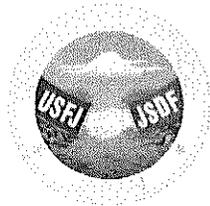


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Logistics

Agreement Governing Disposal of United States Property in Japan

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

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PURPOSE: To provide policy for the disposition of United States (U.S.) government property in Japan. This policy is derived from local Defense Logistics Agency (DLA) Disposition Services policies and the U.S.-Japan Joint Committee (JC) "Agreement Governing Disposal of U.S. Property in Japan by U.S. Armed Forces Agencies". Service regulations that do not conflict with the JC agreement may also provide additional guidance.

SUMMARY OF CHANGES: Changed references to Defense Reutilization and Marketing Service – International to DLA Disposition Services. Added a paragraph on disposal of property and changed a reference.

1. **Scope.** This Instruction is applicable to U.S. Forces, Japan (USFJ) and USFJ Service Component Commanders (in accordance with USFJI 90-204). The policies on the proper disposal of U.S. government property are applicable to all Department of Defense (DoD) agencies and Status of Forces Agreement (SOFA) personnel in accordance with the referenced JC agreement and SOFA. The Director, DLA Disposition Services is the single manager for U.S. government property disposal and SOFA-status personnel will contact DLA Disposition Services for policy on the proper disposal of U.S. government property in Japan. This instruction does not apply to disposal of private personal property in Japan.

2. **General.**

2.1. Responsibilities of the Defense Logistics Agency, the DLA Disposition Services, and service components are defined in DoD Manual 4160.21-M, Chapter 2. DLA Disposition Services exercises operational program execution through DLA Disposition Services

activities in Japan, and USFJ Service Component Commanders must coordinate U.S. government personal property disposal requirements with their respective DLA Disposition activities.

2.2. The SOFA provides that U.S. government property imported into Japan duty-free will be disposed of in accordance with the mutually agreed conditions established between the U.S. government and the Government of Japan (GOJ). These conditions are contained in the minutes of meetings of the Joint Committee cited as references in paragraph 5.

2.3. The use of DLA Disposition Services activities in Japan is the preferred method for disposal of U.S. government property. Service Components may dispose of excess U.S. government property after contacting their respective DLA Disposition Services activity (and provided the standards are as protective as those used by DLA Disposition Services). In accordance with the JC agreement, the U.S. agency concerned must report the proposed sale to the appropriate GOJ ministry and receive prior approval for the sale. Approval must also be obtained from the DoD entity's respective Service Component Command.

3. **Definitions.** For the purpose of this HQ, USFJ Instruction, the following definitions apply:

3.1. "Disposal" (including terms of similar meaning) means the process of reutilizing, transferring, donating, selling, destroying, or other ultimate disposition of U.S. government personal property. The term, "disposal," does not include:

3.1.1. Transfer of property among U.S. government agencies.

3.1.2. Sale, donation, or other lawful transfer of excess and surplus U.S. government personal property to SOFA-status personnel, including members of the Armed Forces, members of the civilian component and dependents. Such transfers are conducted in accordance with departmental regulations.

3.2. Generally, "U.S. government property" means all property that has been imported into Japan free of duty or purchased in Japan exempt from Japanese taxes by or for the U.S. armed forces agencies under the provisions of the SOFA and preceding agreements.

3.2.1. The definition of "U.S. property" in the JC agreement (FOUO) reads: "...materials, supplies, and equipment imported into Japan free of duty or purchased in Japan exempt from taxes by a U.S. armed forces agency prior to the date of enforcement of the Administrative Agreement or in accordance with the provisions of paragraph 2 Article XI and paragraph 3 Article XII of the Administrative Agreement".

4. **Procedures.** USFJ Service Components and activities will contact their respective DLA Disposition Services activity for guidance and assistance in disposing of U.S. government property in Japan. Military service regulations that do not conflict with the JC agreement (which is FOUO) may also provide guidance.

4.1. The DLA Disposition Services has handouts and other information explaining proper procedures for disposal of U.S. government property in Japan. National sales are open to bid to anyone, including "exchange non residents" (to include Japanese nationals).

5. References.

5.1. HQ USFJI 90-204, "Commander, U.S. Forces, Japan Coordination Policy and Command Relationships", 6 June 2008.

5.2 DoD Manual 4160.21-M, "Defense Material Disposition Manual", 18 August 1997.

5.3 The Agreement Concerning Disposal of U.S. Property in Japan by U.S. Forces Agencies, Inclosure 12, minutes of the 102nd JC meeting (28 October 1954), as supplemented by Inclosure 6 of the 105th JC meeting (16 December 1954), Inclosure 3 of the 223rd JC meeting (12 November 1959), Inclosure 3 of the 61st JC meeting (16 May 1963), and Inclosure 8 of the 62nd JC meeting (13 June 1963).

5.4. Agreement Under Article VI of the Treaty of Mutual Cooperation and Security Between the U.S. of America and Japan, Regarding Facilities and Areas and the Status of U.S. Armed Forces in Japan (SOFA).



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