or duplicative functions.

The governor continued his remarks by saying that he deems it necessary to achieve coordination of the activities of prefectural governments in their relations with one another at the national level. In the latter case the ministry would not be empowered to force the prefectural governments to comply with their recommendations but would be merely a coordinating agency of an advisory nature.

This Division believes that the proposed Local Affairs Commission will presumably be competent to handle this function.

Mr. Uchiyama pointed out that such a ministry might also include a Department of Personnel Affairs which would be in a position to assist prefectural governments in an exchange of personnel with other prefectures and with the national government. In this matter the governor feels that the prefectural governments would benefit by obtaining a number of officials with varied backgrounds and experience in addition to those whose knowledge and experience is confined to the limits of but one prefecture.

In the opinion of National Government Division, the Local Affairs Commission should also be sufficient to handle this problem adequately.

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The governor believes that another function of such a ministry would be to set certain broad standards for classification of civil service officials, leaving the prefectural governments free to train, examine and make appointments in conformance with these standards.

Unless there is a provision clarifying the status of prefectural civil service employees in the new Civil Service Bill now under consideration by the Cabinet, this Division suggests that new legislation be enacted to empower some national agency, such as the proposed Local Affairs Commission, to prescribe the broad civil service standards and regulations envisaged by the governor.

2. Police Affairs

With some reservations, the governor is in full accord with decentralization of the police system. He is already empowered to dismiss or request the transfer of all but the highest police officers, subject to the approval of a governor's commission. It is his belief that he should have the power of appointment and dismissal of all prefectural police, including high-ranking officials as well.

Notwithstanding the advisability of decentralizing the police system, the governor holds that the establishment of a national police organization is indispensable to the security and welfare of the prefecture. Although there are 3500 police in Kanagawa prefecture, only 1000 of this number can be mobilized in any one place in time of emergency. Thus he holds it would appear advisable to establish a supplementary police organization at the national level which could be made available at the request of the prefectural governor whenever necessary.

3. Civil Service

The governor's views on the civil service system are as follows: the present system of dividing civil service into two categories, prefectural and national, should be changed and the two combined into one national system. The desirability of assigning the responsibility for setting certain civil service standards at the national level applicable to all the prefectures has been previously discussed. Perhaps some standard types of examination might be given for clerical workers since the governor is not in a position to pass upon individual qualifications, although for higher officials the governor should retain the power to make appointments and dismissals, provided the officers in question do not require changes in rank. The governor has this power at present. In addition, the governor feels that he should be authorized to grant promotions in rank to officials who have demonstrated their ability to hold that rank and who possess the necessary qualifications. Civil service reform should entail a shift of emphasis away from the present system of examinations as the sole basis for determining promotions toward a system in which judgment, administrative ability, efficiency,

and industriousness would be important factors in determining the capacity of an official to hold office. Such a system would enable the governor, with the consent of the personnel committee, to appoint to any prefectural office not only career civil service men but men from private life who have demonstrated their capabilities and who possess the necessary qualifications. The former practice of picking Tokyo State University men for top positions should be discouraged since it has not only resulted in passing over more capable men but led to the formation of bureaucratic cliques.

4. Conduct of the National Business in the Prefectures

The governor expressed the opinion that most local offices of the national government were entirely unnecessary in the case of Kanagawa prefecture, owing to its proximity to Tokyo. In the interests of increasing the responsibilities of prefectural governments envisaged by the passage of the Local Autonomy Law, it is much more reasonable to allow the prefectures to exercise economic controls, control over local labor relations and other national business in accordance with the instructions of the national ministries concerned. Even in such matters as food collection coordination might be effected by the establishment of a council of governors, and recalcitrant prefectures could be forced into line by subjecting them to boycotts of food, materiel allocations, and by withholding national government subsidies.

In this connection National Government Division feels that many local agencies of the national government could be eliminated and inspection teams substituted. These teams could operate in the field for the purpose of determining the extent to which the prefectural governments have conducted the national business in compliance with orders of the central government.

As an example of the red tape encountered by the local citizenry owing to the projection of a large number of local agencies of the national government into the prefectures, the procedure for procuring a school room desk was given. Since the purchase of a desk must be made from budgetary funds of both the prefecture and the Ministry of Education, a permit authorizing the withdrawal of the necessary funds must be obtained from both offices. The Ministry of Education is concerned because the inadequacy of prefectural funds for education purposes has made necessary the granting of federal subsidies through the Ministry of Education. A special ration permit to buy the nails used in making a desk must be obtained from the local branch office of the Ministry of Commerce and Industry. Similarly, a ration permit for the wood used in constructing the desk must be obtained from theMinistry of Agriculture and Forestry, and a permit authorizing construction of the desk itself must be obtained from the Reconstruction Board before a contract can be negotiated between the local authorities and the local jobber.

It would seem more feasible to this Division to assign the prefectural office the function of requesting allocation of necessary materials and granting the necessary permit.

JOHN K. McLEAN
National Government Division

PAUL J. KENT
National Government Division

Noted: CLK

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Government Section

18 July 1947

MEMORANDUM FOR THE CHIEF, GOVERNMENT SECTION

SUBJECT: Transfer of National Government Business from Prefectural Control to Direct Branches

1. For many years the various national ministries endeavored to extend their direct influence to prefectures in handling business for which the particular ministry was responsible, without much success. To a great degree the Home Ministry controlled these field operations, with a somewhat peculiar and direct technical authority resting in the other several ministries in matters pertaining to their competence. This trend toward the establishment of branch offices by the ministries was greatly accelerated in anticipation of the beginning of local autonomous governments and is still proceeding to this day.

2. For several weeks members of this Division have been making a detailed study of certain features of this movement in the prefecture of Kanagawa. This study has proceeded far enough to show that press reports and the governors' public pronouncements are fairly accurate.

3. The study referred to also indicates a rather serious condition of inefficiency on the part of all government agencies and a vast over-staffing of such agencies. It further reveals that lines of authority are almost hopelessly tangled and confused, leaving responsibility for a single act in the hands of prefectural authorities and numerous competing national authorities.

4. It is recommended:

a. That an order be given to the Japanese Government that no further national offices may be opened in the field without prior approval by GHQ;

b. That all such offices opened since the beginning of the occupation must be properly justified or else eliminated;

c. That the Japanese Government be required to designate an existing agency or to create one to undertake this task. Such agency should be at Cabinet level, responsible only to the Prime Minister and in no way subject to the authority of any ministry or other executive agency. It is likely that the Administrative Investigation Bureau will be so designated. This would be satisfactory to the National Government Division. In such case the Prime Minister should be required to strengthen the personnel of this Bureau by placing strong, aggressive and capable

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people, the majority of whom are not now professional employees of the government, thereon. This Bureau must have enough position and prestige to be able to overcome the bureaucratic domination within the ministries which presently seems to be controlling its every activity;

d. That the Japanese Government be required to make a percentage over-all reduction in the number of employees presently on its payrolls. In view of the fact that the government itself is the major factor in driving this nation into an almost inevitable state of economic chaos and disaster through its unbalanced budget, it is felt that there is ample justification for requiring such a drastic move. It is believed that this reduction could be as much as 33-1/3 percent;

e. That members of this Division should sit almost constantly with the Administrative Investigation Bureau in its examination of this whole matter.

GUY J. SWOPE
Chief, National Government Division

Noted: CLK

INVESTIGATIONS ON THE PRINCIPAL LOCAL ADMINISTRATIVE ORGANS

FOR WHICH ABOLITION IS DESIRED.

KANAGAWA PREFECTURE.
August 1947.

KANAGAWA PREFECTURAL GOVERNMENT
August 1947.

INVESTIGATIONS ON THE PRINCIPAL SPECIAL LOCAL ADMINISTRATIVE ORGANS FOR WHICH ABOLITION IS DESIRED.

(1) Government Office	(2) Name	(3) Date Established	(4) Authorized Functions	(5) Relation between Column (4) and Rights of the Prefectural Governor	(6) Reasons for desiring abolition
Rehabilitation Board (Sensai Fukko-In).	Kanagawa Construction Sub-Branch of the Rehabilitation Board.	29 March 1947.	1. Disposal of Permissions for Constructions etc. in conformity with the Temporary Restriction Regulations on Constructions etc. 2. Allocation and distribution of building materials based on the above regulations. 3. Granting of permission etc. for installation, remodelling, operation of machines for textiles in conformity with above regulations.	1. The 3 items of Column (3) were formerly within the power of the Prefectural Governor, but they were withdrawn by the Central Government. 2. Concerning permission for constructions and allocation of building materials, the Prefectural Governor is vested with the power to restrict constructions by Law for Constructions in Cities and other Construction Laws. 3. Concerning equipment of machines for textiles, comes within the rights of the Prefectural Governor as directing local public works for the general restoration of industry and production.	1. That the Central Government has withdrawn the practical right to grant permission for construction and the allocation of building materials makes it impossible to conduct rehabilitation of war-damaged cities smoothly. 2. That there should be two separate administrative functions, Central and Local Governments, on the same act of building is objectionable. 3. That in spite of the inseparable relation existing between the supervisionary rights over equipments for production and on production, the separation between the Central and Local Governments by means of which the Central Government has taken over the power for the allocation of materials for designated productions, is an impediment to the promotion of small and medium scale commerce and industry.

(1) Government Office	(2) Name	(3) Date Established	(4) Authorized Functions	(5) Relation between Column (4) and Rights of the Prefectural Governor	(6) Reasons for desiring abolition
	Kanagawa Labor Standard Bureau (Rodo Kijun Kyoku).	2 May 1947.	Enforcement of Labor Standard Law.	The Prefectural Governor is vested with powers concerning the Labor Union and the Labor Regulation Law.	1. The Labor Union Law, the Labor Standard Law, the Labor Regulation Law are the 3 great legislations with respect to condition of labor, and even in the spirit of legislation alone, it is but natural that they should be united under one Government Office within its juridical area. 2. That the use of power by the Standard Bureau based only on the articles of the Law, without grasping the true state of Labor Unions, will be contrary to the spirit of legislation and is extremely dangerous. 3. For items requiring reports, according to their respective laws, they are presented through Labor Administration Offices which are detached organizations of the Labor Administration Section, while on the other hand other reportsare submitted through Supervision Stations which are detached organizations of the Standard Bureau, thereby causing a lot of complications: moreover, when in the future, each of the Labor Administration Office and the Supervision Stations are separated, the clerical work connected herewith will not only be complicated and inconvenient for companies and unions but also for the Government Offices related hereto
	Public Employment Stabilization Office	8 April 1947	General Administration of Employments.	Direction and supervision of matters pertaining to Column (4).	1. The Prefectural Governor is entrusted with the direction and supervision of the staff of the Public Employment Stabilization Office, but he is not vested with s the power to decide question

(1) Government Office	(2) Name	(3) Date Established	(4) Authorized Functions	(5) Relation between Column (4) and Rights of the Prefectural Governor	(6) Reasons for desiring abolition
					of personnel, salaries, etc so that such matters with respect to government officials become unbalanced, and there are many occasions of difficulties in the conduct of the administration. 2. The question of the administration of change of business or occupation is inseparable from labor administration, so that by uniting this problem and placing same within the powers of the Prefectural Governoris believed to be appropriate.
	Odawara Forestry Station and Hiratsuka Forestry Station.	April 1947. unknown.	Maintenance and control of national forests, public forests, and places of official forestation.		1. There is necessity of working in conjuction with prefectural and private owned forests when managing national and public forests. 2. The area occupied by national forests in this prefecture is quite small, so that their maintenance and supervision can be most efficiently undertaken in combination with the work necessary for prefectural forests, for which reason functions in this respect ought to be transferred to the Prefecture.
Ministry of Transportation.	Kanagawa Motor-car Office of the Ministry of Transportation.	15 May 1947.	1. Allotment of special production materials connected with transportation. 2. Administration of Land Transportation.	1. Authorization rights were withdrawn from the Prefectural Governor and transferred to the Central Government. 2. Administration has been transferred to the Central Government, with exception of those connected with Traffic and Public Welfare.	1. Such allotments disregarding actual conditions are harmful. 2. Small scale land transportation is seldom in connection with other prefectures and therefore the centralization of management is meaningless. 3. The Land transportation administration and the allotment of materials thereof are in close connection with the synthetic administration of the Prefectural Governor.

(1) Government Office	(2) Name	(3) Date Established	(4) Authorized Functions	(5) Relation between Column (4) and Rights of the Prefectural Governor	(6) Reasons for desiring abolition
Ministry of Agriculture & Forestry.	Kanagawa Materials Control Office of the Ministry of Agriculture & Forestry	1 April 1947.	Allotment and Ration of special production materials for agriculture and forestry and distribution of coupons.	Authorization rights which were in the hands of the Governor has been transferred to the Central Government.	Production capacity may fall, if the necessary materials were not alloted at the time of need. The present procedure is too complicated.
Ministry of Agriculture & Forestry.	Kanagawa Investigation on Farm Products.	1 April 1947.	Investigations and reports on prospects of crops.	The authorization for investigations and reports on principal farm products were withdrawn from the Prefectural Governor and transferred entirely to the Central Government.	Investigations and reports must be concentrated into one organ, while there are 3 offices, viz. Prefecture, Food Office and Farm Products Investigation Office, working independently of each other. The Prefectural Government has to investigate the crops, as she is responsible for production and delivery of various kinds of farm products. The authorization should therefore be kept by the Prefectural Governor.
Resident Official of the Home Ministry at Kanagawa.		1 April 1947.	Investigation on actual state of fuel consumption and issuance of allotment coupons as an organization under direct control of the Home Ministry concerning special production materials - fuel for the use of Civil Engineering, Police, Fire Combatting Service and other official purposes by the prefecture cities, towns and villages.	According to the special authorization possessed as an organization under the control of the Home Ministry, the official issues the allotment coupons to the Prefectural Governor.	The Prefectural Governor is in the position to supervise the engineering works of cities, towns, and villages under his administration and therefore it may be considered as quite reasonable that he keeps the authorization to administer the distribution of materials which may influence the completion of the work, according tothe directions of the Home Ministry and the abolition of the system of resident officials shall then be a matter of course.

(1) Government Office	(2) Name	(3) Date Established	(4) Authorized Functions	(5) Relation between Column (4) and Rights of the Prefectural Governor	(6) Reasons for desiring abolition.
Ministry of Commerce & Industry.	Kanagawa Office of the Commercial & Industrial Bureau of Tokyo.	15 May 1947.	Ration and allotment of special production materials.	Ration for large scale consumption is under the management of the Central Govt.	Medium and small scale factories and work-shops, under the management of small consumers are under the supervision of the Prefectural Governor. The authorization for the administration of materials should be entrusted to the Prefectural Governor in order to achieve this aim without difficulties.
			while medium and small scale consumers received their rations through the Prefectural Governor. This authorization has been withdrawn and transferred to the Central Government.		

(1)	(2)	(3)	(4)	(5)	(6)
Government Office	Name	Date Established	Authorized Functions	Relation between Column (4) and Rights of the Prefectural Governor	Reasons for desiring abolition
	Special procurement Board		To furnish construction work, material procurement and other services which are required by allied forces or Japanese Government	Procurement of land and building works and maintenance of road, river and water service. service to furnish labar. Above mentioned services will be in charge of Governor. (At the present time district system is not clear, but, general relation service is in case of under the jurisdiction of especial Procurement Board).	Upon administration of prefecture, if above mentioned services which are in close connection with people are carried out by the unilateral Order without any will of prefecture, friction will be surely occured.

(1) Government Office	(2) Name	(3) Date Established	(4) Authorized Functions	(5) Relation between Column (4) and Rights of the Prefectural Governor	(6) Reasons for desiring
Agriculture and forestry ministry.	Charcoal Office of Agriculture and forestry. Ministry.	1940	Issue of purchase stamp of Commercial wood, and charcoal.	Allotment of family and commercial wood and charcoal is decided by Governor as in the past, but issue of purchase stamp of commercial wood and charcoal was transferred to Central Government.	Issuance of purchase of commercial wood and charcoal is in the large number including large and small distribution, then it seems to be impossible to dispose them at Central Government Branch. As Prefectural Government did in the past, the eight of small clemand will be in charge of Mayor of City, town and village head.
Agriculture and Forestry Ministry.	Kanagawa Office of Provisions of Agriculture and Forestry Ministry.	December 1941.	Government purchase of imported food and clecision of monthly sale.	At present it will be not double administration.	It is more letter to entrust the inspection of crops and the personal affairs to prefectural Government as it did before. It is better way to transfer the right of various inspection and supervision of trusted manufacturing enterprise to local government, then synthetic plan of distribution and will be carried out perfectly.

((INVESTIGATIONS ON THE PRINCIPAL SPECIAL LOCAL ADMINISTRATIVE ORGANS FOR WHICH ABOLITION IS DESIRED))

Revised Memorandum

National Parks.

I. Reasons for Prefectural Governments' administration of the National Parks being inadequate.

(a) From the national view point, the National Parks all in Japan must be administered by the state herself, but at present the management of the parks is carried on by the respective prefectures concerned and the management is liable to a local view point.

(b) Excepting five out of thirteen National Parks, the site of the rest extends over two or four prefectures. Thus, the prefectures concerned are respectively administering the maintenance of the parks, which is subject to the lacks of uniformity in this point through an insufficient co-operation on the part of each prefecture. This propensity is prone to be spurred by the recent enforcement of Local Self-government.

II. Actual conditions of the above Reasons.

(a) The prefectural governments have not full time offigials solely administrating the National Parks. So the National Park Act is not carried out satisfactorily no maintenance of the natural state. Due attention is not paid to the cutting and clearing of trees and bushes, and to the installation buildings in the parks. Necessary steps are left to be taken for the administration of the protected areas.

(b) In the National Parks, the protected areas for

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the important nature and beauty spots are sometimes cultivated under the local circumstances such as those of the fir trees at the foot of Mt. Fuji, the woods and trees of Kamashima and of Mukuchishima of the Inland Sea, which are obstacles to the administration of the protected areas for the nature.

(c) Lake Towada, as one of the National Park, stretches over two prefectures. The two local governments draw out its water for the respective interests without negotiating each other. The fact causes the breakings of its banks, preventing often the maintenance of the natural beauty-spots.

(d) Speaking of the rivers and streams in the parks, the prefectural authorities thinks more of the development of water power than the maintenance of the beauty-spots.

This is liable to bring about no small hindrances in the administration of protecting the natural state of the parks. The following are the instances of the above-mentioned case:

the Kitayama River of Yoshino-kumano,

the Kurobe River of Chubu-sangaku,

the Tadami River of Nikko, and the Ishikari River of Taisetsusan.

(e) According to the prefectural governments, the managing section of the parks is included in Engineering Department, Economics Dept., Education & Civil Affairs Dept., Forestory Dept., or General Affairs Dept. Therefore, it is bringing about a wide difference in the opinion and the steps of the prefectural park administration.

(f) Under the said circumstances, the park-lanes and the guid-posts of Nikko National Park, for an intance, are mentained in good and right order within the border of Tochigi Prefecture while part of the Park belonging to Gumma and Fukushima Prefectures is not satisfactory in these respects.

(g) Speaking of the accommodation of Hotels and Chalets, the opinion of the prefectural governments has not yet come to agreement on the site or location of establishment, and the details of concrete plans are still to be left to discussion.

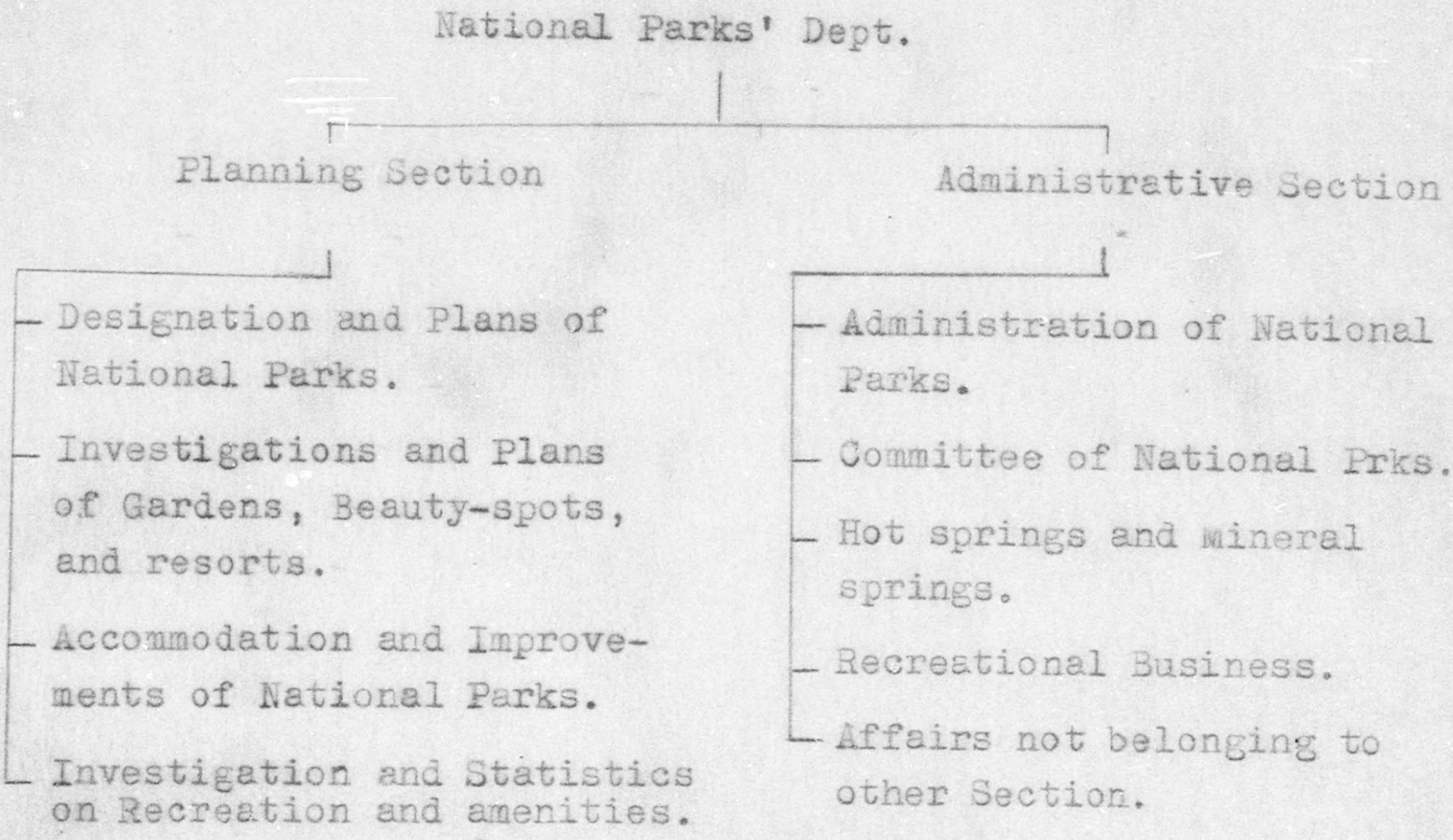
(h) The expenditure of mentaining the parks is at present paid by the prefectures concerned. All prefectures have not appointed the staff who solely take charge of administering the park thereof, and so a satisfactory result is not expected.

III. Outline of improved administration of National Parks.

As mentioned in the two Paragraphs referred above, that local governments now take charge of the administration of the National Parks is not adequate because of the results being affected by the local interests.

The Central Government is to take up this business, planning and administering the maintenance of the national parks in good order. For this purpose, the National Parks' Department is to be established in the Pulbic Health Bureau of Welfare Ministry, and is to set up the administrative offices at the Parks respectively to meet the actual conditions.

The Organization of the National Parks' Department is as under :



The Business of Administrative Offices is as follows:

- Administrative Office
  - Administrative Office
    1. General Affairs of the Administrative Office.
    2. Planning and other works of national parks.
    3. Giving directions for enterprises of the recreation companies.
    4. Matters pertaining to different bodies connected with national parks.
  - 3rd Class Secretary
    1. Administration according to the National Park Law.
    2. Miscellaneous of Administrative Office.
    3. Propaganda of national parks and attracting foreign tourists.
  - 3rd Class Technician
    1. Maintaining the beauty of the scenery of national parks.
    2. Matters pertaining to buildings, roads and other measures in national parks.
    3. Hygienic affairs of national parks.
    4. Protecting animals and plants in national parks.

IV. Personnel Increases or Decreases (increases in number of Local Administrative Office and Administrative Office of Welfare Ministry)

The present personnel who is in charge of national parks affairs of the Ministry of Welfare, consists of a 2nd Class Technician, a 3rd Class Secretary and a 3rd Class Technician only.

The administrative activities connected with national parks were almost in abeyance in time of war, so the personnel has been small in number. However, judging by the present situations the business of national parks should be expended as soon as possible, which is necessary to increase in number of the personnel of local administrative offices and the administrative office of the Welfare Ministry as follows:

Administrative Office of
the Welfare Ministry.

Rank & Position of Official	Number	Business in Charge	
Director	1		
2nd Class Secretary	4	Chief	1
		Legal Affairs	1
		Miscellaneous Affairs Accounting Affairs Personnel Affairs	1
		Recreation	1
2nd Class Technician	4	Planning	1
		Facilities	1
		Investigation	1
		Protection	
3rd Class Secretary	5	Giving assistance to 2nd Class Secretary and Technician.	
3rd Class Technician	4	"	

Local Administrative Office

2nd Class Technician: 13 Persons (Chief of respective Local Administrative Office of 13 National Parks)

3rd Class Secretaries: 13 persons (Miscellaneous and Accounts of respective Local Administrative Office of 13 National Parks)

3rd Class Technician: 26 persons (Giving assistance to Chief of respective Local Administrative Office 13 National Parks)

The number of the personnel of respective Local Administrative Office averages 4, which is deemed to be a minimum administrative unit.

Personnel

	Present		Future	
	National G.	Prefectural G.	National G.	Local Field Office.
Director	0	0	1	0
2nd class Secretary	0	5	4	0
2nd class Technician	1	17	5	13
3rd class Secretary	1	19	6	13
3rd class Technician	1	20	5	26
Employee	3	45	23	65
Total	6	106	44	117

Besides the above-mentioned full time officials of the Central Government, 2nd class secretaries 2 persons of the Investigation Section (including Chief of the Section), 2nd class Technical Official 1 person, 3rd class Secretary 1 person, part time officials 3 persons, and Employees 10 persons are at present

Personnel

original budget (Plan)

	Central G.	Pref. G.
Director	1	1
2nd Class Secretary	5	11
2nd Class Technician	6	16
3rd Class Secretary	8	25
3rd Class Technician	14	48
Employee	49	127
Total	83	227

holding additional posts of the Natinal Park Administration.

At the Prefectural Governments, the officials, who take charge of the National Park Administration at present, are receiving their salaries out of the expenditure assigned to other affairs.

Budget

	Present		Future	
	Central G.	Pref. G.	Central G.	Local Field Office
Salaries and Pays	43,440	780.240	119,100	311,350
Travelling Expenditure	3,120	49.200	78,200	130,780
Government Expenditure	14,440	180.000	1,372,700	2,125,870
Commitees' Expenditure	0	0	72,000	0
Accommodation Expenditure	0	500.000	0	1,290,000
Total	61,000	1.509.440	1,642,000	3,858,000

Besides the above budget (Present) the Central Government is using the sum of ¥ 241,000 for the National Park Affairs out of the Expenditure allotted to the Investigation Section.

5. Proposed Changes in Relationship of National Government to Local Government.

With the establishment of Local Administrative Office, the matters of reports on changes of national parks -

(1) Original budget (Plan)

	Central G.
Salaries	852,756
Travelling expense	107,193
Ministrial expense	1,547,600
Expense for propagation and introduction	339,360
Conference expense	300,000
Expenditure for committees	1,330,100
Subsidy to the personnels in local prefectural offices	722,991
Subsidy to the studying bodies for National Parks	300,000
Total	5,500,000

Budget 1938

	Central G.
Salaries and pays	40,374
Travelling Expenditure	18,800
Government Expenditure	20,695
Committees' Expenditure	9,448
Subsidy to the personnels in local prefectural offices	18,000
Subsidy to the Accomodation Expenditure	100,000
Total	207,317

or permissions of affairs, for example application of land development in special areas and other landed changes, of planting trees and bamboos, and of putting live-stock to grass, or the construction or reconstruction of houses, or cutting down trees and bamboos within the limits of 0.5 h.a. and etc., by national government which have been entrusted to prefectural Governors, are transferred from prefectural Governors to Chiefs of Local Administrative Offices, and the business relative to the application of the National Park Law is under control of National Government.

The direction and propaganda of enterprises connected with national parks, which has been given by the prefectures, is given by National Government from now on. However the successful administration of national parks must have co-operation of respective prefecture, so the following matters are under control of respective prefectural Governor:

a. As regards following matters which prefectural Governor must apply to National Government for permission on changes of national parks, giving his opinion as Governor.

1. The construction, reconstruction or extension of buildings.
2. Reclaiming land from the sea, etc., or reclamation by drainage.
3. Prospecting or mining a mineral, placer mining, or mining stones.
4. Cutting down trees and bamboos.
5. Establishment of things advertized, bill-boards and similar things.

b. As regards authorization of national parks, giving his opinion to National Government.

c. Carrying on the enterprise of national parks which was entrusted from National Government to Local Government.

C. As regards the administration of national parks, putting question to the Local Committee of National Parks and making representations to National Government.

guy says National Parks
are now administered by
the Prefectures + should
remain there
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GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Government Section

25 November 1947

MEMORANDUM FOR THE RECORD

SUBJECT: Reorganization of Administration of National Parks in Japan

A meeting was held on 20 November 1947 to discuss proposed changes in the system of administration of national parks in Japan. The Japanese government was represented by Messrs. Kanazashi and Kamaya of the Administrative Research Bureau and Mr. Ejima of the Welfare Ministry. Present for Government Section were Messrs. Kent, McLean, and the undersigned.

Mr. Ejima explained the need for revamping the present system to provide for the establishment of a National Parks Department in the Health Bureau of the Welfare Ministry, with branch offices in the prefectures. He stated that the prefectural governments were at present incapable of an effective administration of national parks.

The undersigned replied that Government Section's position on an extension of the power of the national government in the administration of national parks throughout Japan was an emphatic negative, despite Mr. Ejima's contention that Civil Information and Education Section recognized the desirability of a sound and aggressive development of national parks throughout the nation from the point of view of providing an added attraction to the tourist trade, but that any changes must come as improvement in the present system and not as changes which would result in an accretion of power of the national government at the expense of the prefectures. Mr. Ejima stated that this had been the original position of the Welfare Ministry which was later revised at the suggestion of CI&E, whereupon the undersigned concluded the meeting with the suggestion that the Welfare Ministry revert to their earlier position and that Government Section would be glad to consider any proposed improvements in conformance with the policy stated above.

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GUY J. SNOPE
Chief, National Government Division

Prepared by

John K. McLean

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The following amendment shall be made of the official organization of Welfare Ministry.

Art. 4-2. There shall be the National Park Department in Public Health Bureau. In the National Park Department Affirs concerning national parks shall be managed.

Presently under Investigation Section of Public Health Bureau.

The following amendment shall be made of the official organization of Welfare Ministry.

Art. 4-2. There shall be the National Park Department in Public Health Bureau. In the National Park Department Affirs concerning national parks shall be managed.

Art. 23. The Welfare Minister may set up a national park administration office to be in charge of a part of affairs concerning the administration of a national park. Its title and location shall be decided upon by the Welfare Minister. A national park administration office shall be headed by a second-grade government official.

The following amendment shall be made of the official organization of Welfare Ministry.

Art. 4-2. There shall be the National Park Service in Public Health Bureau. In the National Park Service affirs concerning national parks shall be managed.

Art. 23. The Welfare Minister may set up a national park administration office to be in charge of a part of affairs concerning the administration of a national park. Its title and location shall be decided upon by the Welfare Minister. A national park administration office shall be headed by a second-grade government official.

Some of the provisions of Enforcement Regulations of the National Park Law shall be revised as follows:

"Prefectural Governor" in Art.19 shall be read as "Superintendent of Local Field Office of the National Park concerned (to the following parts Superintendent of Local Field Office shall be applied)".

"Prefectural Governor" in Art. 20, 21, 22, 23 and 28 shall be read as "Superintendent of Local Field Office".

"according to the provisions of Art.16 of the National Park Law" in Art.27 shall be rescinedd and "a prefectural governor except those relating to more than two prefectures" shall be read as "Superintendent of Local Field Office".

"Prefectural Governor" in Art.29 Para.1 shall be read as "Superintendent of Local Field Office" and Para.2 of the same article shall be rescinded.

Enforcement Regulations of the National Park Law

The Home Ministry Ordinance No.25 on Sept 19,1931
Amendment: The Home Ministry Ordinance 27 on Sept.8,1933
Amendment: The Welfare Ministry Ordinance No.22 on July 5, 1940
Amendment: The Welfare Ministry Ordinance No.19 on May 11, 1945.
Amendment: The Welfare Ministry Ordinance No.7 on Mar. 20, 1947.

Art. 1 When the Welfare Minister has designated a national park, he shall notify it in the official gazette.

When the district for the park has been changed, it shall also be notified in it.

Art. 2. The following facilities shall be appointed in accordance with the provisions of Art. 2 of the National Park Law:

1. Motor-cars, garages, implements for motor-cars and other transportation facilities using motor-cars; aircraft, aerosheds, aerodromes and other transportation facilities using aircraft; ships, wharfs, piers and other transportation facilities using ships and bridges.

2. Water-service; drainage; facilities for disposal of filth; facilities for emergency medical relief; public-baths; swimming places; boat rowing places; fishing places; golf links; skiing places; Horse riding facilities.

3. Museums; botanical gardens; zoos; equariums.

4. Facilities for afforestation; those for fish-farming.

5. Concrete preventive construction; fire protections.

Art. 3. When the Welfare Minister has made a plan for a national park or decided upon a national park undertaking, he shall notify their outlines in the official gazette. The alternation of them shall also be notified there.

Art. 4. The written application for license of national park undertakings must be accompanied by the following papers:

1. In case of a promoter of a company, the company contract.

2. In case of a company, copies of the company contract, of the registration of the company of the record of resolations at a shareholder's general meeting and of the written consent of the whole employes concerning national park undertakings.

3. In case of a juridical person other than companies, copies of the articles of the corporation of records of donation of regulations of registration of the juridical person and of the records of resolutions at the shareholder's general meeting.

4. In cass of a union, copies of the written contract and of the written consent of the whole employes concerning national park undertakings.

Art. 5. Descriptions of the following item must be made in the written plan for starting works.

1. The kind of works to be undertken.

2. The aim of the works.

3. The total fund for starting works and the way to make it.

4. Rouge description of the location and extent of facilities

5. In case where a constructional work is started, its outline and the duration of the work

6. The period of the operation of the facilities.

Art. 6. The general plane figure must be of scale 1-50.000 to 1-1,000 according to the kind of works to be started, showing the location of the facilities and the surrounding situations.

Art. 7. The written rough estimate of cost concerning the establishment

establishment of facilities must show the gross sum and such items as survey cost, supervision cost, land-using cost, civil engineering cost, building cost, furnishing cost, general expense, reserve fund etc., describing quantity, unit price and amount of money for each item.

Art. 8. The written rough estimate of incomings and outgoings concerning the management of facilities must show the total of incomings and outgoings, their particulars, and the basis for the total reckoned, and the percentage of clear profit to the fund unsed for starting the works.

Art. 9. The construction specification must show the outline of the plan, the order and method of the constructional work in operation and other matters necessary for the operation.

Art. 10

Art. 10. Drawn construction plans are, according to the kinds of constructions, classified into a plane figure, a side-view figure a sectional diagram, a frame figure, coloured design figure and must be of more than scale 1-2,500.

The plane figure must be supplementary to the general plane figure. The plane figure the side-view figure and the sectional figure must show the extent of the influence of the constructional work on the neighbourhoods.

Art. 11. Each item of the written estimate of the construction cost mentioned in Art. 7 shall be classified into more minute ones, each showing the quantity, unit price, amount of money and the particulars.

Art. 12. The following papers must be appended to the written application for the permission of the transfer of right and duty arising from the license of national park undertakings with the joint signatures of persons concerned.

1. A copy of the contract of transfer

2. In case when the transferee is a promoter of a company, the company contract.

3. In case where the transferer or the transferee is a juridical person, copies of the record of resolutions at a general meeting or of the written consent of the whole employes concerning the transfer. In case of a union, a copy of the written consent of the whole members of it.

4. In case where a transferee is a juridical person who is not a keeper of a national park work, the copies of the articles of the corporation, of donation, of regulations, or of the registration of the juridical person. In case of a union, a copy of the written contract.

Art. 13. The provisions of the preceding article shall apply correspondingly to the succession to the right and duty arising from the license of national park works due to amalgamation of companies.

Art. 14. The written application for permission of dissolution of a juridical person carrying on national park works must show the reason for dissolution and a copy of the record of resolutions at a general meeting or of the written consent of the whole employes concerning dissolution must be annexed to it.

Art. 15. Any person who has been granted the license of national park works must without delay report it to the Welfare Minister in the following cases.

1. In case where a constructional work has been started or completed.

2. In case where facilities have become available.

3. In case where the establishment of a company has been registered (except when the permission of a constructional work is to be requested)

When the transfer of the right and duty arising from the license of national park works is completed, it must without delay be reported to the Welfare Minister with the joint signatures of persons concerned. This is the same with the completion of amalgamation of companies carrying on national park works.

Any person who has by inheritance succeeded to the right and duty arising from the license of national park works must without delay submit a report with a copy of his census register to the Welfare Minister.

Art. 16. When the Welfare Minister has designated a special district, it shall be notified in the official gazette. It shall also be notified there when the district has been changed.

Art. 17. Any person who wants to obtain permission according to the provisions of Art. 8, para. 2 of the National Park Law must present a request containing the papers and plans mentioned below:

1. A construction specification or an execution scheme.

2. Descriptions must be made of the following items in a construction plan or an execution scheme which is needed to show the plan or the method of the execution.

   a. The kind of the act.

   b. The aim of the act.

   c. The place of the act and the classification number, and dimensions of the place.

   d. The scheme for constructions (including advertising materials or sign-boards and other objects pertaining to them) or the methods for execution of the act.

5. The date of starting and completion

Any change in the matters shown in the papers or plans mentioned in Para. 1 shall be made with the approval of the Welfare Minister.

Art. 18. It is not required to obtain permission according to the provisions of Art. 8, Para.2 of the National Park Law for doing any of the acts mentioned below:

1. The construction, repair or extention of gutters, dams, conduits, water-mills, wind-mills, water-tanks, etc.

2. The construction, repair or extention of gates, hedgerows, fences, bungalows, poultry-houses.

3. The construction, repair and extention of toriis(front-gates of shrines), garden-lanterns, tombstones, etc. in the precincts of temples or shrines or in cemetries.

4. The construction, repair and extention of charcoal-kilns, charcoal burning huts, wood-cutters' huts, afforestation huts, domestic animals' sheds, barns, fertilizer preserving pits, etc.

which are more than 20 meters away from public roads and other places which people can visit freely.

5. The construction repair, and extention of storehouses for fish catching bamboo boxes, weirs and nets or fish and shells drying places.

6. The construction, repair and extention of provisionary structures for construction works (excluding lodging-houses).

7. Digging out of soil and stones in building-lands.

8. Digging out of soil and stones which does not make the aspect of land change.

9. Cutting down of trees or bamboos within building lands.

10. Cutting of trees and bamboos to be served for domestic use (excepting massive cutting)

11. Cutting of mulberries, tea-trees, paper-mulberries, edgeworthia chrysanthas, pawlownias, fruit-trees and other trees or bamboos cultivated for agricultural use.

12. Cutting of withered or dangerous trees and bamboos.

13. Cutting of under-boughs, or vines and elimination of superfluous growth for the purpose of cultivating woods.

14. Elimination of brambles, bushes, etc. for the purpose of improving pastures and fields

15. Setting up of advertising things or sign-boards under eaves and other objects pertaining to them.

16. Necessary emergency measures for extracrdinary disasters

17. In case where permission has been in advance granted by the Welfare Minister regarding a program of starting works, acts coming from the program.

18. Acts which have already been begun when a special district is designated.

Art. 19. Any person who wants to do an act which comes under any of the following items within a special district must submit a report to a prefectural governor more than fourteen days before the day of the act:

1. Reclamation of waste lands or alteration of the shape and aspect of lands.

2. Plantation of trees and bamboos.

3. Depasturing of domestic animals.

Art. 20. Presentation of a report according to the provisions of the preceding article is not required in doing any of the acts mentioned below:

1. Digging up, cutting off, piling up of soil, etc. which does not bring about a change of the aspects of lands, though they make the shape and the substance of lands change.

2. Cultivation of trees and bamboos in building lands.

3. Cultivation of trees and bamboos planted for agricultural use.

4. Plantation and cultivation of trees and bamboos of the same kind as those already cultivated.

5. In case where permission was granted by a prefectural governor as to a plan for executing works, the act coming from the plan.

6. The acts which have already been started when a special district is designated.

Art. 21. Any area in a park which has not been designated a special area according to the provisions of Art. 8, Para. 1 of the National Park Law is deemed an ordinary district.

Any person who wants to do an act coming under any of Art. 8, Para. 2 of the National Park Law within an ordinary

district must report it to a prefectural governor more than fourteen days before the day of the acts.

Art. 21.2 It is not required to make a report according to the provisions of Para. 2 of the preceding article, in case of doing acts within the districts designated by the Welfare Minister, even if they consist in ordinary districts, except when those acts mentioned below are executed.

A. The building, repair or extention of the following constructions.

1. Factories where more than thirty workmen are employed all the time or more than 5 motors are always in operation.

2. Factories, warehouses, etc. where a nasty smell is emitted or injurious materials(including those injurious for animals or plants) are discharged or dargerous things are handled.

3. A thydroelectric power station or a substation which can supply more than 150 km. volt ampere electric power.

4. Traffic and transportation facilities such as roads, bridges, railways, tramways, cableways, etc.

B. Filling up, drying up or caltivation of the water.

C. Tentative digging or mining of minerals or digging out of stones.

D. Setting up of advertising materials and other things pertaining to them.

Art. 22. It is not required to make the report prescribed in the provisions of Art. 21. Para. 2 in case of doing the acts mentioned below.

1. Acts which come under Art. 18, No. 1 or any number of Art. 16.

2. In case where permission has been in advance obtained from a prefectural governor concering a plan for executing works, acts coming from the plan.

3. Acts which have already been begun at the Item of the designation of a national park.

Art. 23-1. A constuction specifiaation or an execution plan must be appended to a report prescribed in Art. 19 or Art. 31, Para. 2. The provisions of Art. 17, Para. 2 shall apply correspondingly to a constraction specifiaation or an execution scheme mentioned in the preceding paragraph.

When any matter described in a constuction specifiaation or an execution sheme mentioned in Para. 1 is to be changed, it must be reported to a prefectural governor more than forteen days before the day of the act.

Art. 23-2. Any person, who want to get compensation for loss from the national treasury according to the preovisions of Art. 9, Para 2 or Art. 11, Para. 5 of the National Park Law, must submit a written application having the following descriptions.

1. The name and the residence of the applying person or body.

2. The reasons for the application.

3. The amount of money applied for.

4. Any other matter deemed necessary.

Art. 24. A person who does any of the acts prescribed in Art. 11, Para 1 of the National Park Law must carry with him a certificate of license issued by a prefectural governor to be shown by the request of persons concerned.

Any public officer who does the act mentioned in a proviso of the same paragraph of the same article must carry with him a certificate for it to be shown by the request of persons concerned.

Art. 25. Any person who want to obtain a adjudication prescribed in Art. 11, Para. 4 of the National Park Law must submit to a prefectural governor a written application and its copy having descriptions of the following items:

1. The names and residences of the applicant and the other party.

2. The reason and content of the application when a prefectural governor has received a written application, he must send its copy to the other party and make him submit and answer within an appointed period. In case where the answer has not been submitted within the appointed period, the prefectural governor may make an adjudication by the written application only. It holds when he is not able to sent a copy.

Art. 26. The written decision showing the reasons shall be sent to both parties concerned by the prefectural governor when it cannot be sent, it must be notified by way of the local notification.

When 7 months have passed after the notification mentioned in the preceding paragraph, it is deemed that a written decision has been sent.

Art. 27. The official power concerning the items mentioned below shall be entrusted to a prefectural governor except those relating to more than two prefectures according to the provisions of Art. 15 of the National Park Law.

1. Permissions of the building, repair and extention of houses of cutting of trees and bamboos in places of which cutting area is less then 0.5 respectively, of cutting of trees and bamboos in lands which are less than 500 . in area and one third of which has the trees and bam

bamboos cut and of setting up advertising materials or sign-boards and other objects pertaining to them.

2. Ordering of suspension of a certain act for less than a month according to the provisions of Art. 9, Para. 1 of the National Park Law.

3. Ordering of the entrusted matters prescribed in No. 1 to be restored to the former state according to the provisions of Art. 10 of the National Park Law.

Art. 28. When a prefectural governor has acted as provided in the preceding paragraph, he must directly report it to the Welfare Minister.

Art. 29. The Welfare Minister mentioned in Arts. 17 and 18 shall be read as a prefectural governor as regards matters concerning which the official power for permission has been entrusted to a prefectural governor.

The prefectural governor mentioned in Arts. 19-21 inc., Arts. 22 and 23 shall be read as the Welfare Minister as regards acts relating to more than two prefectures.

Art. 30 Papers to be submitted to the Minister of Home Affairs according to the provisions of the National Park Law, the National Park Law Enforcement Act this Refulations must pass through a prefectural governor. As regards matters relating to more than two prefectures, they must pass through one of the governors concerned and their copies must be submitted to the other governors concerned.'

Supplementary Rule

This regulations shall be put into effect as from the day of the enforcement of the National Park Law.

Supplementary Rule

(The Home Ministry Ordinance No. 37, Sept. 8, 1933)

This ordinance shall be put into effect as from the day of its promulgation.

Supplementary Rule

(The Welfare Ministry Ordinance No. 22. June 4, 1940)

This ordinance shall be put into effect as from the day of its promulgation.