

BY ORDER OF THE
COMMANDER

HEADQUARTERS, UNITED STATES FORCES, JAPAN
USFJ INSTRUCTION 90-203



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Command Policy

JOINT COMMITTEE AND SUBCOMMITTEES

COMPLIANCE WITH THIS PUBLICATION IS MANADATORY

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This instruction prescribes procedures and responsibilities governing United States (US) participation in the Japan-US Joint Committee, Subcommittees, and Auxiliary Organs.

SUMMARY OF REVISIONS

Deletes the requirement for monthly reporting by the subcommittees and adds the list of subcommittees and auxiliary organs.

1. Reference: Article XXV of the Japan-United States Status of Forces Agreement.

2. Composition of the Joint Committee:

2.1. The Joint Committee is composed of one representative of the US Government and one representative of the Japanese Government. Each representative has deputies and a staff. Currently, the US Representative has six (6) deputies and a staff. The staff of the US Representative is the Office of the US Joint Committee Secretary. The staff of the Representative of Japan is the Japan-US Status of US Forces Agreement Division of the North American Affairs Bureau of the Ministry of Foreign Affairs.

2.2. The Joint Committee from time to time establishes subcommittees and other auxiliary organizations for the purpose of giving advice and making recommendations to the Joint Committee on technical matters referred to them by the Joint Committee. See Attachments 1 and 2 for their procedures and responsibilities and Attachment 3 for the list of subcommittees and auxiliary organs.

2.3. The US membership of the subcommittees will be furnished by the various commands in accordance with Headquarters, US Forces, Japan (HQ, USFJ) Special Order.

3. Procedures:

3.1. In accordance with Article XXV of the Status of Forces Agreement, the Joint Committee determines its own procedures.

3.2. At its first meeting under the Status of Forces Agreement on 23 June 1960, the Joint Committee adopted the following procedures and arrangements:

3.2.1. The meeting will be held every other Thursday at 1100 hours, with the first meeting being sponsored by the Ministry of Foreign Affairs, and places of the meetings thereafter alternating between a USFJ conference room and one made available by the Ministry of Foreign Affairs.

3.2.2. That the Japanese Representative preside at the first meeting and thereafter the US Representative will preside when the meeting is held at a USFJ conference room and the Japanese Representative will preside when the meeting is sponsored by the Ministry of Foreign Affairs.

3.2.3. That the proceedings of the meeting be recorded in English and be published as the official minutes after approval by the Joint Committee.

3.2.4. Normally, actions of the Joint Committee will be taken at a normal meeting but in the case of exigency, action can be accomplished by agreement of the Japanese and US Representative on the Joint Committee, provided it is later recorded in the minutes of a formal Joint Committee meeting.

3.2.5. The US staff of the Joint Committee is responsible for the preparation of the minutes, obtaining Joint Committee approval thereof, their publication and furnishing sufficient copies to the Government of Japan; the Japanese staff of the Joint Committee is responsible for maintaining an index of the Joint Committee actions and a compilation of the agreements of the Joint Committee, the publication of both documents and making available sufficient copies to the US; the Japanese staff of the Joint Committee is also responsible for the preparation, publication, and making available sufficient copies to the US of the Schedule of Facilities and Areas and all documents thereto.

3.2.6. That the official minutes of the Joint Committee meetings will be considered as official documents pertaining to both Governments and will not be released without mutual agreement.

3.2.7. That no press releases will be issued following a Joint Committee meeting or following any action of the Joint Committee without mutual agreement.

3.2.8. The short title for the "Agreement Under Article VI of the Treaty of Mutual Cooperation and Security Between the United States of America and Japan, Regarding Facilities and Areas and the Status of United States Armed Forces in Japan," is the Status of Forces Agreement.

3.3. Meetings presently are held at the New Sanno, US Forces Center, Tokyo, whenever the US Representative presides.

3.4. The only person authorized to speak or to act for the US in the Joint Committee is the US Representative, or in his absence, the Senior or Alternate US Deputy

Representative.

3.5. Formal written memoranda normally will be the media utilized for the exchange of views between the two Governments or for the request of release of facilities and areas, and for all other matters considered by the Joint Committee. Memoranda to be presented to the Joint Committee by the US Representative will be drafted by the command or staff directorate having responsibility for the subject concerned. These drafts will be submitted to the Office of the US Joint Committee Secretary sufficiently in advance of the Joint Committee meeting to permit adequate staffing. The Secretary will prepare the formal memorandum for the US Representative.

3.6. Formal memoranda submitted by the Representative of Japan will be received by the US Representative and turned over to the Secretary who will forward them through channels for appropriate action by the interested staff division or command.

3.7. If the Representative of Japan presents an action to the Joint Committee orally, the Secretary will forward a transcript of the minutes to the interested staff directorate or command for appropriate action.

3.8. Although the deputies and other persons attending Joint Committee meetings may make information reports to their respective commanders on the substance of the committee proceedings, such reports will not be used as a basis for any official action. Any requirements for official action resulting from Joint Committee proceedings will be forwarded through normal official channels by Commander, USFJ, to the command concerned.

3.9. Agreements reached by the Joint Committee are binding upon the US and Japan and will be recorded in the official minutes of the Joint Committee. The secretary will forward a copy of the agreement, together with the date of approval by the Joint Committee, to the interested staff directorate or command for implementing action.

3.10. Under Article XXV of the Status of Forces Agreement, if the Joint Committee is unable to resolve any matter, it shall refer that matter to the respective governments for further consideration through appropriate channels.

3.11. Since the Status of Forces Agreement is concerned with the disposition of the Armed Forces of the US in and about Japan, matters pertaining solely to the United Nations Forces in Japan will not be discussed in the Joint Committee, but in the Joint Board established under the Agreement Regarding the Status of the United Nations Forces in Japan.

4. Responsibilities:

4.1. Any matter regarding implementation of the Status of Forces Agreement will be brought before the Joint Committee by either Japan or the US.

4.2. The US Representative to the Joint Committee will be designated by HQ, USFJ Special Order. The US Representative is not solely a representative of US Forces,

Department of Defense, Army, Navy, Air Force and Marine Corps. He is a representative of the US Government.

4.3. The six deputies of the US Representative on the Joint Committee will be appointed by HQ, USFJ Special Orders. Each component commander will recommend the appointment of a deputy to the Commander, USFJ. A fifth deputy will be the Director, Plans and Policy (J-5), HQ, USFJ. The sixth deputy will be the Embassy's Political-Military Representative. As the Senior or Alternate Deputy to the US Representative on the Joint Committee, he shall be the principal deputy representing the interests of the Ambassador, and, in the absence of the US Representative, shall act in his stead at Joint Committee meetings. The deputy who is concurrently the Director, Plans and Policy (J-5), HQ, USFJ, will act for the US Representative during the latter's absence in the administration of US Forces' affairs.

4.4. The US Secretary, Joint Committee, will be appointed by HQ USFJ, Special Order.

// SIGNED //

GARY H. HUGHEY
Major General, U.S. Marine Corps
Deputy Commander

Attachment 1**RESPONSIBILITIES OF SUBCOMMITTEES AND AUXILIARY ORGANS
OF THE JOINT COMMITTEE**

1. Purpose: To prescribe responsibilities governing US participation in subcommittees, except the Facilities Subcommittee, and other auxiliary organizations of the Joint Committee. See Attachment 2 for the responsibilities of the Facilities Subcommittee.

2. Discussion: Subcommittees and auxiliary organs of the Joint Committee are created for the purpose of giving advice and making recommendations on technical matters referred to them by the Joint Committee. Excepted from this concept are those subcommittees and auxiliary organs whose terms of reference, approved or adopted by the Joint Committee, permit them to consult together on matters within their respective interests without prior referral by the Joint Committee.

3. Responsibilities:

3.1. The US position will be determined by the US components in a meeting held prior to the joint subcommittee meetings, or by whatever method adopted by the US components, provided that method affords adequate opportunity for each representative to express the views of the command he represents. It is the responsibility of each command's representatives on the subcommittee to coordinate and staff within their respective command, in accordance with the procedures of that command, all matters brought before the subcommittee and all recommendations of the subcommittee. To avoid stalemate and to prevent delay, maximum use will be made of the power of negotiation granted by the respective commanders in accordance with HQ, USFJ Special Order. Recommendations made and agreed to by the US component representatives will reflect the views of the commanders they represent. The US position will be formed from US component input, and determined by the US chairman as being in the best interest of the US Government. There must not be any divergence of views of the US position expressed at joint subcommittee meetings. At all joint subcommittee meetings, the US chairman of the subcommittee will be the US official spokesman. Any US member who differs with the US position may submit a minority report to the Office of the US Joint Committee Secretary, HQ, USFJ/J03, or the command, as appropriate, for consideration by the Commander, USFJ.

3.2. The US Chairman will forward a brief summary of progress of each subcommittee meeting, as appropriate, to the Office of the US Joint Committee Secretary. It is not required that a copy of the minutes of the subcommittee meetings be forwarded. This does not prevent the adding of the minutes as an enclosure to a report on specific recommendations of the subcommittee.

3.3. Specific recommendations of the subcommittee, if submitted by the Chairman, will be forwarded to the Office of the US Joint Committee Secretary. If the recommendations of the subcommittees are submitted by the Japanese Chairman, the US Chairman will furnish a copy to the Office of the US Joint Committee Secretary. All recommendations will be signed by both the US and Japanese Chairman and will be in accordance with

Attachment 1, Appendix A.

3.4. Subcommittees are responsible only to the Joint Committee and, therefore, subcommittee actions will not be processed through any subordinate command. Actions will be submitted directly to the US Representative to the Joint Committee through the Office of the US Joint Committee Secretary.

3.5. The US Chairman of each subcommittee will submit a report, as appropriate, to the Office of the US Joint Committee Secretary for forwarding to the US Representative to the Joint Committee. The purpose of this report is to keep the US Representative informed and advised of all subcommittee and panel activities. The report will be exempt from Reports Control Symbol in accordance with AFR 4-1 and USFJPL 4-I and will include:

3.5.1. List of all subjects pending before the subcommittee and its panels.

3.5.2. The status of and progress of negotiations concerning each pending subject.

3.5.3. All actions taken by the subcommittee and its panels during the reporting period.

3.5.4. All recommendations made by the subcommittee and its panels during the reporting period.

3.6. The US Chairman of each subcommittee will keep the US Representative to the Joint Committee informed and advised of subcommittee and panel activity as directed by the US Representative to the Joint Committee.

Appendix A, Attachment 1

**PROCEDURES FOR SUBMITTING RECOMMENDATIONS OF
SUBCOMMITTEES AND AUXILIARY ORGANS TO THE JOINT COMMITTEE**

1. Recommendations will be submitted in writing directly from the subcommittee to the Office of the US Joint Committee Secretary.
2. Recommendations will be composed of two parts:
 - 2.2. PART A:
 - 2.2.1. Subcommittee name.
 - 2.2.2. Subcommittee members - US and Japanese.
 - 2.2.3. Subject of recommendation.
 - 2.2.4. The recommendation in full, with reference to appropriate articles and sections of the Status of Forces Agreement.
 - 2.2.5. Classification - Unclassified.
 - 2.2.6. Signatures of US and Japanese Subcommittee Chairman.
 - 2.3. PART B: To be completed by US Subcommittee Chairman only:
 - 2.3.1. Outline of implementation required.
 - 2.3.2. Comments - Anything which should be called to the attention of the US Representative to the Joint Committee or US members of other subcommittees.
 - 2.3.3. Classification - as appropriate.
 - 2.3.4. Signature of US Subcommittee Chairman only.
3. In the event of final disagreement between the US and Japanese components of the subcommittees, paragraph 2 - Part A(4) should state the US recommendation and the Japanese recommendation, the portions agreed upon and the portions of disagreement with reference to appropriate articles and section of the Status of Forces Agreement. Paragraph 2 - Part B(2) should provide sufficient background to enable the US Representative on the Joint Committee to take complete and informed action.

Attachment 2

RESPONSIBILITIES OF THE FACILITIES SUBCOMMITTEE (FSC) OF THE JOINT COMMITTEE

1. Purpose. To prescribe the responsibilities governing US participation in the FSC of the Joint Committee.

2. Discussion.

2.1. The FSC was established by the Joint Committee to advise and assist the Joint Committee in the implementation of the Administrative Agreement and its successor, the Status of Forces Agreement. US membership on the FSC and panels thereof is prescribed in HQ, USFJ Special Order. The functioning of the FSC, in accordance with established precedent, shall proceed without awaiting referral action by the Joint Committee, as indicated in paragraph 2 of Attachment 1 for many other subcommittees of the Joint Committee. The principle matters handled by the FSC are as follows:

2.2.1. Negotiations relative to US requests for the acquisition of facilities and areas.

2.2.2. Negotiations as to the conditions governing the use of USFJ facilities and areas.

2.2.3. Negotiations relative to Japanese Government requests for release or partial release of USFJ facilities and areas and request for joint use of facilities.

2.2.4. Announcements of USFJ intentions to release facilities and areas. Such announcements are made by the US Chairman to the Japanese Chairman and are not normally a part of the minutes of the FSC meeting.

2.2. Proceedings of the meetings are recorded in English by the US Secretary and published as the official minutes after approval by the FSC. HQ, USFJ forwards copies of the minutes to the Commanders in Japan representing the CINCPAC component commanders. Agreements reached by the FSC are referred to the Joint Committee for approval. Agreements by the FSC constitute recommendations only until they are approved by the Joint Committee at which time they become binding intergovernmental agreements of the Joint Committee. If the FSC is unable to reach an agreement on a matter, it refers that matter to the Joint Committee.

2.3. The US position in negotiations in the FSC is established by COMUSJAPAN under authority contained in USFJ Instruction concerning negotiation of international agreements. Due consideration is given to comments and recommendations of the local commanders.

3. Responsibilities. FSC actions are initiated by the US or Japan, as appropriate. Written memoranda are normally used, and ordinarily transmitted from Japan to the US or vice versa at or before the scheduled FSC meeting. When a memorandum is

transmitted between meetings, a statement will be read at the first FSC after the date of passing. This announcement will be included in the formal FSC minutes. Copies of FSC memoranda and proposed memoranda to the Joint Committee received at or between FSC meetings and copies of documents transmitted by the US Chairman are given to representatives of the concerned commanders in Japan, representing the CINCPAC component commanders, for preparation and return to COMUSJAPAN of a proposed reply, or other action as appropriate. When documents are received from the Japanese Government between meetings they are normally referred promptly to the service concerned for action without awaiting the next FSC meeting. Representatives shall consult with each other to establish coordination in matters that concern more than one commander in Japan representing the CINCPAC component commanders. Commanders in Japan representing the CINCPAC component commanders desiring to initiate FSC actions must submit to COMUSJAPAN/J4 drafts of the proposed FSC memoranda.

Attachment 3

**LIST OF JOINT COMMITTEE
SUBCOMMITTEES AND AUXILIARY ORGANS**

Subcommittees (16)

- Acquisition Coordination
- Aircraft Noise Abatement
- Civil Aeronautics
- Civil Jurisdiction
- Communications
- Criminal Jurisdiction
- Entry and Exit
- Environmental
- Facilities (FSC)
- Finance
- Frequency
- Labor
- Meteorological
- Training Relocation
- Unusual Occurrence
- Vehicle Movement

Panels (10)

- Contract Conciliation
- Construction
- Facilities Adjustment
- Facilities Improvement and Relocation (FIRP)
- Maneuver Area Land
- Maneuver Area Sea
- Ports and Harbors
- Roads and Bridges
- SACO Implementation
- Quarantine Procedures

Board (1)

- Master Labor Contract and Mariners Contract Disputes

Ad Hoc Subcommittees (3)

- Resolution of Electronic Interference Problems at USFJ Communications Facilities
- Review Selected Joint Committee Agreements
- Criminal Jurisdiction Procedures

Ad Hoc Working Groups (2)

- Coordination on Construction of Okinawa Expressway
- Procedures for Unusual Occurrence Notification