

LIST OF PAPERS

CONFIDENTIAL

File under No. 012.42D
IMMIGRATION

SERIAL NUMBER	FROM-	DATE	TO-	SYNOPSIS
1.	---	30 Sep 50	--	The Immigration Agency Establishment Order.
2.	DA XXXXXXXXXX	6 Apr 51	CINCFE	Potentially Dangerous Aliens Who May Attempt to Enter the United States.
3.	H. D. COLLAER	14 Aug 51	Mr. Mulbar	Efforts being put forth to have Japan establish "effective" immigration controls "in agreement with generally accepted practice" as directed in SCAPIN 2083 of Feb 1950.
4.	PSB	23 Aug 51	CI DIV	Korean Nationals Fingerprinting Aliens.
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6.	MPD	13 Oct	PSB	Petition lodged by the North Korean agents with the Immigration Surveillance Office
7.	MPD	22 Oct	PSB	A petition movement of the Koreans to the Immigration Board
8.	MPMPD	30 Oct	PSB	Re movements of the Koreans centering around the enforcement of the immigration control ordinance

CONFIDENTIAL

October 30, 1951

From : Chief, Liaison Section, MPD

To : PMO, PSD, CIC

Subject : Re movements of the Koreans centering around the enforcement of the emigration control ordinance

With regard to the above subject almost all of the Koreans, with no distinction between right-and-left faction, are inclined to launch an opposition movement boisterously and to fight against a "compulsory deportation" together. Around 7:30 a.m. October 26 a handbill was posted up on the wooden wall in front of the railway-gate at No.625, 1-chome, Ikebukuro, Toshima-ku, which read,

"APPEALING TO THE CITIZENS!"

The ordinance of the emigration control and compulsory deportation of the Koreans which will be enacted effective this November aims at compulsory deportation of all Koreans including women, old persons and even infants as could not have seen before. The Japanese governments are planning to hand us over to the ROK's government under whose care we must be placed on the ground that some who live on the livelihood relief fund are burdensome to the Japanese economy and living conditions. (Whither the taxes paid by the Japanese and whither the Japanese responsibility to the Koreans?))

"Japanese government, fearing that if we who are fighting to defend the livelihood of the Koreans residing in Japan and to gain the complete independence of Japan are being left as we are we might conspire with the Japanese communists to disturb the peace and order in Japan; this is a pretence which even an infant knows. Then what the compulsory deportation of the Koreans means?

"They have succeeded at the San Fransisco conference to sign the single peace treaty. Immediately after that they disclosed an aggressive policy and project to wage another war by forwarding the ammunitions which were produced by the lower wages and strengthened labor to the Korean front. In the face of such a movement we are Koreans who takes actions to remove another war. Now they, under a good pretence, plan to deport us compulsorily who are actively fighting to win a final end of the Japanese democracy of the world.

"While the Japanese people have no knowledge of this, they intend to establish the military bases here which may become a springboard of the III War.

(continued)

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"Dear Japanese friends! Please recognize that the compulsory deportation is not a matter concerned with us only but also with yourselves. There must be something in background.

"We appeal to you that you will fight with us to the last aim of the Japanese complete independence, preventing an another war! ... "

Fib

October 22, 1951

From : Chief, Liaison Section, MPD

To : PMO, CIC, PSD

Subject : A petition movement of the Koreans to the Emigration Board

Around 0:30 p.m. October 20, a group of a few scores of the Koreans, more than half were women and children, came to the office voicing their favor for the abolition of the emigration control ordinance, 20 or 30 of whom entered the office demanding an interview with the director-general. As he was then away from the office, NAKAMURA, secretariate, told the remainders to be out of the room on condition that he would meet with only two representatives. As they demanded the abolition of the emigration control ordinance, NAKAMURA explained them fully the legislative circumstances and interpretations. Discontent with the explanation, 2 representatives asked him to meet with all petitioners, so he made interview with them in the hall (in front of the elevator), about 5 of whom queried,

"You say that we must back at once! But to return to our country where a war is being waged means our death. Isn't it too flagrant?"

He then explained them as in the case of the two representatives, and the interview ended after about 15 minutes. The Korean requested him,

"That we have come here to-day for petitioning not be published in the newspaper", to which he replied to consider.

At about 1:45 p.m. all of the Koreans departed: 1/3 towards Shinbashi on foot, 1/3 heading Onarimon on foot, the remainders started for Onarimon by a street-car. It is supposed that those who started for Onarimon would have conflaxed into a workers' rally for overcoming crisis held that day in the Shiba park.

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7

October 20, 1951

From : Chief, Liaison Section, MPD

To : PMO, PSD, CIC

Subject : Re re-election of the executives of the Tokyo Hqs.
of the organization of the Korean residents in
Japan

1. Time-date : 2:00 pm. to 7:00 p.m. October 15, '51
2. Place : At the Tokyo Hqs. auditorium of the organiza-
tion of the Korean residents in Japan,
2-4 Hongo, Bunkyo-ku.
3. Sponsor : Ben Ei U, chairman, Tokyo Hqs.,
Tokyo Hqs. of the organization of the
Korean residents in Japan.
4. Number of attendants: 64

5. Details :

- (1) The 64 representatives of the aforementioned organiza-
tion assembled at the auditorium, on the second floor
of the Tokyo Hqs. of the Organization of the Korean
Residents, from 2:00 p.m. October 15. The assembly
was held following an opening address of In Chi Ka,
chief of the Home Affairs Department, who took the
chair and announced that the Tokyo Hqs. extraordinary
meeting would be opened.
- (2) In accordance with the national rite the national
anthem was sung in chorus, which created a solemn
atmosphere.
- (3) Then the qualification review of the representatives
was begun, and their animated remarks and questions
were repeated for about an hour.
- (4) An election of the chief and executives of the orga-
nization was carried out. Regarding this issue,
"non-confidence" voices were reportedly raised by
some chapters against the present office-holders.
As to this case, it is rumored that the Tokyo Hqs.
executives misappropriated the relief fund and goods
for the South Koreans which have been levied. A
hot discussion was continued centering around the
above but they failed to catch a real circumstance,
and nothing known in detail.

The election of the organization chief and executi-
ves was carried out by the voting of the representa-
tives. The hall was in an uproar: each representa-
tive, extremely excited, vented a whisper but they
returned calm when they received the voting-papers.

As the result of the election, the "non-confidence"
of the chief and other executives was passed by
36 to 28; the newly-elected chief and executives
are as follow:-

(to be continued)

-2-

- * Tei Ko Shaku, chief of the organization,
- * " " Kun, acting chief ditto,
- * Ri Ju Sei, ditto,
- * Kin Ei Ken, chief, business affairs board,
- * Shin Ki, chairman,
- * Son An Shu, vice chairman,
- * Ri Kai Do, " "

At the decision, there revealed on the faces of the former chief and executives feelings of uneasiness. A discussion on the personnel affairs came to an end after about one and half hours.

- (5) Then each representative received a report of the executive organ, and In Chi Ka, who took the chair, read its contents and explained fully. To this 2 or 3 representatives questioned. Content with the answers, ~~and~~ all turned into calm; the aim was supposedly attained.
- (6) It was decided that the following items would be taken up for discussion, and the extraordinary session of the assembly ended amidst the clapping of hands without any trouble, most of the purposes were attained:
 - 1) Forwarding the war relief goods
 - 2) Issues of their nationality and right to live
 - 3) Others
- (7) As described above, the 10th extraordinary rally of the Tokyo Hqs. of the organization closed with no trouble nor disorder; and it seems that all members were banded together at the re-election, but the police are keeping stringent watch over their future movement.

PUBLIC SAFETY DIVISION
ROUTING SLIP

	FROM: <u>(u)</u>	DATE: <u>23 Oct</u>
<u>3</u>	Chief of Division	<u>BM</u>
<u>3</u>	Executive Officer	<u>BM</u>
	Lt. Col. Reed	
<u>5</u>	Administrative Officer	<u>(u)</u>
<u>1</u>	Chief Clerk	
	Liaison Branch	
	Maritime Branch	
<u>4</u>	Police Branch	<u>(u)</u>
	Prison Branch	

FOR:

Information Comment
 Action
 Approval File

Remarks:

Jobin's office in CI Div may have some interest in this

(u)

CI Div will receive report on this from C1C. Mulbar

Immigration

17 Oct. 1951

To : PSD
: PMO
: CIC

From : MATSUMOTO Hideyuki, Chief, Liaison Sect., MPD.

Subject: Statement by Korean Residents League on the Cabinet Control Order on Koreans entering and leaving Japan.

Herewith submitted for your reference in the statement issued at the conference, participated in by 25 officials, on Oct. 11, 1951, at the Central Headquarters of Korean Residents League, No.21 of Wakamatsu-cho, Shinjuku-ku.

S T A T E M E N T

The Japanese Government on September 27, 1951, received an order from GHQ on the opening of a joint conference to be held between the three nations, Korea, the United States, and Japan, in which to decided the long pending problem concerning the legal status of Korean nationals in Japan.

The Cabinet meeting on October 2 decided the adoption of an Control Order governing entries into and departures from Japan of Koreans, which the Government has formally approved and the substance of it has been published.

Accordingly, the Central Headquarters of the Korean Residents League has decided to proclaim its basic attitude it has adopted in meeting this situation.

- I. As regards the Korean independence, a pledge thereof is given in the Cairo Declaration, drafted in December 1943 between three nations, the United States, Great Britain, and China, which says: "in due course Korea shall become free and independent." And again this commitment was recognized by the Potsdam Declaration issued on July 26, 1945.

Therefore, since the very day Japan had unconditionally accepted the Potsdam Declaration, Korea has been enjoying the complete liberation from Japan of ^{her} sovereignty, people and the territory, i.e. a complete independence has been restored to her according to the promise. And not only the territory, but also the people, who are distinctly recognized as Korean nationals, have been restored to the independent country of Korea, regardless of places of their domicile.

- 2 -

So, our compatriots in Japan, from the very day Japan had accepted the Potsdam Declaration, have automatically become established in their legal status as foreign nationals - not Japanese. As a matter of fact, we Koreans had been but special foreigners in Japan, who belonged to a country whose future independence had been promised.

The Greater Korean Republic has attained its complete independence on August 15, 1948, and at the general conference of the United Nations in December, the same year, the Korean Government was internationally recognized as a sole unified central government of Korea.

The six hundred thousand Korean nationals residing in Japan have thus been established in their legal status as people of a special state, the Greater Korean Republic. Hence, Koreans in Japan, with their legal status as foreigners, have nothing to do with the conclusion of the Japanese peace treaty or its effectuation, regardless of their ideologies or their places of domicile.

- II. We strongly demand that, while the legal status of the Koreans in Japan is as has been stated above, regarding who have been living in Japan since prior to their liberation, they should not, in view of the reasons for their having come to live in Japan and the special circumstances under which they have been brought into special relations with Japan before their liberation and the treatment they have been receiving from Japan since their liberation, be treated in the same manner as other foreigners are being treated. We insist on our holding permanently the vested rights which we have acquired as compensation for our innumerable duties we have been performing for Japan and which we have been enjoying on the equal footing with the Japanese people, and on the other hand we refuse out and out being treated discriminately from the Japanese people.

The reason given in the Control Ordinance for deportation of foreigners entering and leaving Japan, as Japanese authorities published on October 2, is one of the examples of discrimination against foreigners by the Japanese Government. Such an ordinance should have been enacted under agreement between the two countries, Korea and Japan. Absolutely no such agreement should be concluded unilaterally in disregard of the will of Koreans residing in Japan.

As to the concrete measures to be taken on this problem, we shall look forward to other opportunity to express it as a total will of the Koreans in Japan.

Central Headquarters, Korean
Residents League

October 4, 1951

October 13, 1951

*612, 42D
Immigration*

From : Chief, Liaison Section, MPD
To : PMO, PSD, CIC
Subject : Petition lodged by the North Korean agents with the Emigration Surveillance Office

- (1) On October 6, 1951, 7 or so North Korean agents, including the president of the PTA of the Korean No.2 elementary school at Edagawa-cho, a certain Ri and others, visited the office to interview with chief of the office in attempting to present a resolution. As he was absent then, they gave up to present it but withdrew calling, "Opposing to the compulsory deportation".
- (2) On October 7, 1951, about 10 members of the Women's League, under the leadership of HARADA Sueko, presumably JCP member, who is the leader of the Katsushika ward Horikiri Women's Society, requested to meet chief, and an official in charge, acting for chief, met with them, when they said,
"We, North Korean agents, are unable to approach the Korean mission in Japan to have any of our intentions conveyed, so we are continuing our plea to the Japanese government, GHQ, and others over the matters concerning the formulated Emigration Surveillance Ordinance and Aliens Registration Ordinance.
As we are North Koreans, we would be deported compulsorily if our nationality was decided, but we decisively oppose to this measure because this leads to the preparation for an another war."
- (3) On October 8 and 9, a lot of contributions named of unnamed were addressed to chief of the office, the purports of their contents are as follow:
 - "1. Opposing to the governmental act to wash over our movement on the reason of reviewing our registration certificates.
 - "2. It is an intrigue leading to aggression of Korea to reinforce and strengthen the Special Investigation Bureau, NRP Reserve Force and Maritime Safety Board."

Names of the contributors are:

- (1) TAKAHASHI Kiyō, 2-3, Kyobashi
- (2) SAKURAGAWA Yoichiro, 3-1 Fukagawa Furukoba
- (3) KIMURA Miyoko, 4-3, Kyobashi
- (4) MINATONO Kazuji, 2-312 Fukagawa Edagawa-cho
- (5) KOBAYASHI Yoshio, 317 Daimachi, Hachioji-shi
- (6) SAI Junko, Kashihara-machi, Iruma-gun, Saitama-ken.

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6

Authority 775009
By A NARA Date 7/9/08

PUBLIC SAFETY DIVISION
ROUTING SLIP

	FROM: <u>FU</u>	DATE: <u>18 Oct</u>
<u>2</u>	Chief of Division	<u>NW</u>
<u>2</u>	Executive Officer	<u>AKB</u>
	Lt. Col. Reed	
	Administrative Officer	<u>@</u>
<u>1/3</u>	Chief Clerk	
	Liaison Branch	
	Maritime Branch	
<u>4</u>	Police Branch	<u>FU</u>
	Prison Branch	

FOR: Information Comment
 Action
 Approval File

Remarks:

The postcards mailed by this group of Koreans to Immigration Agency were compared with those sent to General Ridgway - no similarity.
FU

G-2, GHQ INTER - OFFICE MEMORANDUM

(For use within G-2 only)

HM/df

File No: _____ **Subject:** Fingerprinting Aliens **Date:** 7 Sept 51

FROM: PSB **TO:** Col Ewert **PHONE:** 26-5915 **NAME:** Mr. Mulbar **Comment Number**

On or about July 1952, the JG will launch a program to fingerprint all aliens in Japan. The National Rural Police and the Immigration Agency will work together on this project. All prints will clear through and be filed in the NRP National Identification Bureau.

1.

-H. M.-

PSB FILE COPY

012.42D

5 September 1951

Mulbar: RE: Alien Fingerprinting Program

A program to obtain the fingerprints of all aliens in Japan will be undertaken jointly next year by the National Rural Police and the Immigration Agency under provisions of the newly enacted Immigration Ordinance. Funds to finance the program will not be available until the new budget for fiscal year 1952-53 becomes effective on 1 April 1952; completion of training for large numbers of inexperienced city, town, village and ward-office clerks in the taking of fingerprints will delay actual start of the program, however, until about July, 1952.

Information pertaining to this program was imparted to Police Group, and minutely discussed in a conference on 4 September with Mr. NAKAHARA, chief of NRPNHq Identification Section, who with Immigration Agency personnel, has developed the plan.

Fingerprints are to be taken at the time all aliens are required to re-register at city, town, village and ward offices throughout Japan under the new Immigration Ordinance. Police will undertake a program of training clerks in the various registration centers in the taking of fingerprints on standard forms to be provided for the purpose by the Immigration Agency. When properly filled in at the registration centers, fingerprint forms will be forwarded to the national fingerprint file for checking by NRP Headquarters in the name of the Immigration Agency. Reports will be submitted by NRPNHq to the Immigration Agency as a result of checking the alien fingerprints against those on file in the NRP headquarters. All fingerprint forms thus taken, will be retained in a special alien file in NRP headquarters. Expenses for the purchase of filing cabinets and for personnel to handle this task of classifying, searching and filing thousands of alien forms will be provided by NRP, while expenses for the card-forms and the training program of office clerks in the registration centers will be paid from Immigration Agency funds. The Japanese Finance Ministry already has agreed to provide the necessary funds in the budgets of both agencies for the next fiscal year.

Police Group has agreed to advise NRPNHq in the development of plans to handle the training program, and the necessary file work in NRP Headquarters for the handling of this program at a later date. Chief Police Administrator has had experience in this type program by reason of having supervised a similar program throughout the state of Tennessee as an advisor to the US Postoffice Department (which administered the US alien registration about 1940), and also having supervised the US Air Force Civilian Fingerprinting Program in AF Defense Plants for the Southeastern District of the United States in 1943-44.

(S)
Munroe

G-2, GHQ INTER - OFFICE MEMORANDUM

(For use within G-2 only)

CIS/PSD/HM/df

File No: _____ **Subject:** Korean Nationals **Date:** 23 August 1951

FROM: PSD **TO:** CI Div **PHONE:** 26-5915
NAME: Mr. Mulbar

**Comment
Number**

1.

1. Japanese Government officials stated that until the Peace Treaty is signed, ratified and implemented, the nationality status of people residing outside the four (4) main islands in territories that formerly were Japanese possessions is not known. This also applies to those now living in Japan from former Japanese possessions. Japanese take the position that though they have no administrative control over these people, they are as yet recognized by the Japanese Government as Japanese subjects. They indicate, but do not say how this problem may be clarified at the Peace Conference in San Francisco, or by United Nation's action, or by Japanese Law after the ratification of the Peace Treaty.

2. Koreans who do not make their permanent domicile in Japan had and have what might be termed a restricted citizenship. The restrictions are:

a. He is treated as a foreigner to the extent he will be required to register under the requirements of the foreigners registration law and are required at all times to have in their possession a Foreigners Registration Certificate.

b. Koreans living in Japan whose permanent domicile is outside of Japan have the right to be educated in Japanese Public Schools and "to obtain appropriations for a livelihood."

c. Koreans who have entered Japan since 2 Sep 1945, come under the Cabinet Order concerning the possession of wealth by foreigners and concerning business activities of foreigners.

d. Koreans who lived in Japan and have continued to live in Japan prior to 2 Sep 1945, are recognized as Japanese Nationals and retain the full rights of citizenship.

e. In 1950, the Japanese Government by public announcement notified Koreans who entered Japan after 2 Sep 1945, who wished to declare themselves as Korean Nationals could do so by making sworn statement at their local ward or village office. A deadline was set in the latter part of 1950. Since the deadline, Koreans do not have the privilege of making this declaration. Those who did not make this declaration are recognized as Japanese Nationals by the Japanese Government.

3. Japanese Government appears to be confused as to the legal status of the citizenship of the Koreans and the people of possessions of the Japanese Government lost on 2 Sep 1945, by the surrender.

4. A Korean residing in Japan since the liberation of Korea, is in a position to claim a dual citizenship depending upon which would serve his best interests. He can claim to be a Korean National or a Japanese National of Korean extraction.

5. Japan has a Nationality Law (#147) that was promulgated 4 May 50, which abolished the Nationality Law #66 of 1899. With respect to the nationality of Koreans living in Japan, the explanation of the draft of the Nationality Law reads; "with respect to the Koreans, Formosan and Ryukyuan", the draft does not contain special provisions as their nationality are to be determined by the Peace Treaty in future". The Nationality Law is enforced by the Civil Affairs Bureau, the Attorney Generals Office.

012.420

G-2, GHQ INTER - OFFICE MEMORANDUM

(For use within G-2 only)

File No: _____ **Subject:** Korean Nationals **Date:** _____

FROM:	TO:	PHONE: NAME:	Comment Number
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6. SCAPIN 746, 17 Feb 1946, (Incl 1) directed the Imperial Japanese Government to register all Koreans, Chinese, Ryukuans and Formosans who were residing in Japan.

1
(Cont'd)

7. SCAPIN 822, 16 Mar 1945, (Incl 2) refers to "displaced persons in Japan formerly domiciled in China, Formosa, Korea and the Ryukyus". This SCAPIN, as well as SCAPIN 746 has to do with repatriation. Annex 1 (SCAPIN) refers to Chinese, Formosans, Koreans and Ryukyans as "non Japanese". These two SCAPINs together with records of the Japanese Government may prove helpful in establishing nationality of those who are undesirable to be deported.

8. Effort will be made to obtain further information.

2 Incl

- 1. SCAPIN 746, 17 Feb 46
- 2. SCAPIN 822, 16 Mar 45

-----H. M.-----

(Translation)

Proposed Amendment to the Cabinet Order
for Immigration Control

August 15, 1951

Headquarters of the NRP

1. It is proposed that provisions be made for the concurrent holding of office by the NRP Official of immigration inspector or immigration control officer.

Reason: With reference to the execution of a written detention order (Art. 42) in respect of a deportee (Art. 26), visit of inspection, search and seizure (Art. 33), urgent action (Art. 34), execution of a written deportation order (Art. 54), a NRP official whose cooperation is requested by the immigration inspector is not in any way in a position to apprehend or convoy, for he is incapable of exercising the power to do same under the above Cabinet Order. Nor is he able to be entrusted with the custodying of the person (jails under the Police are different from detention facilities under Article 22 of the Immigration Agency Establishment Order).

In order to solve the above questions and also to ensure the smooth operation, it is appropriate to provide for the proposed concurrent assumption of office by all NRP officials, and the mere agreement on the assignment of functions under the provisions of Cooperation of Other Administrative Organs concerned as mentioned in Article 23 of the Immigration Agency Establishment Order is not adequate for the attainment of such objective.

2. It is proposed that provisions be made for the ⁿ concurrent holding of office by specific members of the NRP Personnel.

Reason: If the concurrent assumption of office by all the NRP officials under paragraph 1 as referred to above is impossible, it is at least necessary to provide for the concurrent assumption of office by Directors of Prefectural ^{Police} Regions, Chiefs each of Police and Criminal Affairs Divisions and Sections, and Chiefs of Police Stations under each area, thereby enabling the NRP officials to exercise his authority, under their direction, as their assistants.

	<u>Number</u>
Remarks: Directors of Prefectural Police Regions.....	50
Chiefs of Police Affairs Division.....	50
Chiefs of Criminal Affairs Division.....	50
Chiefs of Police Affairs Section.....	50
Chiefs of Investigation Section.....	50
Chiefs of Crime Prevention Section.....	50
Chiefs of Police Stations under each area.....	700

TOKYO 14 August 1951

Informal Memo. for
Mr. Harold Mulbar,
Chief, Public Safety Division,
G-2 Section, GHQ SCAP.

From: N. D. Collaer

Subject: Efforts being put forth to have Japan establish "effective" immigration controls "in agreement with generally accepted international practice" as directed in SCAPIN 2083 of Feb., 1950.

1. Background. The SCAP has insisted that pre-war police control of immigration be not revived in Japan. In implementation of the above cited SCAPIN Cabinet Order No. 33 was promulgated February 28, 1951. It was not sufficiently comprehensive for it dealt largely with deportations. It was therefore decided to defer the effective date of said order and to draft a comprehensive law which might be promulgated as a Potsdam Order or in the form of a Diet Law.

2. Present situation. A proposed Cabinet Order covering all aspects of alien control - port - patrol and adjudications - has been drafted and will be ready for submission to the Cabinet in a matter of days. Likewise, the Alien Registration Order and the Order for the Establishment of the Immigration Agency have been appropriately revised. Depending upon the outcome of discussions with the various agencies having enforcement interest in these laws, it may be necessary to make some revisions.

3. Agencies involved in effectuating alien controls. The proposed revision of the Order for the Establishment of the Immigration Agency first provided that all work involving alien controls be under the direct supervision of the Immigration Agency. This would have made for highly desirable integrated control. However, due to budgetary limitations, this was found to be impracticable. It was decided by the responsible Japanese officials to divide responsibility by making the National Rural Police fully responsible for the patrolling of the external boundaries of Japan to the following extent:

(a) To be fully responsible for the patrol of the external boundaries and maintain close liaison with the Maritime Safety Board in an effort to apprehend, at points other than open ports of entry, all persons entering Japan in violation of law.

(b) To pursue and apprehend all persons who, having evaded apprehension at the time of entry as set forth in subparagraph (a) reach interior points.

(c) As soon as practicable following apprehension to deliver to representatives of the Immigration Agency each person taken into custody under the provisions of the Orders for Alien Registration or Immigration Control in order that it may be determined by officials with special knowledge of the immigration and nationality laws whether the person thus delivered is (1) an alien within the purview of the Alien Registration, Immigration Control and Nationality laws, and if so (2) whether subject to criminal prosecution for having violated any of the penal provisions of such laws and/or (3) is subject to deportation from Japan and if so, to assemble the data required by foreign governments as a condition precedent to the issuance of the necessary passport or travel documents in order that the alien may be deported.

It is pointed out as to subparagraph (c) that any investigation to determine (1) alienage and (2) deportability must develop clearly evidence of the time, place, and manner of entry of the alien. Thus, the facts relative to possible violations of the penal provisions of law are simultaneously developed and reduced to writing. It would appear to constitute a duplication of effort and be much less efficient for the police to attempt the formal investigation of such cases under involved laws and procedures concerning which they do not have specialized knowledge. Furthermore, while the burden of proof is usually on a person to establish his right to enter a country a prima facie case of alienage must be established by the Government as a condition precedent to administrative proceedings looking to deportation or criminal proceedings involving alien control provisions of law.

(d) The National Rural Police would have no jurisdiction over aliens admitted at the ports of entry and who become deportable or criminally prosecutable (usually on technical grounds) from causes arising subsequent to entry. Thus, it would not be their duty to check up on crewmen, tourists, students, missionaries, ministers of the gospel, professional people, traders, entertainers and artists of all classes and so forth who over-stay the periods of admission or who violate the conditions thereof by engaging in unauthorized occupations.

(e) The National Rural Police would undertake to establish sources of reliable and timely intelligence information in relation to alien smuggling operations. Alien smuggling operations at the open ports of entry involving stowaways, mala fide crewmen, improper use of documents, and so forth would be the responsibility of the Supervising Immigration Inspector who would maintain the closest possible liaison with the National Rural Police, the Maritime Safety Board and the Municipal Police.

4. Through informal sources I have learned that the National Rural Police are not in accord with the division of the responsibility for the control of aliens as outlined hereinabove. Would you therefore look into the matter and let me have an informal memorandum as to the outcome of your inquiries?

5. This matter is being referred to you pursuant to the suggestion of Lieutenant Colonel R. T. Benson, Executive SCAP Branch, Civil & Foreign Affairs Division, G-1. Since every effort is being put forth to secure the adoption of the proposed orders prior to the departure of high Japanese officials for San Francisco it will be appreciated if you can expedite your reply.


NDC

IMMIGRATION CONTROL

1. NECESSITY FOR IMMIGRATION CONTROLS

In a world socially and economically disturbed the countries where peace, security and the opportunity for economic betterment prevail constitute a lodestar for peoples from other lands. International tensions, on the other hand, aggravate the necessity for safeguarding democratic countries from those who would subvert their form of government. That there are no controls which transcend these in importance is quite generally conceded for no longer can any practical distinction be drawn between invasion by infiltration and invasion by military might. The only question which it should be necessary to resolve is: How best can these controls be established and maintained in a given country?

2. FUNCTIONS OF ALIEN CONTROL

Such controls logically break down into three broad categories - enforcement, adjudications and administration. A comprehensive immigration law must cover each thoroughly. Enforcement, in turn, breaks down into five interrelated general operations: (1) the examination of persons arriving or departing at designated ports of entry, (2) the investigation of aliens for a multiplicity of purposes but mainly to determine criminal liability in relation to penal provisions of immigration or registration laws and to determine the rights of such aliens to reside in the country, (3) the operation and maintenance of detention facilities and the convoy of apprehended persons, (4) the patrol of external boundaries to the extent found necessary and advantageous, and (5) the operation of training programs, communications systems, identification files, maintenance of ground, water, and air transport and others. It is both inefficient and uneconomical to divide responsibility for the above operations - all such activities must be thoroughly integrated into one agency of enforcement for maximum results. The reasons are obvious: Over-all planning is essential if the operational needs are to be properly studied and presented for budgetary and other purposes and if allocations of personnel and equipment are to be made in strict accordance with over-all operational needs; all enforcement groups involved are served by the same sources of intelligence information; the same records are employed by all groups and must be centralized and made available by the most rapid means of communications; the officials must be trained in the same subjects and must be competent to perform in any position if flexibility of operations is to be attained; the same quasi judicial administrative proceedings are involved in according hearings of all kinds by means of which an alien's right to enter or to reside in a country are determined in a just manner; and, since the enforcement work is of a fast-moving, ever-changing nature, involving clock-around operations, the closest possible lateral coordination of effort must be maintained between all groups.

3. WEAKNESSES OF EFFORTS TO CONTROL LEGAL AND ILLEGAL IMMIGRATION IN JAPAN

While time has not permitted, nor have I had the facilities at my disposal to conduct thorough investigations, considerable evidence appears to be available to support the following assumptions: (1) That present methods and procedures are inadequate to effect proper control of highly undesirable aliens at the open ports of entry; (2) that from 60 to 90 percent of all aliens who attempt illegal entry succeed; (3) that from 1946 through February 1951, 38,546 aliens were deported and that on the above basis of leakage from 228,000 to 342,000 evaded detection; (4) that about 5,000 persons were arrested but not deported which might indicate the needless molestation of a considerable number of people by untrained officers;

- 2 -

(5) that a substantial number of people registered as North and South Koreans, totalling around 600,000, are anti-Japanese, many of whom are communists and that there are upwards of 200,000 aliens who have failed to register according to Japanese officials; (6) that there are as many as 100 active alien smugglers operating from the Island of Tsushima and Korea, (7) that Japanese officials have been too timid in enforcing controls over United Nations nationals, particularly Chinese and South Koreans; (8) that procedures followed in registering aliens are inefficient and are calculated to encourage fraud and deception due to lack of use of fingerprints and the ease therefore with which illegal entrants may secure registration certificates; (9) that the division of primary responsibility for alien controls between the Immigration Agency, the Customs Service, the Maritime Safety Board, the National Rural Police and the Municipal Police, positively precludes efficient alien control, (10) that the documents given aliens for purposes of identification are susceptible of being forged and should provide greater means of positive identification and more safeguards against fraud; (11) that the lack of a unified and adequate training program for officers and administrators of alien controls has greatly militated against efficient utilization of such limited and scattered personnel as has been provided; (12) that too many Japanese officials look upon alien controls as applying only to Koreans, forgetting entirely the international character of such controls and the impact they have on the security, economy and political life of the nation; (13) that the Customs Service officials who are charged with the screening of alien applicants (passengers and crewmen) entering Japan look upon this important function as an "assembly-line-operation" to be handled upon a when-customs-personnel-is-available-basis - they apparently having no understanding of the fact that the problem which will confront them in the post-Occupation period will be considerably more involved than the mere stamping of the passports of SCAP-approved entrants, and (14) that there is no sufficiently comprehensive law providing in clear language sufficient grounds for exclusion and deportation of undesirable aliens.

4. ACTIONS PENDING

The Immigration Agency of Japan has drafted three proposed Cabinet Orders, all of which are interrelated:

(a) A fully modeled²³ and comprehensive immigration law based on years of trial-and-error experience under a constitution greatly similar to that of Japan and embodying the conditions which aliens must meet to enter or reside in Japan and penalties for violations, (b) a proposed revision of the existing Alien Registration Order with full requirements and penalties and (c) an establishment order which fixes responsibility for all alien controls, except naturalization, in the Immigration Agency under the Minister for Foreign Affairs.

5. BASIC ISSUES TO BE RESOLVED

A comprehensive and enforceable law must be adopted at the earliest practicable date. Such a law should be in consonance with the Constitution of Japan and with generally accepted international practices as directed in SCAPIN 2083 of February, 1950.

Assuming that the immigration control and registration orders as proposed are deemed to be satisfactory, the next matter to be resolved appears to be a determination of the feasibility of placing all alien control functions under one head as provided for in the establishment order. If, due to personnel ceilings or budgetary limitations such a move would be impracticable at this time, it then would become necessary to work out the best possible form of organization, clearly delineating the scope of (1) primary, (2) secondary

- 3 -

and (3) cooperative responsibility of each agency to be involved with a view to effective liaison between such agencies. Many obstacles to efficient enforcement can be anticipated should it be necessary to continue the handling of this ONE PROBLEM by several agencies, each having PRIMARY responsibilities. On the other hand, with the requisite degree of cooperativeness on the part of all agencies involved, a modicum of efficiency might be attained by fixing PRIMARY responsibility in the Immigration Agency with authority to delegate specific aspects of alien controls to other agencies which would operate under uniform regulations promulgated by the Director of the Immigration Agency with the approval of the Minister for Foreign Affairs - all such delegations to be with the approval of the heads of the agencies involved. However, this would be but a make-shift arrangement.

6. ACTIONS WHICH SHOULD BE TAKEN IMMEDIATELY

- (a) An effort should be made to establish an effective group of informers on the Island of Tsushima and at Pusan, Korea.
- (b) The crew of each vessel arriving in Japan should be mustered and the crewmen individually examined by a trained inspector as a condition precedent to shore leave and the shore pass should contain, at least, a rolled impression of the right forefinger of each. Such passes should be prepared in duplicate and a quick comparison made when a crewman departs from or returns to the vessel.
- (c) All vessels known to have touched at ports under the control of communists should be thoroughly searched for stowaways and special attention should be given to discover mala fide seamen.
- (d) At least two amphibian aircraft should be provided for the patrol of the coastal area between (approximately) Sacebo to Shimonoseki and to operate in the vicinity of the Island of Tsushima.
- (e) A training center ^{for} immigration control officers should be established immediately and a high I. Q. group of trainees provided.
- (e) An effort should be made to have personnel from other agencies assigned to the Immigration Agency in order that the one agency may handle the entire alien control problem.
- (f) Informers should be placed in the various subversive organizations operating in Japan who can be called upon as witnesses against alien members of such organizations.
- (g) All enforcement officers of Japan should be instructed to cooperate in the apprehension of illegal entrants in centers of population and the police should concentrate on the apprehension of such persons, whether or not they be United Nations nationals.
- (h) A careful study should be made of all documents utilized for identifying aliens - shore passes, alien registration cards, etc., with a view to adopting the necessary safeguards against the perpetration of fraud and impersonations.
- (i) Every effort should be made to have the pending alien control and registration orders adopted.

N. D. Collaer
USI&N Service Rtd.
Visiting Expert to
the SCAP.

Confidential

DEPARTMENT OF THE ARMY
Office of The Adjutant General
Washington 25, D. C.

ps D
PS 35043
FILES

AGAO-S 014.311 (4 Apr 51)G2-M

6 April 1951

SUBJECT: Potentially Dangerous Aliens Who May
Attempt to Enter the United States

TO: Commanders in Chief,
Far East
European Command
Commanding Generals,
US Army, Alaska
US Army, Caribbean
US Army, Pacific
US Forces in Austria
Trieste US Troops
Independent Commands under the D/A
US Army Members, US Military Missions
US Army Missions to Latin America
US Army Attaches

1. A memorandum from the Deputy Secretary of Defense, 1 March 1951, is quoted for information and compliance:

"There is quoted below a letter dated 2 February 1951 from the Chairman of the Interdepartmental Committee on Internal Security to the Secretary of Defense:

'The Interdepartmental Committee on Internal Security believes that, in the interest of internal security of the nation, the procedure of sending lookout notices to American diplomatic and consular offices abroad through the Department of State, and to the immigration authorities at our ports of entry through the Department of Justice, should be continued and extended to cover as completely as possible all cases of actually or potentially dangerous aliens who may apply for visas or for admission into the United States.

'It is requested that your department, whenever it comes into possession of information indicating that a particular alien, actually or potentially dangerous to the security of the United States, may try to come to this country, forward a 'lookout notice' or a brief summary of the facts in the case, to the Visa Division of the Department of State and to the Immigration and Naturalization Service, Department of Justice.

012.42D
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'A similar request has been made of all the departments and agencies in the Executive Branch of the government.'

It is requested that you follow the procedure quoted above."

2. Addressees will transmit such information, as expeditiously as is practicable, direct to the Assistant Chief of Staff, G-2, Department of the Army.

3. The above procedure does not supersede procedures currently in effect whereby addressees transmit such information locally to agencies of the Department of State and the Department of Justice.

BY ORDER OF THE SECRETARY OF THE ARMY:

/s/ Edward F. Witsell
/t/ EDWARD F. WITSELL
Major General, USA
The Adjutant General

Copies furnished:
Commander in Chief, Caribbean

AG 091.411(6 Apr 51)GB 1st Ind

GENERAL HEADQUARTERS, FAR EAST COMMAND, APO 500, 28 June 1951

TO: Commanding General, Eighth Army, APO 301
Commanding General, XVI Corps, APO 14
Commanding General, Japan Logistical Command, APO 343
Commanding General, Marianas-Bonins Command, APO 246
Commanding General, Ryukyus Command, APO 331
Commanding General, Headquarters and Service Command, General
Headquarters, Far East Command, APO 500

1. Forwarded for your information and appropriate action.

2. Any information pertinent to the request cited in paragraph 1 of basic letter which may come to attention of addressees will be forwarded as expeditiously as is possible to the Assistant Chief of Staff, G-2, Department of the Army thru this Headquarters.

BY COMMAND OF GENERAL RIDGWAY:

H. Frazier
H. FRAZIER
Major, AGC
Asst Adj Gen TW

cc: G-1
DS

2

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Cabinet Order No. 295

Sept. 30, 1950

The Immigration Agency Establishment Order

The Cabinet establishes this Cabinet Order under the Imperial Ordinance concerning the Orders to be Issued in Consequence of the Acceptance of the Potsdam Declaration (Imperial Ordinance No. 542 of 1945).

(Purpose)

Article 1. The purpose of this Cabinet Order is to provide precisely for the extent of functions and authorities under the control of the Immigration Agency as well as for the organization necessary to execute efficiently the administrative affairs under its control.

(Establishment of Immigration Agency)

Article 2. The Immigration Agency shall be established as an external organ of the Ministry of Foreign Affairs.
2 The chief of the Immigration Agency shall be the Director of Immigration Agency (hereinafter referred to as "the Director")

(Functions)

Article 3. The Immigration Agency shall take charge of the business concerning the immigration surveillance, registration of aliens and deportation of unlawful entrants.

(Authorities)

Article 4. For the purpose of carrying out the functions provided for by this Cabinet Order, the Immigration Agency shall have the authorities as provided below. Such authorities shall, however, be exercised in accordance with laws (including orders issued thereunder).

(1)*012 420*

- 2 -

- (1) To make within the limits of budgetary appropriations those acts pertaining to expenditures necessary for carrying out its functions;
- (2) To establish and maintain offices and other facilities directly required for carrying out its function;
- (3) To procure office supplies and other materials directly required for carrying out its functions;
- (4) To dispose of unnecessary property;
- (5) To administer personnel affairs, including appointment, dismissal, awards and discipline;
- (6) To establish and maintain facilities required for the welfare and health of personnel;
- (7) To establish and maintain housing to be rented to personnel;
- (8) To collect, distribute or publish research data and statistics concerning the affairs under its jurisdiction;
- (9) To inspect the affairs under its jurisdiction and to take such measures as may be required in accordance with the provisions of laws or orders;
- (10) To adopt the official seals of the Immigration Agency;
- (11) To permit exit (including exit with the purpose of reentry within a year from the date of receipt of the permission; hereinafter the same) as provided for in Article 6 of the Cabinet Order concerning Immigration Surveillance (Cabinet Order No. 299 of 1949);
- (12) To register aliens pursuant to the Ordinance for Registration of Aliens (Imperial Ordinance No. 207 of 1947);

(13)

- 3 -

- (13) To issue and execute the written deportation order pursuant to the Ordinance for Registration of Aliens or the Cabinet Order for Temporary Measures Concerning the Restriction on Immigration of Those Persons Having Permanent ~~Address~~^{Domicile} in Manseishoto South of 30° North Latitude (Cabinet Order No. 227 of 1950);
- (14) In addition to those provided for in the preceding items, such authorities as are placed under the Immigration Agency by law (including orders issued thereunder).

Article 5. The Immigration Agency shall have the following two divisions in addition to its Director's Secretariat.

First Division
Second Division

2 The Director's Secretariat shall take charge of the matters concerning personnel, accounting and document as well as the matters concerning liaison business.

3. The First Division shall take charge of the following affairs:

- (1) Matters concerning the liaison and coordination among the functions of the administrative organs concerned with respect to the prevention of unlawful entry;
- (2) Matters concerning the issuance of the written deportation order under the Ordinance for Registration of Aliens or the Cabinet Order for Temporary Measures ^{Those} concerning the Restriction on Immigration of ~~(Persons~~ Those Having Permanent Domicile in Manseishoto South of 30° North Latitude (hereinafter referred to as "written deportation order");
- (3) Matters concerning the execution of the written deportation order;
- (4) Matters concerning the maintenance and administration of the Immigration Center;

(5)

- 4 -

(5) Matters concerning the training of the Immigration Guards.

4 The Second Division shall take charge of the following affairs:

- (1) Filing records of immigration (which is provided in Article 1 of Cabinet Order for Immigration surveillance; hereinafter the same);
- (2) Matters concerning the duties performed by Immigration Officials;
- (3) Matters concerning permission for exit as provided for in Article 6 of the Cabinet Order concerning Immigration Surveillance (excluding those to be performed by Immigration Officials);
- (4) Matters concerning the immigration surveillance, other than those mentioned in the preceding three items;
- (5) Duties concerning the registration of aliens.

5 Necessary matters pertaining to the details of the organization of the Immigration Agency other than those prescribed in the preceding four paragraphs, shall be determined by the Director.

(Immigration Officials)

Article 6. Immigration Officials shall be assigned to Custom Houses for the purpose of endorsing, by means of stamping, at the time of immigration, the passports or their substitute documents issued by competent official organs, and for the purpose of performing the duties concerning permission of exit.

2 The Director shall direct and supervise the chiefs of Custom Houses with respect to the duties performed by Immigration Officials.

3 The Custom Houses to which Immigration Officials are to be assigned shall be designated by the Minister of Finance after consultation with the Director.

(Immigration

- 5 -

(Immigration Inspectors and Immigration Sub-Inspectors)

Article 7. The Immigration Agency shall have Immigration Inspectors and Immigration Sub-Inspectors.

2 The Immigration Inspectors shall take charge of the business pertaining to the issuance of the written deportation orders.

3 The Immigration Inspectors shall direct the Immigration Guards in the execution of the written deportation order.

4 The Immigration Sub-Inspectors shall take charge of the business performed by the Immigration Inspectors in accordance with the provisions of the preceding two paragraphs under the order of the Immigration Inspectors.

(Immigration Guards).

Article 8. The Immigration Agency shall have Immigration Guards.

2 Immigration Guards shall execute the written deportation order and guard the Immigration center.

3 The ^{Official} Immigration Guard shall perform function as the judicial police ^{Code of} provided for by the ^{Law} Criminal Prosecution Law (Law No. 131 of 1948) with regard to the crime which violates the provision of Article 3 of the Ordinance for Registration of Aliens or Article 1 of the Cabinet Order for Temporary Measures concerning the Restriction on Immigration of Those Persons having Permanent ^{Residence} Address in Nanseishoto South of 30° North Latitude, with regard to the function provided for by the Director.

Article 9. The Immigration Guards shall, in application of the National Public Service Law (Law No. 120 of 1947) and the Law concerning ^{Compensation and Employees} Wages of Officials in the Regular Government Service (Law No. 95 of 1950); be deemed as police ^{personnel}.

2 The classes of guards shall be determined by the Cabinet Order until such time as the position classification is

determined

- 6 -

determined in accordance with the Law concerning with the Position-Classification Plan of the National Public Service (Law No. 180 of 1950).

3 The uniform of the Immigration Guards shall be determined by the Ministerial Ordinance.

(Carrying and Use of Weapons.)

Article 10. Immigration Guards may carry weapons for the purpose of executing the duties.

2 Immigration Guards may use their weapons within the limitation adjudged reasonably necessary under the circumstances in executing their duties; provided, however, that they shall not hurt a person except in any one of the following cases:

- (1) In the cases falling under Article 36 or Article 37 of the ~~penalty Law~~ ^{Code} (Law No. 45 of 1907);
- (2) In the case where a person subject to deportation order, or transferred by the national or municipal police to the Immigration Guard in accordance with the provision of Article 17, resists the Immigration Guard in his execution of duties, or attempts to flee, or where a third person resists the Guard in trying to let him flee and the Guard has sufficient reason to believe that there is no other means to prevent it.

(Camp)

Article 11. The Immigration Agency shall have the following attached organ.

Immigration Center

2 Immigration Center (hereinafter referred to as "Center") shall be an organ to detain temporarily illegal entrants whom the deportation order has been executed.

Article 12. The name and location of the center shall be as follows:

Hario Center

- 7 -

Hario Center Egami Village, Higashisonoki-gun,
Nagasaki Prefecture

Article 13. A center shall have a chief and subordinate personnel.

2 The Chief shall preside over the affairs of the center and director and supervise its personnel, under the direction and supervision of the Director.

3 The subordinate personnel shall take charge of the business pertaining to the maintenance and management of the center under the order of the chief.

Article 14. The internal organization of the center, the treatment of deportees, guard in the center and other necessary matters concerning the center shall be determined by the Director excepting the matters provided for in the preceding three Articles.

(Local Station)

Article 15. ~~The Immigration Agency shall have Local Station as branches and Sub-Branches in order to assign partially the business provided for in item 2 and 3 of paragraph 3 of Article 5.~~ *Art 5 para 3 items (2) and (3).*

~~Article 16. The Immigration Agency may request the assistance of 2 The name, location, ^{and} area to supervize, of the local station shall be as follows:~~

Name	Location	Area to supervize
Tokyo Station	Tokyo To	Hokkaido, Miyagi Pref., Fukushima Pref., Iwate Pref., Aomori Pref., Yamagata Pref., Akita Pref., Tokyo To, Kanagawa Pref., Niigata Pref., Saitama Pref., Gunma Pref., Chiba Pref., Ibaragi Pref., Tochigi Pref., Shizuoka Pref., Yamanashi Pref., Nagano Pref.

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Kobe Station	Kobe City	Osaka Fu, Kyoto Fu, Hyogo Pref., Nara Pref., Shiga Pref., Wakayama Pref., Aichi Pref., Mie Pref., Gifu Pref., Fukui Pref., Ishikawa Pref., Toyama Pref., Kagawa Pref., Ehime Pref., Tokushima Pref., Kochi Pref.
Matsue Station	Matsue City	Tottori Pref., Shimane Pref.
Shimonoseki Station	Shimonoseki City	Hiroshima Pref., Okayama Pref., Yamaguchi Pref.
Fukuoka Station	Fukuoka City	Fukuoka Pref., Saga Pref., Nagasaki Pref., Kumamoto Pref., Oita Pref., Miyagi Pref., Kagoshima Pref.

3 The internal organization of the local station shall be determined by the Director.

(The Assistance of the Agencies Concerned)

Article 16. The Immigration Agency may request the assistance of Police Agencies, Maritime Safety Agency and other agencies concerned with regard to the matters provided for in item 13 of Article 17. When the national or municipal police has arrested a person suspected of, or in the act of, violating the provision of Article 3 of the Cabinet Ordinance for Registration of Aliens or of Article 1 of the Cabinet Order for Temporary Measure concerning the Restriction on Immigration of Those Persons having Permanent ~~Residence~~ ^{Addresses} in Nanseishoto South of 30° North Latitude he shall transfer the such person to the Immigration Guard as soon as possible.

Supplementary

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Supplementary Provisions:

- 1 This Cabinet Order shall come into force as from October 1, 1950.
- 2 Business provided for in paragraph 2 and paragraph 3 of Article 8 shall be carried out by National Rural Police officials or Municipal Police officials as heretofore until November 30, 1950.
- 3 In application of Article 16 and Article 17 of the Ordinance for Registration of Aliens as amended by the provision paragraph 9 of the Supplementary Provisions and of Article 5 of the Cabinet Order for Temporary Measures, Having Permanent Domicile in Nanseishoto South of 30° North Latitude as amended by the provision of paragraph 10 of the supplementary provisions, "the Director of Immigration Agency" and "the Immigration Inspectors" shall read "the Minister for Foreign Affairs" and "the ^{the date} governor of To, Do, Fu or Prefecture" respectively, until provided for by Cabinet Order not later than December 31, 1950.
- 4 The Law for the Fixed Number of Personnel in the Administrative Organs (Law No. 126 of 1949) shall be partially amended as follows:

Concerning the Restriction on Immigration of
Those Persons

In the table of Article 2,

" Attorney-General's Office Office Proper	42,139	
Among the above number, 11,283 are personnel of Public procurator's Office		
National Offenders Prevention and Rehabilitation Commission	1,173	
Juridical Examination Administration Commission	-	
Total	43,312	"

shall be amended as

" Attorney-General's Office Office Proper	42,135	
Among the above number, 11,283 are personnel of Public Procurator's Office		
National Offenders Prevention and Rehabilitation Commission	1,173	
Juridical Examination Administra- tion Commission	-	
Total	43,308	"

" Ministry of Foreign Affairs Ministry Proper	1,556	"
--	-------	---

shall be amended as

" Ministry of Foreign Affairs

Ministry Proper	1,519	
Immigration Agency	663	
Total	2,182	"

" Ministry of Transportation

Ministry Proper	15,658	
Mariners' Labor Relations	59	
Commission		
Maritime Safety Agency	8,663	
Marine Accident Inquiry Agency	85	
Total	24,465	"

shall be amended as

" Ministry of Transportation

Ministry Proper	15,658	
Mariners' Labor Relations	59	
Commission		
Maritime Safety Agency	8,723	
Marine Accident Inquiry Agency	85	
Total	24,525	"

" Grand Total 872,743 "

shall be amended as

" Grand Total 873,425 "

- 5 The National Government Organization Law (Law No. 120 of 1948) shall be partially amended as follows:

"Immigration Agency" shall be added in the column of the Ministry of Foreign Affairs in the Annexed Table No. 1.

"In the Annexed Table No. 2" the Public Information Division of the Political Affairs Bureau and the Immigration Service Division of the Controls Bureau in the Ministry of Foreign Affairs" shall be amended as, "the Public Information Division of the Political Affairs Bureau in the Ministry of Foreign Affairs".

- 6 The Ministry of Foreign Affairs Establishment Law (Law No. 135 of 1949) shall be partially amended as follows:

In the Contents,

" Chapter III Diplomatic and Consular Establishments Abroad (Articles 20-22)

Chapter IV Personnel (Articles 23,24)

shall be amended as follows:

" Chapter III External Organ (Articles 20,21)

Chapter IV Diplomatic and Consular Establishments Abroad (Articles 22-24)

Chapter V Personnel (Articles 25,26). "

Item (20) of Article 4 shall be amended as follows:

(20)Matters concerning the immigration surveillance, registration of aliens and deportation of unlawful entrants. Paragraph 3 of Article 5 shall be deleted.

Item (8) of Article 10 and paragraph 2 of the same Article shall be deleted.

" Chapter III Diplomatic and Consular Establishments Abroad" shall be amended as "Chapter IV Diplomatic and Consular Establishments Abroad" and Article 20, Article 21 and Article 22 shall be made Article 22, Article 23 and Article 24 respectively and next to Chapter II the following one Chapter

shall

shall be added:

Chapter III External Organ

Article 20. The external Organ established in the Ministry of Foreign Affairs under the provision of paragraph 2 of Article 3 of the National Government Organization Law shall be as follows:

Immigration Agency

Article 21. Matters concerning the organization, affairs under control and powers of the Immigration Agency shall be provided for by the Cabinet Order concerning the Establishment of the Immigration Agency (Cabinet Order No. 295 of 1950)

" Chapter IV Personnel" shall be amended as "Chapter V Personnel", Article 23 shall be made Article 25 and Article 24 shall be made Article 26.

7 The Cabinet Order concerning Immigration Surveillance shall be partially amended as follows:

In Article 1", for liaison and coordination among the functions of the administrative organs concerned with respect to the prevention of illegal entry and the deportation of illegal entrants etc.; and for the administrative organs and their personnel necessary for the performance of these provisions" shall be deleted.

Article 2 to Article 5 inclusive shall be amended as follows:

Article 2 to Article 5 inclusive shall be deleted.

In item (2) of Article 6 " (excepting those who depart from Japan with the purpose of reentry as provided for in item (3) of Article 3) " shall be amended as " (excepting those who depart from Japan with the purpose reentry within a year from the date of receipt of the permission)".

In Article 7 "Immigration Officials" (Nyūgoku-kanrikan) shall be amended as "Immigration Officials" (Shutsunyūgoku-kanrikan).

In Article 8 "the Chief of the Immigration Service Division, Controls Bureau, Ministry of Foreign Affairs" shall be amended as "the Director of Immigration Agency" and "Immigration Officials" (Nyūgoku-kanrikan) shall be amended as "Immigration Officials" (Shutsunyūgoku-kanrikan).

In Article 9 "the Chief of the Immigration Service Division" shall be amended as "the Director of Immigration Agency".

- 8 The Attorney-General's Office Establishment Law (Law No.193 of 1947) shall be partially amended as follows:

In paragraph 3 of Article 1", registration of aliens" shall be deleted.

In paragraph 3 of Article 8, item (3) shall be deleted, item (4) shall be made item (3) and the succeeding items shall be moved up by one.

In paragraph 1 of Article 13-(2) "item (1), item (2) and item (4) to item (3) of paragraph 3 and the same Article" shall be amended as "item (1) to item (7) of paragraph 3 and".

- 9 The Ordinance for Registration of Aliens shall be partially amended as follows:

In Article 3 paragraph 1, Article 4 paragraph 1, Article 5, Article 6, Article 7 paragraph 1 and paragraph 2, Article 8 paragraph 1 and paragraph 2, Article 8-(2) paragraph 2 and paragraph 3, Article 10 and Article 11 "the Attorney-General" shall be amended as "the Minister for Foreign Affairs".

In paragraph 1 of Article 16 "the Attorney-General" shall be amended as "the Director of Immigration Agency" and in paragraph 2 of the same Article "in accordance with the provisions laid down by the Attorney-General" shall be deleted and "the Governor of To, Do, Fu or prefecture" shall be amended as "the Immigration Inspectors".

In paragraph 1 of Article 17 "the Attorney-General" shall be amended as "the Director of Immigration Agency" and "the governor of To, Do, Fu or Prefecture" shall be amended as "the Immigration Inspectors," in paragraph 2 of the same Article, "the governor of To, Do, Fu or Prefecture" shall be amended as "the Immigration Inspectors" and in paragraph 3 of the same Article "the governor of To, Do, Fu or Prefecture"

shall

shall be amended as "the Immigration Inspectors," in paragraph 2 of the same Article, "the governor of To, Do, Fu or Prefecture" shall be amended as "the Immigration Inspectors" and in paragraph 3 of the same Article "the governor of To, Do, Fu or Prefecture" shall be amended as "the Immigration Inspectors" and "the Attorney-General" shall be amended as "the Director of Immigration Agency".

Article 18 shall be amended as follows:

Article 18. The written deportation order of the preceding two Articles shall be executed by the Immigration Guards on the land and by the Maritime Safety Officials on the sea respectively.

2. National Rural Police officials, or Municipal Police officials, if the Immigration Inspectors deem it necessary due to the shortage of Immigration Guards, may execute the written deportation order of the preceding two Articles.
- 10 The Cabinet Order for Temporary Measures concerning the Restriction on Immigration of those Persons Having Permanent Domicile in Nansei-shotu South of 30° North Latitude shall be partially amended as follows:

In paragraph 1 of Article 5 "the Attorney-General" shall be amended as "the Director of Immigration Agency" and in paragraph 2 of the same Article "the Attorney-General" shall be amended as "the Director of Immigration Agency" and "the governor of To, Do, Fu or Prefecture" shall be amended as "the Immigration Inspectors".

Article 6 shall be amended as follows:

Article 6. The written deportation order of the preceding Article shall be executed by the Immigration Guards on the land and by the Maritime Safety Officials on the sea respectively.

2. National Rural Police officials or Municipal Police officials, if the Immigration Inspectors deem it necessary due to the shortage of Immigration Guards, may execute the written deportation order of the preceding Article.
- 11 The Customs Law (Law No. 61 of 1899) shall be partially amended as follows:

DECLASSIFIED

Authority **NND 775009**

By **ICS** NARA Date **7-10-08**

In paragraph 1 and paragraph 2 of Article 101-(5) "the Immigration Officials" (Nyugoku-kanrikan) shall be amended as "the Immigration Officials" (Shutsunyugoku-kanrikan)..

Attorney-General
Minister for Foreign Affairs
Minister of Finance
Minister of Transportation
Prime Minister