

Authority: 2000000000  
 By: 2000000000 NARA Date 10/01/07

# G-2, GHQ INTER - OFFICE MEMORANDUM

(For use within G-2 only)

CIS/PSD/HEP/sm

Date: 27 July 1949

**File No:**

**Subject:**

Report of Conference

**FROM:**

PSD

**TO:**

G-2

**PHONE:**

26-5915

**NAME:**

Col Pulliam

**Comment  
Number**

1. Subject of Conference: Law Enforcement as Applied to Koreans in Japan.

1

2. Time of Conference: 1430 hrs, 26 July 1949.

3. Location of Conference: Room 434, NYK Building.

4. Personnel Attending: Mr. Chung, Korean Ambassador.  
 Mr. Lee, Secretary.  
 Mr. Tsuji, Chairman, National Public  
 Safety Commission.  
 Mr. Saito, Director General, NRP.  
 Col Pulliam, PSD.

5. Purpose of Conference: To discuss law enforcement as applied to Koreans in Japan.

6. Discussion: Mr. Chung voiced four points of particular interest:

a. Japanese assistance in the protection of Koreans in Japan.  
 (Emphasizing the League of Koreans Residing in Japan, Rights).

b. Japanese assistance leading to the registration of all Koreans in Japan.

c. Assistance in preventing illegal entry of Koreans into Japan.

d. Korean and Japanese officials to promote better understanding and feeling between the peoples.

7. Conclusion and Agreement: Mr. Tsuji assured Mr. Chung that he and the police would do everything possible to assist in the above and promote better understanding among the peoples.

8. Action to be Taken: Cooperation Offered.

-H.E.P.-

PSD  
FILESGENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS  
Civil Intelligence Section, G-2  
PUBLIC SAFETY DIVISIONAPO 500  
5 August 1949

## MEMORANDUM:

SUBJECT: Conference

TO: Chief, Public Safety Division

1. Subject of Conference: Revision of SCAPINs covering Illegal Entry.
2. Time of Conference: 1330 - 1515 hours, 4 August 1949.
3. Location of Conference: G-3 Conference Room, Dai Ichi Bldg.
4. Personnel Attending: Lt Col R. C. Erlenbush, G-1

Lt Col B. L. Anderson, G-3  
Major P. R. Steckla, G-3

Mr. J. T. Lassiter, ESS

Mr. R. Finn, DS

Mr. J. W. Canney, LS

Mr. N. Cottrell, GS

Lt Col R. T. Battey, PSD/G-2  
Capt R. C. Graves, PSD/G-2

5. Purpose of Conference: To discuss action required re current SCAPINs to allow enforcement of existing laws covering illegal entry.

6. Discussion. SCAPIN 1391 should be amended so that there will be no question on the part of the Japanese Government that it can prosecute an illegal entrant. Col Battey pointed out that surveillance by the SCAP Section charged with this revision would be confined to the surveillance of that SCAP section counterpart of the Japanese Government to insure compliance.

G-1 brought up the point that illegal Koreans prevent SCAP from accomplishing the mission, from the economical and security standpoint, and therefore should be assigned to G-2.

LS was under the impression that immigration was the responsibility of the Ministry of Foreign Affairs and therefore ESS be responsible for drafting revised SCAPIN, and other SCAP and JG sections charged with the enforcement.

All agreed that the revision of SCAPIN 1391 should be all inclusive in general terms, covering all illegal entries.

7. Conclusion and Agreements: No agreement could be reached as to who should be responsible for revision. It was agreed that the opinion and position of SCAP sections concerned be stated in Staff Study to Chief of Staff and he make the decision. G-1, G-3 and PSD will jointly prepare a draft revision of SCAPIN 1391 to allow enforcement of existing laws covering illegal entry and submit to entire group for further study.



Memo to Chief, PSD, subj, "Conference", dtd 5 Aug 49

8. Action to be Taken: A conference to be held 9 August to consider proposed revision.

*Raymond C. Graves*  
RAYMOND C. GRAVES  
Captain, FA  
Ass't Exec Officer

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GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS  
Civil Intelligence Section, G-2  
PUBLIC SAFETY DIVISIONAPO 500  
1 August 1949

## MEMORANDUM:

SUBJECT: Conference

TO: Chief, Public Safety Division

1. Subject of Conference: Revision of SCAPINS to allow enforcement of existing laws covering Illegal Entry.
2. Time: 1430 - 1530 hours, 29 July 1949
3. Location of Conference: PSD Conference Room, 401A, NYK Building.
4. Personnel Attending:

Lt Col Benson - G-1

Mr. J. T. Lassiter - ESS

Lt Col Anderson - G-3

Lt Col R. T. Battey - PSD

Major P. R. Steckla - G-3

Capt R. C. Graves - PSD

Mr. J. W. Conney - LS

5. Purpose of Conference: To consider revision of current SCAPINS to allow enforcement of existing laws covering illegal entry.

6. Discussion: G-3 stated that before consideration could be given the revision of SCAPIN 1391, it must be determined what SCAP section should be charged with the revision. At present, both G-1 and G-3 are concerned with illegal entry. G-3 is of the opinion that it should be a G-2 problem. Col Battey suggested that since Ministry of Home Affairs on the Japanese side is charged with immigration, then it should be the SCAP counterpost, in this case, ESS.

7. Conclusion and agreement: All agreed that the problem should be assigned to one SCAP section, to meet requirements of Staff Memos 10 and particularly 76. It was further agreed that before a decision should be reached to obtain the opinion of the Section Chief concerned and continue discussion at a later date.

8. Action to be Taken: Conference to continue 4 August 1949.

RAYMOND C. GRAVES  
Captain, FA

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FILES

GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS  
Civil Intelligence Section, G-2  
PUBLIC SAFETY DIVISIONAPO 500  
1 August 1949

## MEMORANDUM:

SUBJECT: Conference

TO: Chief, Public Safety Division

1. Subject of Conference: Suppression of Korean Illegal Entry.
2. Time: 1330 - 1430 hours, 29 July 1949
3. Location of Conference: PSD Conference Room 401A, NYK Building.
4. Personnel Attending:

Lt Col Benson - G-1

Mr. R. Finn - DS

Capt G. I. Hessevick - CIG

Mr. J. T. Lassiter - ESS

Lt Col B. L. Anderson - G-3

Mr. N. Cottrell - GS

Major P. R. Steckla - G-3

Mr. J. W. Canney - LS

Lt Col E. F. Wilson - G-4

Mr. C. M. Wheeler - PH/W

Cdr A. T. Hathaway - G-4

Capt O. M. Blankenship - CCS

Lt Col R. T. Battey, II - PSD

Capt W. R. Martin - CCS

Capt R. C. Graves - PSD

Mr. H. S. Eaton - PSD

Cdr E. S. Burns - COMNAVFE

Major K. L. Atchley - FEAF

5. Purpose of Conference; To consider and discuss recommendations submitted by Eighth Army at conference held 15 July 1949 on the problem of Illegal Entry, for the purpose of preparing recommendations to C/S.

6. Discussion: Copies of the discussion at previous conference and Eighth Army's recommendations were given to all members for reference. Col. Battey suggested that the SCAP sections concerned with the various recommendations hold sub-conferences and inform PSD of results and recommendations.

7. Conclusion and agreement: Col Battey's recommendation was agreed to by all concerned. Sub-conferences will be held between Legal, ESS, G-1, G-3, and PSD concerning revision of current SCAPINS to allow enforcement of existing laws covering illegal entry: ESS and CCS concerning recommendations D and E; Legal Section will investigate and make recommendations on recommendations H & K; ESS, CIG and CCS concerning recommendation J; G-4 and DS concerning recommendation M, and G-1 will consider recommendation N. PSD will consider and follow up on recommendations B, C, F, G, I and L.

8. Action to be taken: Continuing. Staff sections concerned will prepare appropriate "final action" recommendations and supporting papers and submit to PSD for inclusion in master paper to C of S.

RAYMOND C. GRAVES  
Captain, FA

SECRET

Authority: *W.D.T. 500*  
 By: *20* NARA Date *10/01/07*

**SECRET**

HEADQUARTERS EIGHTH ARMY  
 United States Army  
 Office of the Commanding General  
 APO 343

*Mr. Eaton*  
*Study carefully &*  
*be prepared for conf.*  
*about 15 July 49. We*  
*must defend & resist*  
*1/24/49*

AGFB 014

21 May 1949

SUBJECT: Suppression of Korean Illegal Entry

TO: Supreme Commander for the Allied Powers  
 APO 500

1. Suppression of Korean illegal entry and exodus from Japan is of prime importance, not only from the smuggling aspect but also from the intelligence aspect, in view of the flow of persons whose activities are inimical to the objectives of the Occupation.
2. The critical areas of illegal entry and exodus are the islands of Kyushu and Tsushima and the prefectures of Yamaguchi and Shimane. Previous experience indicates the probability of an increase in attempted illegal entry during the coming summer months, if immediate steps are not taken to prevent such traffic.
3. Current directives of your headquarters place responsibility for suppression of illegal entry on the Japanese Government. Statistical studies show that approximately 50% of the illegal entrants are not apprehended, and only 25% of the ships involved in this traffic are captured. The inability of the Japanese Government to cope with the situation is largely attributable to lack of personnel, ships, weapons and communication facilities. Further, the indefinite suspension, by Occupational Directive, of certain laws and ordinances now on the statute books, denies the Japanese a judicatory means of combating illegal entry.
4. I believe that if sufficient pressure is brought to bear on the Japanese Government, coupled with direct aid from the Occupation Forces where necessary, the responsible Japanese agencies will be able to effectively suppress this illegal entry.
5. Since all of the means for suppression of illegal entry are not under the control of Eighth Army, I recommend that a conference be held at time and place to be determined, to achieve the coordination necessary to eliminate this threat to the occupation. Suggested attendance and subjects for consideration at the conference are included in the staff study attached.

1 Incl:  
 Staff Study

S/ Walton H. Walker  
 T/ WALTON H. WALKER  
 Lieutenant General, United States Army  
 Commanding

**SECRET**



Authority: W.D.T. 500  
By: 280 NARA Date 10/01/07

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HEADQUARTERS EIGHTH ARMY  
United States Army  
Office of the AC of S, G-3  
APO 343

MEMORANDUM FOR: Chief of Staff, Eighth Army

15 May 1949

SUBJECT: Suppression of Korean Illegal Entry

## I. SUBJECT PRESENTED.

The present system for apprehending Korean illegal entrants is not effective. Statistical studies indicate that approximately 50% of the illegal entrants are not apprehended, and only 25% of the ships involved in this traffic are captured. Determine a more effective system for suppression of Korean illegal entry and exodus from Japan.

## II. FACTS.

1. Suppression of illegal entry and exodus from Japan is of prime importance not only from the standpoint of the economic problem involved in the accompanying smuggling trade, but also from the intelligence point of view as pertains to the entry of agents from Communist dominated areas and the influx of personnel who swell the membership of certain organizations inimical to the objectives of the Occupation.

2. The critical areas of illegal entry and exodus from Japan are the islands of Kyushu and Tsushima and the prefectures of Yamaguchi and Shimane, all in the zone of responsibility of the 24th Infantry Division. Previous experience indicates a probable increase in attempted illegal entry during the coming summer months, if immediate steps are not taken to prevent such traffic.

3. Current SCAP directives place responsibility for suppression of illegal entry and exodus on the Japanese Government. The Maritime Bureau is the Japanese agency further delegated this task.

4. The indefinite suspension, by Occupational Directives, of certain laws and Ordinances now on the statute books, denies the Japanese Government a judicatory means of combating illegal entry.

## III. DISCUSSION.

1. Recent studies show that approximately 50% of the illegal entrants escape apprehension, and only 25% of the ships involved in this traffic are captured. It may be that too great an emphasis is placed on the effectiveness of surface and air patrols conducted by the Occupation Forces. While these patrols are of distinct value, it appears likely that satisfactory results may only be obtained if the responsible Japanese agencies are adequately staffed and equipped, and their operations closely coordinated with the Navy and Air Force patrols.

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2. The inability of the Japanese Government to cope with the situation is largely attributable to the lack of personnel, ships, weapons and communication facilities. The indefinite suspension, by Occupational Directives, of certain laws and ordinances now on the statute books, denies the Japanese a proper means of combating illegal entry. However, with sufficient pressure by Occupation Forces and direct aid where necessary, the Japanese agencies should be able to effectively suppress this illegal entry.

3. There are indications that well organized "rings" operate regularly from Korea to Japan. In Fusan, Korea, for example, the proprietors of the Tate Hotel are reported to have arranged shipment for a number of persons who were later apprehended entering Japan illegally. It appears feasible that, through direct arrangement with U. S. Army Forces in Korea and Korean Governmental agencies, it should be possible to stop some of the traffic into Japan at its source.

4. The present policy governing disposition of persons apprehended as illegal entrants is to deport them "administratively." This policy is no doubt justified under present economic conditions, but, on the other hand, it lends encouragement to illegal entrants who know that in the event they are apprehended they face only deportation. They are then free to make another attempt. It appears feasible that by reinstatement and enforcement of certain existing Japanese laws, some of the illegal entrants may be dissuaded from their intentions. Pertinent Japanese laws which, if reinstated, might be utilized to good advantage are:

a. Alien Registration Ordinance (Imperial Ordinance #207, dated 2 May 1947). This ordinance provides for imprisonment up to six (6) months and a fine not to exceed ¥2000.

b. Art. 62 and 63, Criminal Code (1907). These articles provide penalties for persons aiding or abetting those making or attempting to make illegal entry.

c. Imperial Ordinance #311 (1946). This ordinance provides for up to ten (10) years imprisonment and fines not to exceed ¥75,000, or both, for failure to pass through quarantine.

d. Police Law, Chapter VI, "Criminal Statistics and Criminal Identification."

While it may not be desirable to prosecute every individual case, it is believed that the above laws provide a legal basis for fining, imprisoning and/or deporting illegal entrants whose purpose for entering is to engage in activities which are in fact subversive, border on the subversive side, or are inimical to the concepts of the Occupation. Further, these laws provide a legal basis for the establishment of an Illegal Entrant Screening Center. Such legal grounds are deemed to be of importance since it is considered likely that certain political bodies, both within and without Japan, will vociferously attack through propaganda media any attempts to tighten the screen through which their agents and sympathizers have gained and may gain illegal admission to Japan.

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5. The Commanding General, 24th Infantry Division, more directly involved than any of the other division commanders in the problem of illegal entry, has recommended the establishment of an illegal entrant screening center at Sasebo, through which all illegal entrants apprehended in Japan would be processed and screened if they are to be deported. Details of the operations of this screening center are contained in letter, Headquarters 24th Infantry Division, AG 000.54B, 10 March 1949, subject: "Illegal Entrant Screening Center," attached as inclosure 1.

6. Eighth Army has directed the Commanding General, I Corps to place all possible emphasis on suppression of illegal entry within the limitations of authority contained in letter, General Headquarters, Supreme Commander for the Allied Powers, AG 014.12 (3 Feb 49)GB/CIS/PSD, 3 February 1949, subject: "Relations With the Japanese Police."

## IV. CONCLUSIONS.

1. That all of the means for the suppression of illegal entry are not under the control of Eighth Army.

2. That the most effective means for suppression of illegal entry is to bring sufficient pressure to bear on the Japanese Government, which is properly charged with the responsibility, and furnish direct and coordinated aid by the Occupation Forces, where necessary, to insure success of the program.

## V. RECOMMENDATIONS.

1. That a conference be held, at a time and place to be designated by Supreme Commander for the Allied Powers, with attendance as indicated, to discuss the following subjects recommended for consideration:

## a. Attendance

- (1) Appropriate staff sections, GHQ, FEC.
- (2) Appropriate staff sections of this headquarters.
- (3) Commander Naval Forces Far East.
- (4) Commanding General, Far East Air Forces.

## b. Subjects for consideration

- (1) Revision of current SCAPINS to allow enforcement of existing laws covering illegal entry.
- (2) Increase in the number of sea-going vessels assigned to Kyushu Maritime Bureau and equipping patrol vessels with radio, searchlight and arms.
- (3) Extension of the Z/R of the Kyushu Maritime Bureau so that it coincides with the Z/R of the 24th Infantry Division.

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- (4) Establishment of a central information center to coordinate the activities of all Japanese agencies engaged in apprehending illegal entrants and smugglers. In the Kyushu region, such a center should be established at Moji.
- (5) Establishment of an effective communications net between a Central Information Center in Moji and prefectural National Rural Police Headquarters.
- (6) Conduct of a joint survey of all coastal watch stations by the National Rural Police and the Maritime Bureau. The purpose of this survey would be to determine which watch stations now in use serve a beneficial purpose, those which have little value, and to make recommendations for new stations in areas deemed to be of critical importance.
- (7) Manning of all watch stations on a 24 hour basis by members of the National Rural Police or Municipal police; arming of these police.
- (8) Requirement that all Koreans in Japan have their Korean registration certificates verified and "hanned" once each year with a special date stamp, or that new registration certificates be issued at periodic intervals.
- (9) Establishment of National Rural Police and Municipal Police check points on entrance routes to all major cities and rail centers to check Korean registration certificates.
- (10) Establishment by the Japanese Government of an Illegal Entrant Screening Center at Hario Repatriation Center to screen, photograph, fingerprint, and establish card files on all illegal entrants. This Center could also be used to secure direct intelligence and counter-intelligence information, as well as to provide a more effective means of uncovering known agents and couriers if CIC personnel were detailed for duty at the Center.
- (11) Establishment by the Japanese Government of a Criminal Court at Sasebo, competent to adjudge maximum sentence on all illegal entrants apprehended. Consideration should be given to suspension of sentences for first offenders so that upon illegal return to Japan the offender could be immediately punished without further court action.
- (12) Institution of a publicity campaign in both the Japanese and Korean press to stress the illegality and punishment connected with illegal entry, and to request the support of local citizens in reporting suspicious persons to the police.

BARTLETT  
G-31 Incl:  
Ltr, Hq 24th Inf DivSECRET  
4



Authority: W.D.T. 500  
By: 820 NARA Date 10/01/07

RESTRICTED

HEADQUARTERS 24TH INFANTRY DIVISION  
Kokura, Kyushu, Japan

JBW/fm

AG 000.5 - B

A.P.O. # 24

SUBJECT: Illegal Entrant Screening Center

Mar 10 1949

THRU : Commanding General  
I Corps  
APO 301TO : Commanding General  
Eighth Army  
APO 343

1. Reference: Ltr, Headquarters 24th Infantry Division, File: AG 000.5 - B, Subj: "Statistical Report on Illegal Traffic in the 24th Infantry Division Zone of Responsibility for 1948," Dtd: 18 February 1949.

2. Illegal traffic figures as tabulated in reference letter indicate a serious potential security threat to the Occupation Forces in Japan. This illegal traffic provides a ready means for entry into Japan of espionage agents and potentially subversive individuals and groups. This existing security threat has been realized for some time and illegal entrants are partially screened by various CIC field units throughout Japan.

3. Due to the fact that all illegal entrants apprehended in Japan are deported via the Hario Repatriation Center at Sasebo, Nagasaki Ken, it is recommended that a single Illegal Entrant Screening Center be set up at Hario to provide complete direct intelligence and counter intelligence screening of this illegal traffic.

4. It is felt that a single screening center at Hario would be an improvement over the present system for a number of reasons. These include:

a. Insurance of full intelligence coverage on all illegal traffic.

b. Conservation of personnel and CIC man-hours within CIC Field Units.

c. Provisions for photographing and fingerprinting of illegal entrants under a standard system at one installation which would provide an effective means for detecting known agents.

Incl 1 to Staff Study

RESTRICTED

Authority: W.D. TSC  
By: 280 NARA Date 10/01/07

## RESTRICTED

BASIC: Ltr, Hqs 24th Inf Div, Kokura, Kyushu, APO 24, File: AG 000.5-B,  
Subj: "Illegal Entrant Screening Center," Dtd: 10 March 1949

d. Establishment of a single card file on all illegal entrants to include photographs and fingerprints.

e. Provisions for direct intelligence coverage as well as counter intelligence coverage. This will become increasingly important when U.S. Forces leave Korea.

5. Housing and messing facilities, and interrogation rooms for such a screening center exist at Mario at the present time.

6. This screening center could be operated by a 6 man intelligence team consisting of 3 CIC Agents, 2 ATIS interrogators for direct intelligence coverage and 1 fingerprint expert. Occupation Intelligence personnel could be augmented by necessary Japanese photographers and fingerprint men. If deemed advisable, a liaison group from the Korean Republics Central Intelligence Agency could be attached to the center. This liaison group could assist in detecting known subversives based on records now available within Korean Intelligence Agencies.

7. Due to primary counter intelligence interest in any such center, it is recommended that the screening center operate directly under 1st District CIC with a CIC officer as officer in charge.

8. Forwarded for consideration by higher headquarters. Commanding officer, 1st District CIC has been contacted on this matter and concurs in the plan outlined herein provided necessary personnel are made available by higher headquarters.

FOR THE COMMANDING GENERAL:

S/ Theo. F. Presley  
T/ THEO. F. PRESLEY  
Major AGD  
Asst Adj Gen

RESTRICTED



Agenda For Conference On  
Suppression of Korean Illegal Entry

15 July 1949

PSD/G-2 Conference Room - 401A - NYK Building

1. Scope of Conference.

To consider the problem of suppression of illegal entry and smuggling as it affects the economy and stability of Japan and the objectives of the Occupation with the purpose of formulating recommendations to the Chief of Staff as to possible measures which will improve the existing situation.

2. Statistical background of illegal entry and smuggling.

3. Existing Japanese Government laws affecting control of illegal entry and smuggling.

4. Mission, capabilities and limitations of Japanese police within existing Japanese laws as pertain to the problem.

5. Mission, capabilities and limitations of Japanese Maritime Safety Board (coast guard) within existing Japanese laws as pertain to the problem.

6. Mission, capabilities and limitations of other Japanese Government agencies within existing Japanese laws as pertain to problem.

7. Means available to Japanese Government and/or the Occupation to improve the effectiveness of suppression of illegal entry and smuggling.

8. Recommendations to Chief of Staff.

Authority: 2025  
 By: 2025 NARA Date 10/01/07

PERSONNEL ATTENDING CONFERENCE ON  
Suppression of Korean Illegal Entry

15 July 1949

PSD/G-2 Conference Room - 401A - NYK Building

GHQ

8th ARMY

G-1	Lt Col R.C. Erlenbusch	G-2	Col Dusenberry Lt Col W.C. Jesse
G-2	CIC Th Intell CI Div PSD	G-3	Col Bartlett Lt Col J.G. Turner Maj C.R. Gibbs
	Capt G.I. Hessevick Capt E.H. Eller Dr J.G. Chapman Lt Col V.C. Aurell Mr J.S. Carusi Col H.E. Pulliam Lt Col R.T. Battey Mr H.S. Eaton Mr G.H. Rettew	G-4	Lt Col F.M. Barberie
G-3	Col B.L. Anderson Maj F.R. Steckla	Signal	Maj R.C. Heald
G-4	Lt Col E.F. Wilson Cdr A.T. Hathaway	PM	Lt Col Louis Mark
CCS	Capt O.M. Blankenship Capt W.R. Martin Mr L.W. Lamb	Transp	Maj Ivan D. Austin
DS	Mr R. Finn	Civ Affairs	Lt Col R.S. Link
ESS	Mr J.T. Lassiter	Legal & Govt	Mr Howard Porter
GS	Mr N. Cottrell		
LS	Mr J.W. Canney		
PH/W	Mr W.L. Speer Dr I.D. Hirschy		
PM	Lt Col E.A. Sallee		

COMNAVFE

Cdr E.S. Burns

FEAF

Maj K.L. Atchley  
 Capt S.F. Hepford  
 Maj J.F. Pinkerton



DECLASSIFIED

Authority 2025 DTIS 9

By 820 NARA Date 10/01/07

PUBLIC SAFETY DIVISION  
EXEC ROUTING SLIP

FROM:

DATE:

*S. J.*  
Capt. Graves

Capt. Holton

Capt. Nealon

Capt. Russell

Draft File

1 PSD Central File

*27 July 49*

REMARKS:

Authority: W.D.T. 500  
By: 280 NARA Date: 10/01/07

Economic and Scientific Section  
Finance Division

15 July 1949

MEMORANDUM FOR FILE:

SUBJECT: Illegal Entry of Individuals

1. The control over entry and exit of individuals has been considered by the Japanese as an occupation force responsibility until the issuance of the following SCAPINS:

a. AG 095(22 May 48)GA, SCAPIN 1971, dated 11 February 1949, subject: Entry of Personnel Into Japan to Visit Relatives.

b. AG 091.1(28 May 49)GA, SCAPIN 2019, dated 22 June 1949, subject: Establishment of Immigration Service.

2. In accordance with AG 521(8 Apr 46)ESS/IE, SCAPIN 941-A, dated 8 April 1948, subject: Japanese Customs Organization, directed that the Japanese Customs Service be reorganized under the Ministry of Finance and delegated to the Ministry of Finance the responsibility for the implementation and enforcement of all Japanese customs laws and regulations including any new regulations which may be issued and for carrying out all directives of SCAP regarding customs control or requiring action by customs officials. The Japanese have established six customs districts with six principal customs houses, 45 branch customs houses, 44 branch customs offices and 104 customs guard posts. These form a customs net work covering the coast lines of the four main Japanese Islands and various small islands adjacent to the main islands. See map attached as Annex I.



Authority: W.D. TSC  
By: W.D. TSC NARA Date 10/01/07

3. By memo to the Japanese Government, AG 091.31(4 Jun 46)ESS/PC, SCAPIN 996 dated 4 June 1946, subject: Illegal Import and Export Trade, the Japanese were directed to take all necessary steps to stop illicit import and export trade. The Japanese Customs Service was delegated the administrative control over this action; however, due to lack of facilities, principally means of transportation on land and sea in 1946 and 1947 effective control was difficult. By Reviving the long established prewar liaison, coordination and working agreements with local police the controls have become more and more effective. During the fiscal year 1948-49 approximately 700 smuggling cases were dealt with. During the first three months of the fiscal year 1949-50, the effectiveness has shown a marked improvement with 510 smuggling cases reported. Incidental to the commodities dealt with, aliens involved have been either deported or held for court action by either the Japanese courts or military courts, depending on whether or not the alien concerned was a United Nations national or not.

4. Upon the issuance of SCAPIN 1971, mentioned in 1 a above, the Japanese Customs Service was by virtue of Article 101.5 of the Japanese customs law, delegated the responsibility for effecting controls over the entry and exit of individuals involved and implementing regulations were incorporated in Cabinet Order No. 199-1949 (Article 34).

5. Upon the issuance of SCAPIN 2019, mentioned in 1 b above, the Japanese have drafted an enforcement plan which is attached as Annex II. This plan with amendments clarifying action to be taken against aliens who have landed undetected and picked up later will be the effective regulations covering illegal entry and exit of individuals when issued as a Cabinet order implementing SCAPIN 2019.

6. The Maritime Safety Board, created to act as a coast guard, in addition to its other major functions, is charged with the enforcement of the customs laws upon the high seas, and along the coast of Japan, in bay or harbours where no customs officers are stationed and in ports where customs officers are stationed are empowered to enforce the law in the absence of or at the request of customs officers. However, in all cases of violations of customs laws which officers of the Maritime Safety Board have dealt with the case should be turned over to the nearest customs office as soon as possible. This should apply to persons as well as commodities by virtue of Article 101.5 of the customs law. To date the percentage of illegal trade cases dealt with by the Maritime Safety Board is very small. The same will more or less be true as far as illegal entry of persons is concerned since the Maritime Safety Board can not maintain sufficient effectives to control this traffic on land as well as at sea, however, they should be used to the fullest extent as one of the enforcement agencies dealing with the problem of controlling illegal entry of every nature.

7. For immediate effective action to be taken to control the illegal entry and exit of individuals, it is recommended that the Japanese Government be instructed to establish effective controls under Article 101.5 of the customs law to prevent, detain and deliver to local public procurators, for prosecution, individuals who have entered Japan illegally and to prevent, detain and deliver to the public procurators for prosecution individuals who have attempted to leave Japan illegally. The Japanese customs service under the surveillance of the CG, 8th Army, to be the responsible administrative agency of the Japanese Government to take the necessary action in each case and to coordinate the activities of the National rural police, local police, water police, Maritime Safety Board, and other enforcement agencies of the local or national government which may be available for the suppression and



Authority: W.D.T. 500  
By: 20 NARA Date: 10/01/07

prevention of illegal entry or exit of individuals, ships, and/or commodities.

8. The action recommended in paragraph 7 above should insure tighter effective controls and make one agency of the Japanese Government responsible under existing laws for action and necessary reports. This would facilitate occupation controls. Close surveillance by local Military Government teams should insure necessary cooperation between the various Japanese enforcement agencies. This plan would not require any immediate increase in the Japanese national budget since no new organizations would be required and would permit time to prepare law revisions and secure adequate budgetary provisions necessary to any expansion programs to be effective in 1950-51.

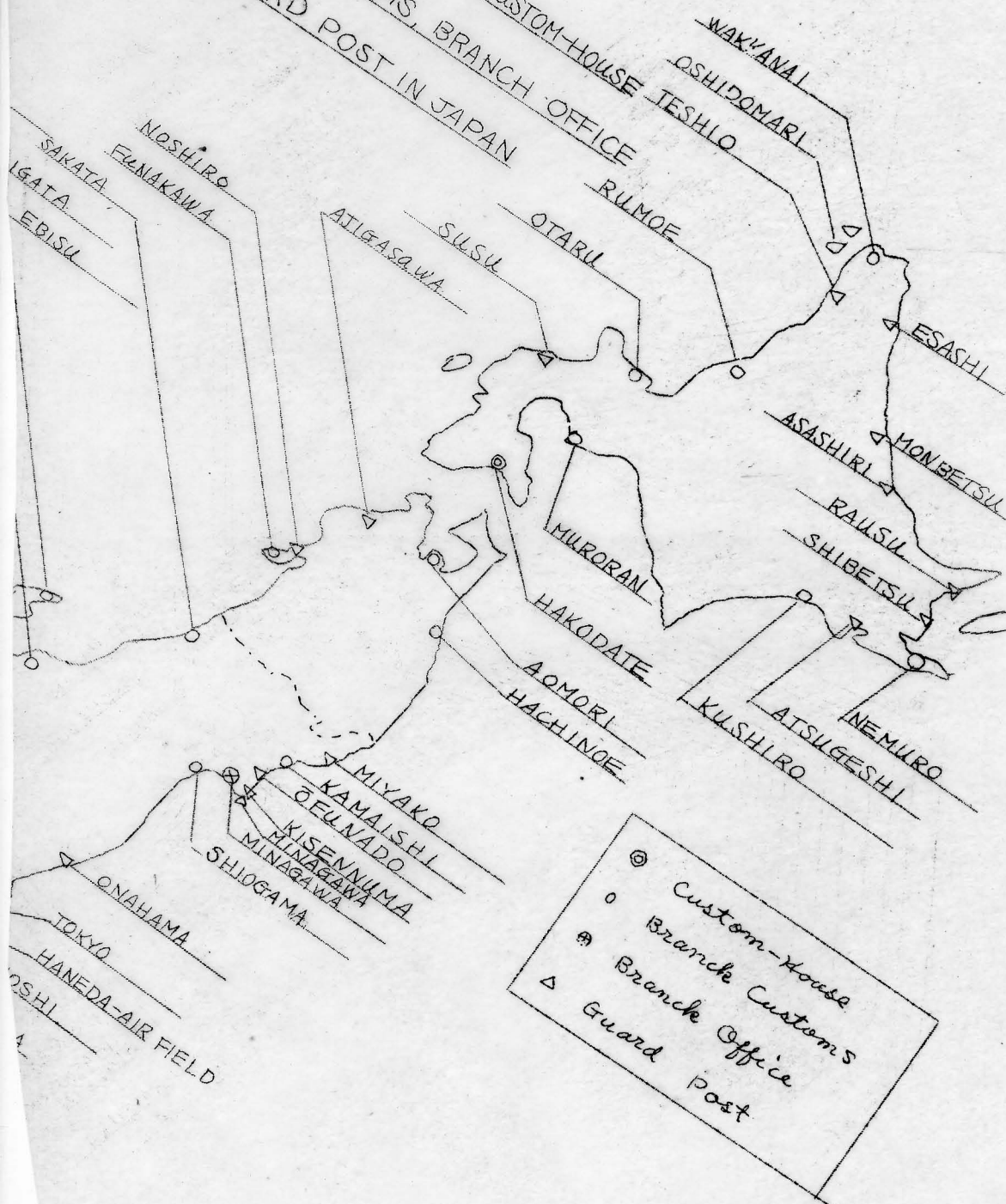
J. T. LASSITER  
Public Finance Branch





AN: I

THE STATION MAP OF CUSTOM-HOUSE  
BRANCH CUSTOMS, BRANCH OFFICE  
AND GUARD POST IN JAPAN



AN-77

## ENFORCEMENT PLAN OF SCAPIN 2019

1. The central organization "Central Locator Files" as provided in paragraph 2(b) of the Memorandum 2019 (noted hereinafter as Memorandum) shall be established in Customs Division of Ministry of Finance.
2. Officials of Passport Section (Yokohama, Kobe, Moji) of Guard Division of Custom-House shall be assigned to local immigration duty. At Branch Office of Haneda Airport, officials of Guard Section shall be assigned to immigration duty and at such necessary points as Nagasaki, Kure, Nagoya, and Hakata etc., officials of Guard Division will be assigned to immigration duty.
3. The business of the central organization "Central Locator Files" shall be as follows:
  - (1) To receive from GHQ information of entrants authorized,
  - (2) To prepare cards for entrants authorized showing 16 classification, length of visit, prearranged port of arrival, and scheduled date of entry etc.
  - (3) To communicate concerning entrants authorized to officials assigned to immigration duty located at the entrants' prearranged port of arrival by telegram or telephone.
  - (4) To receive information, after the entry, from officials assigned to immigration duty located at the port of entry.
  - (5) To enter matters required in the cards according to the information and present the information concerning entrants to Civil Affairs Bureau of Attorney-Generals Office as a material for Ordinance governing Registration of Aliens.



- (6) To submit to GHQ, successively a report of entering state, known by question, at the time of visa of passport or by inspection of travel instrument, under the information prescribed in (4).
- (7) To receive information from officials assigned to immigration duty in Customs House when persons authorized to do so, leave Japan.
- (8) To correct and arrange the cards in accordance with the information and at the same time inform it to Civil Affairs Bureau of Attorney-General's Office.
- (9) To report to GHQ the information as prescribed in (7) in proportion to (5).
- (10) To manage in proportion to (9) relating to ones leaving Japan. (for example Japanese immigrants).
- (11) To receive the information from officials assigned to immigration duty in Customs House as quickly as possible, and report it to GHQ and receive its instructions and communicate same to immigration officials, in case that there is a reason to deny admission into or from the country, in other words in case of a false passport or permit.
- (12) To surrender persons to Police Office who are regarded as unlawful entrants or exist obviously by officials assigned to immigration duty in Customs House, and to receive the information of the case mentioned above and report it to GHQ.
- (13) To report to Attorney General's office and GHQ persons who don't leave Japan after the expiration of the length of their visit, except ones who extend the length of their visit or modify their qualification under the admission of GHQ.

- (14) To correct and arrange cards upon receipt of the report from Attorney General's office that it deported ones who comes under (13) from the country.
- (15) To receive information from and give them to the officials, assigned to immigration duty, Government offices, and GHQ concerning entry or exit.

4. We consider the following is required to perform the functions above mentioned:

- (1) Personnel.
  - a. Liaison officials with GHQ (24 hour service)
  - b. Liaison officials with officials assigned to immigration duty in customs house and other government offices.
  - c. Personnel in charge of arrangement of cards.
- (2) Equipment
  - a. Direct telephone to GHQ
  - b. Direct telephone to Yokohama, Haneda and Kobe
  - c. Improvement of communication equipments with each Government office and custom house.

(3) Organization

This central organization is established in customs division of Ministry of Finance as Central Locator files and divided into two corps, i.e. Liaison and Record (5 members each).

5. The business of officials assigned to immigration duty in Custom House are as follows:

- (1) To visa of passports or equivalent travel documents and make questions about necessary matters, and permit for entry or exit coordinating with the admission of GHQ.



To insure individuals have cleared through quarantine and the necessary proceedings have been finished or not.

To prohibit the entry into or exit from Japan of individuals not authorized to enter or leave Japan.

- (2) To report necessary matters to Central Locator files concerning entrants or exiters.
- (3) To receive instructions and permit or deny the admission in accordance with the instruction of GHQ through Central Locator files, concerning persons who are on suspicion of the admission of entry or exit at the time of visa provided in (1).

To surrender them to Police Office in case of denial of admission into the country.

- (4) Persons arriving Japan without a permit shall not be permitted to leave the vessel on which arrived except to transfer them under guard to a vessel departing them.
- (5) The affairs to be reported to GHQ through Central Locator Files concerning unlawful entrants or exiters are as follows.

- a. Name
- b. Age
- c. Sex
- d. Nationality
- e. Address
- f. Purpose of trip to Japan
- g. Statue (whether passenger, member of crew or stowaway)
- h. Amount of fare and when paid.
- i. Number and nationality of other passengers.

- (6) Passengers mentioned below shall be treated in accordance with Chapter <sup>and 6</sup> 3 of the 8th Military Executive Order No. 33 dated on June 28.
- a. Passengers utilizing aircrafts.
  - b. Sight-seeing passengers utilizing approved vessels by the delegate of merchant ones.
  - c. Sight seeing passengers treated by Japan Tourist Bureau.



DECLASSIFIED

Authority: 20NDT1300By: 20 NARA Date 10/01/07**SECRET**PUBLIC SAFETY DIVISION  
ROUTING SLIP

FROM: <u>213</u>		DATE: <u>19 Aug</u>
<u>3</u>	Chief of Division	
<u>2</u>	Executive Officer	
	Capt. Graves	
	Capt. Russell	
<u>1</u>	Administrative Officer	<u>RA</u>
<u>6</u>	Chief Clerk	
	Fire Branch	
	Liaison Branch	
<u>4</u>	Maritime Branch	
<u>5</u>	Police Branch	
	Prison Branch	
	Stat & Anal Branch	

FOR:

Information 1-5 Comment \_\_\_\_\_

Action \_\_\_\_\_

Approval \_\_\_\_\_ File (6)

Remarks:

**SECRET**

Authority: *2000 DTSC*By: *2000* NARA Date: *10/01/07*

SECRET

DO NOT DETACH

G-2, GHQ, FEC

FROM: *G-2 ADMIN*DATE: *9* AUG 1949

TO:

AC of S, G-2. . . . .  
 Executive. . . . .  
 Asst Executive SCAP. . . . .  
 Asst Executive FEC. . . . .  
     E/A Admin. . . . .  
     E/A Radio Reports. . . . .  
     E/A Fiscal. . . . .  
     E/A CI Div. . . . .  
     E/A Sp Intell. . . . .  
     E/A C & P. . . . .  
     E/A PSD. . . . .  
     E/A CCD. . . . .  
     E/A MIS Div. . . . .  
     E/A Hist. . . . .  
 Administrative Officer. . . . .  
     G-2 Message Center. . . . .  
     G-2 Supply. . . . .  
     G-2 File Section. . . . .  
 Theater Intell Div. . . . .  
     Operations. . . . .  
     PDM. . . . .  
     Plans & Estimates. . . . .  
     Foreign Liaison. . . . .  
     Targets Branch. . . . .  
 MIS Div. . . . .  
     ATIS. . . . .  
     TID. . . . .  
 Historical Div. . . . .  
     Library. . . . .  
 CI Div. . . . .  
     Executive. . . . .  
     Plans & Policy Br. . . . .  
     Opns Control. . . . .  
     Japanese Liaison. . . . .  
     Central Files. . . . .  
 441st CIC GP. . . . .  
 Sp Intell. . . . .  
 Coll & Pub. . . . .  
 Public Safety Div. . . . .  
 Civil Censorship Det. . . . .  
 G-2 Document Research. . . . .

Information. . . . .  
 Necessary Action. . . . .  
 Note & Return. . . . .  
 Approval. . . . .  
 Signature. . . . .  
 Initials. . . . .  
 Comment or Concurrence. . . . .  
 Dispatch. . . . .  
 Draft Reply. . . . .  
 Info on which to Base Reply. . . . .  
 Preparation of Brief. . . . .  
 Distribution Desired. . . . .  
 File. . . . .

ROUTED BY: *Moore*

REMARKS:

DO NOT DETACH

SECRET



Authority: 20NDT500By: 20NDT500 NARA Date 10/01/07

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8  
7

**GENERAL HEADQUARTERS  
FAR EAST COMMAND  
CHECK SHEET**

Cdr. Hathaway, 26-6038  
(Do not remove from attached sheets)

File No:

Subject: Suppression of Korean Illegal Entry

Note  
No.

2

From: G-4

To: G-2  
Attn: PSD

Date: 18 AUG 1949

G-4 concurs that the Korean Government should not be approached at this time regarding departure of persons from Korea with intent to enter Japan illegally. CG, USAFIK, forwarded several requests from the Korean Government through CINCFE to the JCS for vessels. These requests have not been approved. At the present time, ECA is negotiating with the Bureau of the Budget to obtain funds so that AMIK can arrange to buy the ten ex-Japanese naval vessels now in use by the Korean Coast Guard. It is believed that SCAP should not approach the Korean Government regarding the duties of the Korean Coast Guard until present negotiations regarding vessels are completed.

*[Signature]*  
G. L. E.

88084

**SECRET**

SECRET

Cdr. Hathaway, 26-6038

## Suppression of Korean Illegal Entry

G-4

G-2

Attn: PSD

18 AUG 1949

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----- G. L. E. -----

SECRET



Authority: *W.D.T. 500*  
By: *280* NARA Date *10/01/07*

SECRET  
GENERAL HEADQUARTERS  
FAR EAST COMMAND

**CHECK SHEET**

Mr. Finn  
26-5528*A/APP*  
*2 5-443*

(Do not remove from attached sheets)

File No: 210.5

Conferences - Suppression of  
Subject: Korean Illegal Entry.

Note  
No.

From: DS

To: G-2  
Thru: G-4

Date: 11 August 1949

1. Reference is made to checknote of 5 July 1949 from G-2 to DS and other sections and to staff conferences concerning above subject.
2. At staff conference on 29 July 1949, DS was assigned responsibility, with the assistance of G-4, for considering the advisability of making a request to the Korean Diplomatic Mission in Japan that action be taken by the Korean Government to prevent departure from Korea of persons intent upon entering Japan illegally.
3. DS believes that political and practical considerations throw considerable doubt on the advisability of addressing such a request to the Korean Government at the present time.
4. DS is prepared to support, however, a clarification of the authority of the Japanese Government to apprehend, imprison, and deport illegal entrants.

*W. J. S.*

1497

COPY  
S-301*Confidential*Status of Koreans in  
JapanDS:WJS:RBF;hh  
Mr. Finn 26-5528

1

From: DS

To: G-1 Govt Sec  
G-2 EGS  
CIE Provost Marshal  
LS

15 August 1949

(Separate copies to each)

1. Reference is made to DS' staff study circulated by checknote dated 2 May 1949, in which it was recommended that Headquarters interpose no objection to registration by the Korean Diplomatic Mission in Japan of Koreans resident in Japan since 2 September 1945 and that registered Koreans who had relinquished Japanese nationality be entitled to the status of foreign nationals in Japan. This study with minor amendments was submitted to the Chief of Staff for approval.

2. It has been decided by the Chief of Staff that this project should not be undertaken and that action on this problem should be deferred for an indefinite period.

3. In the absence of a change of policy, it is DS' understanding that: The status of Koreans legally in Japan, other than those who hold valid documentation issued by the Korean Government, remains unchanged and they will accordingly continue to be considered Japanese nationals for the purpose of treatment; there is no basis on which Koreans legally in Japan other than those who hold valid Korean documentation can be treated as other than Japanese; such Koreans are not entitled to hold foreign currencies, to possess OSS cards, to be employed as foreign nationals, or to be permitted to travel to and from Japan on a basis different from Japanese; and Koreans illegally in Japan, i.e., those who do not possess Japanese Alien Registration Cards or Korean documentation, are subject to deportation.

4. DS recommends that in the interest of stability no punitive or retro-active action be taken with respect to those Koreans who have in good faith been availing themselves of privileges to which they are not entitled.

5. The above statement of DS' understanding of SCAP policy with regard to the status of Koreans in Japan is circulated for the information of concerned sections.

.....W.J.S. ....

19 August 49

G-2 Comment:

This is so important that every chief of subsections should be advised of it. Read and note.

*W.D.T.*  
P C.A.W.

COPY*Confidential*

COPY FOR G-2



Agenda For Conference On  
Suppression of Korean Illegal Entry  
15 July 1949  
PSD/G-2 Conference Room - 401A - NYK Building

1. Scope of Conference.

To consider the problem of suppression of illegal entry and smuggling as it affects the economy and stability of Japan and the objectives of the Occupation with the purpose of formulating recommendations to the Chief of Staff as to possible measures which will improve the existing situation.

2. Statistical background of illegal entry and smuggling.

3. Existing Japanese Government laws affecting control of illegal entry and smuggling.

4. Mission, capabilities and limitations of Japanese police within existing Japanese laws as pertain to the problem.

5. Mission, capabilities and limitations of Japanese Maritime Safety Board (coast guard) within existing Japanese laws as pertain to the problem.

6. Mission, capabilities and limitations of other Japanese Government agencies within existing Japanese laws as pertain to problem.

7. Means available to Japanese Government and/or the Occupation to improve the effectiveness of suppression of illegal entry and smuggling.

8. Recommendations to Chief of Staff.

8-A  
ESS  
PH/W

PERSONNEL ATTENDING CONFERENCEPSD/G-215 July 1949GHQ

G-1		Lt Col R.C. Erlenbusch
G-2	MIS	Capt E.S. Pearce, USN
	CIC	Capt G.I. Hessevick
	Th Intell	Dr J.G. Chapman
	PSD	Col H.E. Pulliam
		Lt Col R.T. Battey
		Mr H. S. Eaton
		Mr G. H. Rettew
G-3		Col B. L. Anderson
		Maj P. R. Steckla
G-4		Lt Col E.F. Wilson
		Cdr A. T. Hathaway
CCS		Capt O.M. Blankenship
		Capt W. R. Martin
		Mr L. W. Lamb
DS		Mr R. Finn
ESS		Mr J. T. Lassiter
GS		Mr N. Cottrell
LS		Mr J. W. Canney
		Mr J. Bassin
PH/W		Mr W. L. Speer
		Dr I. D. Hirschy
PM		Lt Col E.A. Sallee

8th ARMY

G-2		Col Dusenberry
		Lt Col W.C. Jesse
G-3		Col Bartlett
		Lt Col J.G. Turner
		Maj C. R. Gibbs
G-4		Lt Col F.M. Barberie
Signal		Maj R. C. Heald
PM		Lt Col Louis Mark
Transp		Maj Ivan D. Austin
Civ Affairs		Lt Col R.S. Link
Legal & Govt		Mr Howard Porter

COMNAVFE

Cdr E. S. Burns

FEAF

Maj K. L. Atchley  
*Maj. J. F. Pinkerton*  
 Capt. S.F. HEPPFORD



Authority: *2000*  
 By: *2000* NARA Date: *10/01/07*

*8th A  
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*Secret*

NOTES FOR CONFERENCE ON SUPPRESSION OF ILLEGAL ENTRY  
TO BE HELD AT GHQ ON 15 JULY

Officers attending are:

Lt Col R. S. Link  
 Mr. Howard Porter  
 Maj Ivan D. Austin  
 Lt Col Louis Mark  
 Maj. R. C. Heald  
 Col C. C. Dusenberry  
 Lt Col W. C. Jesse  
 Lt Col F. M. Barberie  
 Col W. H. Bartlett  
 Lt Col J. G. Turner  
 Maj C. R. Gibbs

Civil Affairs Section (Legal and Government)  
 "  
 Transportation Section  
 Provost Marshal Section  
 Signal Section  
 G-2 Section  
 "  
 G-4 Section  
 G-3 Section  
 "  
 "

1. MISSION.

Eighth Army's mission in participating in this conference is one of recommending measures which will assist the Japanese Government and aid in removing impediments which block accomplishment of the mission assigned to the Japanese. Two points should be considered:

a. In the suppression of illegal entry, Eighth Army is responsible only for surveillance of Japanese agencies and determining the degree of compliance by the Japanese with SCAP directives. Control of the Japanese is charged to staff sections of SCAP.

b. The responsibility for Suppression of Illegal Entry is properly placed on the Japanese.

2. AGENDA.

a. Revision of current SCAPINS to allow enforcement of existing laws covering illegal entry.

- (1) SCAPIN 1391 should be amended so that there will be no question on the part of the Japanese Government that it can prosecute an illegal entrant and impose penalties under the provisions of Imperial Ordinance No 207 if desired, before the illegal entrant is administratively deported.
- (2) Further amend SCAPIN 1391 by eliminating the portion which requires the Japanese Government to turn over illegal vessels to military authorities. Disposal of these vessels should be subject only to Japanese law.

*Secret*

*What plot  
 Section is responsible  
 for illegal entry?*

*G-3 on 1391  
 G-1 on 2019  
 G-3 ✓  
 G-1 ✓  
 Coord ESS  
 PSD  
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*Secret**not reg.*

- (3) Recommend to the Japanese Government that Imperial Ordinance No 207 be amended to provide:
- (a) A penalty for failure of an alien to have in his possession at all times his alien registration card.
  - (b) That the penalties in Article 12 be substantially increased.

b. Increase in the number of sea-going vessels assigned to Kyushu Maritime Bureau and equipping patrol vessels with radio, searchlight and arms.

- (1) The Maritime Safety Bureau is limited to 125 vessels for all of Japan to be used for lighthouse service, coast guard, sea rescue and all other services except harbor craft. The speed of the vessels is limited to 15 knots and a total overall tonnage of 50,000 tons.
- (2) The Moji Maritime Safety Bureau, with jurisdiction of the main island of Kyushu (coast line 1888 miles) and Yamaguchi Prefecture on Honshu, as well as 2228 smaller islands, had an initial allocation of 14 antiquated, unseaworthy vessels for all purposes. Two of these vessels have subsequently been removed from service. Requirements for continuous repair has kept only 6 of the remaining vessels in operation.
- (3) The following type vessels should be placed at the disposal of the Moji Maritime Safety Bureau:

<u>NUMBER</u>	<u>TONNAGE</u>	<u>SPEED</u>
9	1000	20 knots
18	500	20 knots
<u>48</u>	<u>100</u>	20 knots
75	22800	

- (4) Ship to shore radio be provided.
- (5) The Bureau study and correct the utilization of personnel (Moji Maritime Bureau has 990 persons assigned, 502 of whom are used on administration and 488 in operations.)
- (6) An adequate supply of fuel be allocated to the Maritime Safety Bureau.
- (7) The Maritime Safety Board Law should be amended to allow accomplishment of (3) through (6) above.

c. Extension of the Z/R of the Kyushu Maritime Bureau so that it coincides with the Z/R of the 24th Infantry Division.

- (1) In connection with a study now underway whereby the nine regions

*Secret**exceptional allocation**10/d 148A*



Authority: 2020 NARA  
 By: 2020 NARA Date: 10/01/07

Secret

of the Maritime Bureau would be reduced to six, consideration should be given to extending the Zone of Responsibility of the Kyushu Region so that it coincides with the zone of the 24th Infantry Division.

ESS ✓  
Immigration  
d. Establishment of a central information center to coordinate the activities of all Japanese agencies engaged in apprehending illegal entrants and smugglers. In the Kyushu region, such a center should be established at Moji.

(1) This Central Information Agency at Moji should be established and operated by the Japanese.

ESS ✓  
ccs ✓  
e. Establishment of an effective communications net between a Central Information Center in Moji and prefectural National Rural Police Headquarters.

(1) The Japanese have adequate equipment to establish this communications net.

PSD  
f. Conduct of a joint survey of all coastal watch stations by the National Rural Police and the Maritime Bureau. The purpose of this survey would be to determine which watch stations now in use serve a beneficial purpose, those which have little value, and to make recommendations for new stations in areas deemed to be of critical importance.

(1) This survey of all coastal watch stations should be made; however, it is proposed that the National Rural Police not be involved. Communication facilities should be provided each station.

g. Manning of all watch stations on a 24 hour basis by members of the National Rural Police or Municipal police; arming of these police.

(1) We do not wish to make any proposal in terms of using police because of their authorized strength in relation to their assigned duties.

Foreigner?  
h. Requirement that all Koreans in Japan have their Korean registration certificates verified and "hanned" once each year with a special date stamp, or that new registration certificates be issued at periodic intervals.

(1) This idea may not be practicable because of the possibility of claims of discrimination.

i. Establishment of National Rural Police and Municipal Police check points on entrance routes to all major cities and rail centers to check Korean registration certificates.

(1) It is understood that sufficient National Rural Police and Municipal Police check points have been established.

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j. Establishment by the Japanese Government of an Illegal Entrant Screening Center at Hario Repatriation Center to screen, photograph, fingerprint, and establish card files on all illegal entrants. This Center could also be used to secure direct intelligence and counter-intelligence information, as well as to provide a more effective means of uncovering known agents and couriers if CIC personnel were detailed for duty at the Center.

- (1) The Japanese Government should be required to establish the screening center at Hario, with CIC supervision. Attention is invited to the 24th Division letter attached as inclosure 1 to Eighth Army study.

k. Establishment by the Japanese Government of a Criminal Court at Sasebo, competent to adjudge maximum sentence on all illegal entrants apprehended. Consideration should be given to suspension of sentences for first offenders so that upon illegal return to Japan the offender could be immediately punished without further action.

- (1) Recommend consideration be given to directing the Japanese Government to take care of repeaters, the court action to be at the discretion of the Japanese.

l. Institution of a publicity campaign in both the Japanese and Korean press to stress the illegality and punishment connected with illegal entry, and to request the support of local citizens in reporting suspicious persons to the police.

- (1) There is an extensive program underway at the present time. Posters are being displayed all along the coast and notices published to the people entreating them to turn in any suspicious persons. It is suggested that the present publicity campaign be intensified and that consideration be given to increasing current newsprint allocation as a means of achieving this publicity.

m. In addition to the items listed in the proposed agenda, it is recommended that a request be made to the Korean Diplomatic Mission, for action by Korea to prevent departure of illegal entrants from Korea.

n. Recommend that consideration be given to some system which will expedite the legitimate request of a Korean to get in and out of Japan. The family, economic, social and cultural relationships established over a long period of time between Korea and Japan make a complete severance of these relationships very difficult to enforce. It is believed that rapid handling of these requests would prevent many persons from attempting the unlawful travel. In this connection, consideration should be given to establishment of a regular licensed transportation facility to operate between the two countries, to be supervised by the Japanese customs and immigration agencies.

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Authority: W.D.T. 500  
By: 20 NARA Date: 10/01/07**SECRET**

m. In addition to the items listed in the proposed agenda, it is recommended that a request be made to the Korean Diplomatic Mission, for action by Korea to prevent departure of illegal entrants from Korea.

n. Recommend that consideration be given to some system which will expedite the legitimate request of a Korean to get in and out of Japan. The family, economic, social and cultural relationships established over a long period of time between Korea and Japan make a complete severance of these relationships very difficult to enforce. It is believed that rapid handling of these requests would prevent many persons from attempting the unlawful travel. In this connection, consideration should be given to establishment of a regular licensed transportation facility to operate between the two countries, to be supervised by the Japanese customs and immigration agencies.

**SECRET**



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS  
Civil Intelligence Section, G-2  
PUBLIC SAFETY DIVISION

APC 500  
10 August 1949

## MEMORANDUM:

SUBJECT: Conference

TO: Chief, Public Safety Division

1. Subject of Conference: Suppression of Korean Illegal Entry  
Sub-conference on Revisions of  
SCAPINs to allow Enforcement of  
Existing Laws.
2. Time of Conference: 1330 - 1630, 9 August 1949
3. Location of Conference: G-3 Conference Room, Dai Ichi Bldg.
4. Personnel Attending: Lt Col R. C. Erlenbusch - G-1  
Lt Col B. L. Anderson - G-3  
Lt Col R. T. Battey, II - PSD/G-2
5. Purpose of Conference: To draft proposed revision of a SCAPIN  
for consideration of conference group working on project concerning re-  
quirements to make Japanese law effective.
6. Discussion: Seven (7) SCAPINs immediately affecting this prob-  
lem were discussed. Proposed rough draft developed for further consid-  
eration.
7. Conclusion and Agreements: Rough draft copies to be reproduced  
and informally transmitted to representatives of G-1, PSD/G-2, G-3, DS,  
ESS, GS, LS and at suggestion of PSD/G-2, to G-4 who should now be in-  
cluded. As agreed in conference of same sections on 5 August 49, this  
draft will be studied and revamped in conference on 16 August 49.
8. Action: Conference to be continued on 16 August 49 with repre-  
sentatives of G-1, PSD/G-2, G-3, G-4, DS, ESS, GS, LS present.

## 2 Incls:

1. Proposed SCAPIN
2. Reference SCAPINs (7)

R. T. BATTEY, II  
Lt Col, GSC  
Executive Officer

Authority: WNDTSC  
By: 280 NARA Date 10/01/07

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GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS

## CHECK SHEET

(Do not remove from attached sheets) CW/JN/JW/CFG/vs

Subject: Cabinet Order

Capt. Guida

26-6076

Note No:

From: Govt Sec

To: G-2

Date: 25 August 1949

1. The following Cabinet Order, examined and certified by the Attorney General as being in strict compliance with the directives of the Supreme Commander, the Constitution, and the laws of Japan, was published on 10 August 1949:

Title: The Cabinet Order concerning Immigration Surveillance

2. The attached copy is for your information.

1 Incl:  
Cabinet Order

C. W.

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## Cabinet Order No. 299

The Cabinet Order Concerning  
Immigration Surveillance

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

## (Purpose)

Article 1. The purpose of this Cabinet Order is to provide for surveillance of the entry into and departure from Japan (to be hereinafter referred to as immigration) of all individuals (excepting Occupation Forces personnel, military and civilian, and their dependent travelling under official orders) authorized by the Supreme Commander for the Allied Powers to enter into or depart from Japan; 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 services.

## (Establishment of Immigration Service Division)

Article 2. The Controls Bureau of the Ministry of the Foreign Affairs shall have the Immigration Service Division.

## (The Functions of Immigration Service Division)

Article 3. The immigration Service Division shall take charge of the following affairs:

- (1) Filing records of immigration.
- (2) Duties to be performed by Immigration Officials.
- (3) Surveillance of immigration, besides those mentioned in the preceding two items.
- (4) Liaison and coordination among the functions of the concerned administrative organs with respect to the prevention of illegal entry and deportation of illegal entrants, etc.

(5)

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- (5) Liaison with the authorities of the Allied Powers with respect to the matters mentioned in the preceding items.

(Immigration Officials)

Article 4. 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.

2. The Minister for Foreign Affairs 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 Minister for Foreign Affairs.

(Immigration Surveillance Liaison Council)

Article 5. The Immigration Surveillance Liaison Council shall be established as an auxiliary organ of the Ministry of Foreign Affairs for the purpose of promoting liaison and coordination among the functions of the administrative organs concerned with respect to the immigration surveillance, the prevention of illegal entry and the deportation of illegal entrants, etc.

2. The organization, responsibilities, members and other personnel of the Immigration Surveillance Liaison Council shall be provided for by Cabinet Order.

Supplementary Provisions:

1. This Cabinet Order shall come into force as from the day of its promulgation.
2. The National Government Organization Law (Law No. 120 of 1948) shall be partially amended as follows:

In the Annexed Table No. 2,

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- 3 -

The Ministry of Foreign Affairs	
The Political Affairs Bureau	The Public Information Division

shall be amended as

The Ministry of Foreign Affairs	
The Political Affairs Bureau	The Public Information Division
The Controls Bureau	The Immigration Service Division

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

Article 4 item (20) shall be item (21), the numbering of the succeeding items shall be moved down by one, and next to item (19) of the same Article the following one item shall be added:

(20) Surveillance of immigration and 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. The following one paragraph shall be added to Article 5:

3. The Immigration Service Division shall be established in the Controls Bureau under the Cabinet Order concerning Immigration Surveillance (Cabinet Order No. 299 of 1949).

The following one item shall be added to Article 10:

(8)

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(8) Liaison and coordination among the functions of the administrative organs concerned with respect to the immigration surveillance the prevention of illegal entry and the deportation of illegal entrants, etc. The following one paragraph shall be added to the same Article:

2. The Immigration Service Division shall, in accordance with the provisions of the Cabinet Order Concerning Immigration Surveillance, take charge of the affairs provided for in item (8) of the preceding paragraph.

In Article 12, "Central Liaison Council" shall be amended as  
"Central Liaison Council

Immigration Surveillance Liaison Council"

Next to Article 14, the following one Article shall be added:

Article 14-(2) With respect to the Immigration Surveillance Liaison Council, the provisions of the Cabinet Order concerning Immigration Surveillance shall apply.

4. The Ministry of Finance Establishment Law (Law No. 144 of 1949) shall be partially amended as follows:

Next to Article 20 item (4), the following one item shall be added: (5) Endorsement by means of stamping of passports or their substitute documents.

5. The Customs Law (Law No. 61 of 1899) shall be partially amended as follows:

In Article 101.5 paragraph 1, next to "Any person who wants to enter into or leave from Japan", "(excepting Occupation Forces personnel, military and civilian, and their dependents, travelling under official orders)" shall be added; "vised by the Customs" shall be amended as "endorsed, by means of stamping, by the Immigration Officials"; and in paragraph 2 of the same Article, "Customs Officials" shall be amended as "Immigration Officials."

6.

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- 5 -

6. The Cabinet Order concerning Control of Exports and Imports of Property and Cargo (Cabinet Order No. 199 of 1949) shall be partially amended as follows:

In the heading of the Article 34, "Vise of a Passport" shall be amended as "Endorsement by means of Stamping of a Passport"; in paragraph 1 of the same Article "exit from Japan, present passport \_\_\_\_\_" shall be amended as "exit from Japan, present to Custom Houses passport \_\_\_\_\_"; "authentication" shall be amended as "endorsement by means of stamping by Immigration officials"; "In this case, Immigration Officials"; and in paragraph 2 of the same Article, "customs officials" shall be amended as "Immigration Officials".

Minister for Foreign Affairs

Minister for Finance

Prime Minister

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## DISCUSSION AT CONFERENCE ON

Suppression of Korean Illegal Entry

15 July 1949

Meeting opened at 1400 hours, 15 July 1949 by Lt Col R. T. Battey, II, PSD.

PSD: This meeting was called to discuss an 8th Army letter forwarded to G-2, PSD, for action by D/CS. For orientation of those present it is desired to establish certain facts bearing on the problem preliminary thereto. The prepared agenda will serve as a guide. The first item is - the Scope of the Conference.

"To consider the problem of suppression of illegal entry and smuggling as it affects the economy and stability of Japan and the objectives of the Occupation with the purpose of formulating recommendations to the Chief of Staff as to possible measures which will improve the existing situation."

Col Pulliam/PSD: Just a little review to adjust our sights toward what we are driving at. I am going back to post-surrender policy and to the ultimate objectives of that policy. Number one, to establish at the earliest possible moment a democratic government dedicated to the performance of responsibilities, to respect the rights of other states, and to respect the individual human rights of the individual. SCAP, thru the general and special staff sections, delegated measures and responsibilities. Policies, plans, advice, guidance and training of agencies established within the Japanese Government to perform certain functions followed, and thru this medium the ultimate objectives are sought. Within these agencies a great deal of effort and training has gone into their establishment with a view towards educating and, thru the process of training and operation, to get those agencies in an operational status. These agencies were primarily for the purpose of the civil needs of Japan. Within Japan there are occupation objectives and civil objectives that must be reached, assuming the ultimate goal is to be accomplished. Somewhere between these agencies of the Japanese Government -- both civil needs and needs of the occupation -- it appears is the ground upon which the problems rests. If the Japanese agencies are used entirely and ultimately for nothing but to gain or to continue the security of the occupation forces, it is far short of the ultimate goal, which is the ultimate objective set forth at the beginning of the occupation. These civil agencies must pull the load for the civil needs contributing as much as possible to the occupation needs. To take Japanese agencies that have been under SCAP and utilize them to the complete disregard for the civil needs of Japan, is falling short of the occupation objectives. Background and statistics from pertinent individuals will be helpful. Will 8th Army open the "prosecution"?

8th A-4-3: Eighth Army is prepared to submit recommendations for consideration. Eighth Army's initial letter to GHQ was mimeographed and it is believed that members attending have read and have available the statistical background from 8th Army's viewpoint. It is assumed that all conferees are familiar with the situation.

PSD: Have other sections anything to submit of a statistical nature?

ESS: ESS is particularly interested in the operations of customs. The Customs was reorganized in 1946 under the Ministry of Finance. In the beginning they were disorganized and not able to operate effectively; however, in 1947 they began to work

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hard on the smuggling propositions and established 104 guard posts around the islands, and 45 customs officers at 44 branch custom houses. In 1947 they captured or handled around 400 smuggling cases, better than 500 in 1948, 700 in 48-49, and in the first three months of fiscal year, over 500 cases. They have not paid particular attention to illegal entry of persons; however, Korean or Chinese who have come in as smugglers have been dealt with and turned over to 8th Army for deportation.

- PSD: Do you have the approximate yen value of smuggled goods in Japan?
- WSS: Approximately over 500 million yen for this year.
- PH/W: During all 1948 we had only 29 cases of small pox in Japan scattered about the country - during 1949, first 6 months, 117 cases, concentrated in the southern part of Japan. Osaka had an outbreak. Fukushima and Yamaguchi were the next highest prefectures. They report almost as many introductions of disease as there were cases. Oita, Nagasaki and Tottori have more than one case. Yesterday, a case was reported in Niigata. There are other diseases. What is in Korea is not known as reports on the state of health there are unobtainable. Plague and typhus may be imported. PH/W would certainly like to see all people coming into the country pass proper quarantine procedures.
- PSD: Has ComNavFE anything to add?
- COMNAVFE: Nothing to add.
- PSD: Do any other sections have anything to add on this particular point? (No answer)  
Item #3 - Framework of laws under which law enforcement agencies operate.
- LS: There are adequate laws to take care of this problem. Imperial Ordinance 207 requires registration of aliens. For the purpose of that law Koreans would be considered aliens. Koreans who have entered illegally, the penalty is 6 months imprisonment or up to 50,000 yen fine, according to SCAPIN 996. Japan has custom laws which provide for punishment. Imperial Ordinance 311 gives them up to 10 years for smuggling. The laws are adequate for punishment.
- PSD: Are the procurators enforcing these laws through the courts?
- LS: As far as known, they are, but if these people are not caught the procurators don't get a chance to prosecute them.
- 8th A: SCAPIN 1391 states what will be done with Koreans. Therefore, Japanese courts say Imperial Ordinance #207 is not applicable to Koreans because 1391 sets forth in pars 1, 2, 3 and 4, Koreans will be deported administratively. No provisions in 1391 for court penalties. Result - no court cases have ever been held against Koreans. The fact remains that Imperial Ordinance #207 is a Japanese law - how they want to interpret it is up to them.
- LS: Imperial Ordinance #207 specifically provides for Koreans as aliens. There is no question as to how they interpret it. They say a SCAPIN takes precedence over a Japanese law.
- PSD/Police: Japanese police are unable to take court actions upon apprehension because public procurators have the view that SCAPIN supersedes Japanese law and they cannot enforce the Japanese counterpart.



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G-3:

It will take about 24 hours to rescind SCAPIN 1391. The purpose of 1391 when written had to do with the apprehension of Koreans, and putting them thru cholera quarantine. It is a single matter to revise or rescind 1391. Illegal Koreans are Koreans in two categories - those who are in Japan since 2 Sep 1945, repatriated to Korea and since that time smuggled back to Japan - and those who were never in Japan subsequent to 2 Sep 1945 and who have come into Japan. Here are statistics on the numbers carried back:

1945-46	total carried back:	15,426
1947		6,248
1948		6,940
1949	(first 6 mos)	3,976

PSD:

We would like an 8th Army recommendation.

8th A:

(Read SCAPIN 1391, par 4a thru e, as follows)

L&amp;G

"The Imperial Japanese Government will:

- a. Continue in effect measures to detect ships illegally entering Japanese ports.
- b. Seize all such ships and where possible sail them together with their crews, passengers and cargo to Sasebo or Maizuru and deliver them to United States military authorities at those ports.
- c. Place all Korean illegal immigrants apprehended in Japan in cholera quarantine and otherwise medically process them according to existing memoranda covering entrance of persons into Japan. Upon clearance by quarantine officials, transport them to the Sasebo Reception Center by rail.
- d. Outload Korean illegal immigrants from the Sasebo Reception Center on shipping designated for this purpose.
- e. Furnish Japanese police for guards aboard trains and repatriation ships transporting Korean illegal immigrants."

Imperial Ord 207 prohibits anyone from entering Japan without proper authority - penalty of 6 months and 50,000 yen fine. Under 207 the Governor may order a person deported and if person does not leave upon order of the Japanese Governor, then the Prime Minister's office may compulsorily deport him. One thing must be considered in the Japanese law. Japan has no method of contact with foreign countries except thru SCAP. You must have the consent of the country to which they are being deported. Japanese laws are hindered in that way. When SCAPIN 1391 states the Japanese Government will take certain steps, the Japanese interpret that is the way it has to be done. Amendment to permit a court sentence before deporting, is desirable. Ships - Amendment to cover illegal shipping is required. Military authorities now receive ships that have been confiscated and turned over to the Ministry of Finance who does not know what to do with them as there is a question of possible ownership and claim. There are provisions in the Japanese law that ships used illegally can be confiscated by Japanese law, therefore, 1391 should be amended. Ships should be turned over to Japanese rather than Army authorities and dealt with according to Japanese law.

PH/W:

When an illegal entrant is apprehended is he subject to Japanese law and penalized and afterwards deported?

8th A:

The policy has been to send them right back without punishment - this is considered more of a punishment by many.

L&amp;G

PH/W:

It is not much of a punishment when they come back the next week.

8th A:

We feel there should be an amendment to 1391 to relieve any question of conflict. 8th Army is ready to make recommendations on that basis.

L&amp;G



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PSD/  
Maritime: It appears 1391 is based on cholera epidemic. If PH/W is willing to forget the cholera there is no problem.

PH/W: There has not been any cholera that we know of recently. It is not known what will happen. On that basis cholera immunization will be required.

PSD: Is that measure sufficiently imminent to retain 1391 as a cholera precaution as against what might be done as a result of amendment?

PH/W: It could be handled that way.

DS: Just what do we want to do with illegal entrants? Imperial Ord 207 or SCAPIN 1391? 1391 sends them back to Korea, Imperial Ord 207 puts them in jail and then returns them to Korea. First thing we must do is to find them and then decide whether we want to return them to Korea under 1391 or put them in jail under 207.

PSD: Recommendations are in order.

8th A: Recommendations: Revision of current SCAPINS to allow enforcement of existing laws covering illegal entry.

- (1) SCAPIN 1391 should be amended so that there will be no question on the part of the Japanese Government that it can prosecute an illegal entrant and impose penalties under the provisions of Imperial Ordinance No 207 if desired, before the illegal entrant is administratively deported.
- (2) Further amend SCAPIN 1391 by eliminating the portion which requires the Japanese Government to turn over illegal vessels to military authorities. Disposal of these vessels should be subject only to Japanese law.
- (3) Recommend to the Japanese Government that Imperial Ordinance No 207 be amended to provide:
  - (a) A penalty for failure of an alien to have in his possession at all times his alien registration card.
  - (b) That the penalties in Article 12 be substantially increased.

PSD/Police: Is a registration card renewable each year? They are not renewable now.

8th A: 8th Army will go along with that -- Renewal of registration cards once each year.

PSD: Does anyone else have anything to add?

G-4: SCAPIN 1758 exercises jurisdiction over vessels, with limitations. What can be done with certain vessels?

(Discussion of Vessels - Par 3, SCAPIN 1758 read as follows)

"Vessels from Korea, the Marianas, the Ryukyus and other places occupied by the Allied Occupation Forces, which carry duly authenticated documents purporting to be clearance papers from military government officers, or duly authorized port authorities, will be recognized by the Japanese Government as having entered Japanese territorial waters and ports legally. However, such vessels will be subject to the jurisdiction of the Japanese Government, and its tribunals and agencies, if, after entry into Japanese territorial waters, and ports, they are used for illegal purposes, or are involved in illegal acts, which would make such vessels answerable to the Japanese Law; but the

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Japanese Government will obtain the approval of the Allied occupation authorities before taking jurisdiction in such cases".

PSD: PSD has been working on this for four years and can continue to make recommendations to make it more fool-proof, but we have the same individuals. We can make the best fool-proof law but that is not saying it will make one iota of change as far as illegal entry is concerned. How are the Japanese going to operate these laws?

8th A: Will implement this particular recommendation.

PSD: It seems that laws are available to enforce. To orient those present on the problem of exactly what the law enforcement agencies can do, Mr. Maten will present the police aspect

PSD/Police: The police side of the story is as follows: The mission of the police includes NRP and MP (125,000 personnel), is to enforce the law against smuggling and illegal entry, but limited to land. There are exceptions, one is that when in hot pursuit they can go on into the water. NRP and MP operate under a coordinated plan to assist the MSB on their boats whenever they call for assistance. They can take advantage of the fact that the police are armed. Another exception is that NRP, who have no boats, can enforce the law on anchored ships in small harbors by borrowing harbor patrol boats. The MP are in better shape, they have harbor patrol boats and enforce the laws in harbors as well as MSB. The MP and NRP supervise look-out posts. These look-out posts are inefficient, they are in plain sight and have proven 1 per cent efficient. NRP has 198 of these posts, 18 police supervising and 1,133 civilians operating; and MP has 75 posts with 36 police supervising and 564 civilians operating. Plans are to establish 51 additional posts, 43 by NRP and 8 by MP. One post will be established in Fukui, Ichikawa, Toyama, Tokoshima and Kagawa. They plan to raise the total to 2,120 civilians. NRP has an agreement with private boat owners to borrow their boats when they are needed for apprehending illegal entry or smugglers. They have 84 such contracts. They keep ready 255 policemen to apprehend smugglers. MP have 77 which they own and use expressly for this purpose. NRP has communication facilities at 31 posts. MP has communication facilities in 58 out of 75 observation posts. NRP communications to these facilities are fairly strong. NRP had inadequate personnel, 30,000 policemen scattered throughout the rural areas in 6,000 odd villages. The NRP has inadequate land transportation and communications. The last item on limitations is the present kid-glove handling of illegal entrants.

- (1) No court of any kind handles Koreans between pick-up and delivery in Korea.
- (2) A Korean smuggler can dispose of smuggled goods, then stop at a police station, declare himself an illegal entrant, and get free transportation back
- (3) Korean league members get permits to return to Korea, then sell permits to smugglers, who can then go to Hario and await transportation back without undergoing police questioning.
- (4) Increasing arrests and apprehensions will not solve the problem.

PSD: There is an important matter in the 8th Army letter which referred to MSB.



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PSD/  
Maritime:

Communications net work is inadequate to the extent of 400 million yen which they have not been able to get out of the Japanese Government or MSS. Their communications are very poor and personnel came from the old General Maritime Bureau. They know nothing. We recently reorganized MSB. We do have a lot of sea-faring men. All direction is by sea-faring men and we hope to get some results. We have 23 bases in operation and should have 40, at least. MSB has adopted several programs which are considered good but Japanese economy cannot take the impact. They have many limitations of equipment and ships. If MSB is to apprehend these people they must have lots more than they have now.

8th A:

8th Army Recommendations:

MSB laws be amended to allow the accomplishment of 4 items:

- (1) The following type vessels should be placed at the disposal of the Moji Maritime Safety Bureau:

<u>No.</u>	<u>Tonnage</u>	<u>Speed</u>
9	1000	20 knots
18	500	20 knots
48	100	20 knots
<u>75</u>	<u>2500</u>	

- (2) Ship to shore radio be provided.

- (3) The Bureau study and correct the utilization of personnel (Moji Maritime Bureau has 990 persons assigned, 502 of whom are used on administration and 488 in operations.)

- (4) An adequate supply of fuel be allocated to the Maritime Safety Bureau.

And recommends that the smuggling vessels be turned over to the Japanese and these boats utilized by MSB for patrol work.

DS: Does the Law have to be amended for the purpose?

PSD: It would have to be. Fifty thousand ton total is what they can have and 15 knots maximum speed.

G-4: G-4 has requested a study of what is needed. For example, vessels for coastal patrol have to be provided for in the budget.

PSD: The budget is definitely limited in more ways than one and the 9 point program outlined by SCAP further puts a limitation on both what can be done and the number of vessels.

PSD/  
Maritime:

MSB is, at present, in the process of working on a vessel construction program and on this basis 60 vessels of various types and sizes are to be built over a period of the next 5 years. Sixty vessels will not increase the fleet - they will be used to retire the fleet they are now using, and which is completely inadequate. These new vessels are to replace the old ones. MSB has other responsibilities besides illegal entry. The number of employees of MSB at Moji includes all of those in the lighthouse and hydrographic divisions who have nothing to do with law enforcement. A very small percent are actually assigned to law enforcement in the Marine Safety Division. The figures quoted concerning 15 knots - it is doubtful if this can be changed. The Far East Commission set 15 knot speed limit for vessels in Japan. More stress should be laid on detecting equipment, such as, radar. Put a ring around Japan and illegal entry will continue. They must have radar to detect. They must have equipment. Stress should be made not on quantity but

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quality on patrol vessels. Japan's economy can only stand so much. It is doubtful if they have money to build proposed ships. If so, it will be at least two years.

PSD: WSS has an interest in the law enforcement mission.

WSS: The Customs people are authorized to arrest violators and turn them over to the public procurator.

PSD: How large a force do you have?

WSS: 145 guard posts scattered around the island - 2,170 personnel in all custom houses. They are not armed but they are ready to handle the administrative end of this problem. If Japanese customs were given responsibility for controlling illegal entry of individuals as well as commodities and ships, some system could be effectively worked out between police, MSB, customs and any other law enforcement agency. It would be more effective if coordinated.

PSD: Public Health and Welfare - do you have anything to add?

PH/W: PH/W is interested in enforcing the narcotics law. At present, 90% of all narcotics are smuggled into Japan. A very small quantity of heroin was seized; 260 grams, which on the black market represents 700 to 800 thousand yen. It was brought from Korea to Beppu. By the time the evidence is intercepted the man who brought it over is back in Korea again. Probably he is an illegal entrant. If smuggling could be stopped narcotics control would be eased considerably.

PSD: Does COMNAVFE have anything to add?

COMNAVFE: No.

8th Army: Recommendations:

In connection with a study now underway whereby the nine regions of the Maritime Bureau would be reduced to six, consideration should be given to extending the Zone of Responsibility of the Kyushu Region so that it coincides with the zone of the 24th Infantry Division.

8th A/G-2: Ninety percent of illegal entrants made entry into the Zone of Responsibility of the 24th Division. 8th Army is charged with the surveillance of Japan, with the Japanese Government responsible for the suppression of illegal entrants. By changing just one boundary involved, Yamaguchi and Shimane, it would facilitate the surveillance.

PSD: This would change an area of responsibility that was primarily established for civil needs to accomplish an occupation desire. Is such justified?

PSD/  
Maritime: It would hurt MSB a great deal. If that was all it would be, all right. There are too many things involving 6 or 7 local headquarters.

PSD: 8th Army has a series of recommendations. It is suggested that they now offer these recommendations for discussion.

8th Army: Recommendations:

Establishment of a central information center to coordinate the activities of all Japanese agencies engaged in apprehending illegal entrants and smugglers. In the Kyushu region, such a center should be established at Moji.



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- (1) This Central Information Agency at Moji should be established and operated by the Japanese.

Establishment of an effective communications net between a Central Information Center in Moji and prefectural National Rural Police Headquarters.

- (1) The Japanese have adequate equipment to establish this communications net.

- CCS: Moji is too far away. There is now a communications center at Fukuoka. To run a cable from Fukuoka to Moji will take approximately 100 million yen.
- 8th A: Is this necessary? We are not considering putting in a center for a communications net work but to tie them into the system which is already established for the NRP or even the Japanese domestic radio. In reference to radio Moji is more or less isolated as far as communications are concerned, as compared with Fukuoka. Why Moji instead of Fukuoka when they are both more or less harbor stations and as far as patrol boats contacting them we wondered what the points of decision were?
- CCS: What type of traffic will be handled over such a net work? What is the purpose of communication? Is it to dispatch messages to police or just administrative traffic?
- 8th A: Don't know what type of traffic they will handle up there. It is more of a location where all agencies involved in handling illegal entry or smuggling would join their forces to do the job.
- 8th A/C-3: CCS is considering another aspect. This is regarding a Central Information Center, a screening center. The marine Bureau is charged with the prevention of illegal entry. Operational instructions to enforcement agencies would not be involved. Presumably it would be in connection with MSB and also tie in with NRP.
- PSD/  
Maritime: MSB has 35 patrol boats, nine of which do not have a radio. The purpose of setting up adequate communications net work will be accomplished if the Japanese Government is directed to complete present Maritime Safety Board communications. What would ESS think about this expenditure.
- ESS: At the present time it could not be done, before budget of the next fiscal year. The cost would be approximately 500 million yen.
- G-1: Do you have any idea who would operate the Information Center? It outlines certain steps that are to be taken immediately and subsequently. One of those things is the responsibility of illegal entrants. In talking with Japanese Government there are certain big problems they have right now. One, organizational difficulties. The budget for the fiscal year has been established and as far as immigration is concerned, budgeted under customs. In addition, there has been a cut. Customs people in order to absorb will have to put out some of their customs fees. They are concerned with establishing these Central Information Centers, basically communications net work, but there is nothing in the budget which would permit establishment of communications net work. If we can solve budgets and the problem of organization within the Government on a national level, we can solve your problem. At the present time information will funnel thru SCAP agencies, subsequently thru some form of intelligence forces outside of Japan.

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PSD: There is no question but what this service belongs in the Immigration Bureau and not a law enforcement agency that belongs in the administrative section. The immigration people are the center of motivation thru which the law enforcement people should do their job.

PSD/  
Maritime: Under Japanese law, the MSB acts only as agent in enforcing the law of the Japanese Government, and for which various other JC agencies are responsible.

G-3: It seems that an illegal Korean is a criminal. It would seem efficient to keep records on illegal Koreans here. The police would have the own card index file on repeat offenders.

PSD/Police: If we can put this thing in the hands where it should be, into the Japanese hands, the National Identification Bureau should be the ones to trace those fingerprints.

PSD: What appears to be the consensus on this first recommendation? Where does it belong? I feel that service starts and stems from immigration. It is not according to laws as we know them.

8th A: 8th Army has confined its recommendations to the illegal entry program. Our information would indicate that the JC have adequate equipment to establish this communications net at Moji and in connection with our recommendation. In connection with our other recommendations, you have one place from which to control illegal entrants at the center of illegal entry area.

8th A/G-3: Since this Central Information Center has been discussed more fully and question has come up as to who should establish such a net, since Fukuoka is the NIP headquarters and communication facilities are probably the best in that region for the dispatch of such operational instructions, it would be advisable to establish an additional radio station for contact with Fukuoka which, in turn, can contact Kofu stations or areas where the apprehension can go into gear. There is no police radio network at Moji, but such a station would not be too difficult to put into operation. Further, patrol boats could work into this station at Moji on the same frequencies as used for contacting Fukuoka.

8th A: It appears that this discussion is a technical one that could be settled by technical people

PSD/  
Maritime: Our intelligence from the Air Force is spotty. If there is a training flight out they will let us know what they observe. We don't think the Navy wants to burden themselves with patrol activities. Where is all this intelligence to come from? Maybe the Air Force can help us out.

WEAF: All the flights which are scheduled at the moment provides surveillance across the area of Korea and Japan, and all that information goes into the 5th Air Force surveillance center. Information received is limited to a number of factors, namely; number and size of ships. At present, ships of 500 tons or more are reported as long as they are out of the 12-mile limit. Anything from a rowboat to 500 tons is not reported. For an aircraft to be travelling at 500 ft. 150 to 250 miles, passing a rowboat, wiring all that information back is quite a strain on the crew, so it is limited to 500 tons at a minimum and 12-mile area. If additional information is desired it can be obtained - full description of vessel and photographs are given. They go to the headquarters and out thru regular distribution channels.

PSD/  
Maritime: It will be rare indeed when a 500 tone vessel is engaged in illegal entry.

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G-3: I agree with that.

8th A: Recommendation:

Conduct of a joint survey of all coastal watch stations by the National Rural Police and the Maritime Bureau. The purpose of this survey would be to determine which watch stations now in use serve a beneficial purpose, those which have little value, and to make recommendations for new stations in areas deemed to be of critical importance.

- (1) This survey of all coastal watch stations should be made; however, it is proposed that the National Rural Police not be involved. Communication facilities should be provided each station.

PSD: We have heard from Mr. Eaton as to his views, now let us hear from Mr. Rettew.

PSD/  
Maritime: There may be specific cases, however, look-out stations will not justify themselves. Look-out stations are important for seeing disaster vessel flares, but to apprehend illegal entrants it is almost impossible. Illegal entrants just will not go near them. We don't object to the survey. If it is found that a specific look-out station justifies itself, go ahead and have them.

PSD/Police: The survey is heartily endorsed. It will establish that they are not necessary at all. The police can do much better with less expense by putting up stake-ups.

PSD/  
Maritime: Since this affects another agency, if the survey indicates the inadequacy of the look-out stations, they should be abandoned and present personnel utilized as roving patrols.

8th A: Recommendation:

Manning of all watch stations on a 24 hour basis by members of the National Rural Police or Municipal police; arming of these police.

- (1) We do not wish to make any proposal in terms of using police because of their authorized strength in relation to their assigned duties.

We retract that - we do not wish to make any proposal because of police authorized strength in relation to assigned duties. Watch stations may be manned by Marine people and not the police.

PSD: The situation is the same for the coast guard as for the police. Those two recommendations more or less paralleled ours.

8th A: Recommendation:

Requirement that all Koreans in Japan have their Korean registration certificates verified and "stamped" once each year with a special date stamp, or that new registration certificates be issued at periodic intervals.

- (1) This idea may not be practicable because of the possibility of claims of discrimination.

Establishment of National Rural Police and Municipal Police check points on entrance routes to all major cities and rail centers to check Korean registration certificates.

- (1) It is understood that sufficient National Rural Police and Municipal Police check points have been established.

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- G-1: There are about 1 million Koreans in Japan and about 600,000 registered.
- DS: It is undoubtedly true that even registration of this sort would be a form of discrimination. Registration is only one step that will have to be taken, there will be further actions taken that will be of greater discrimination. To start any program it is imperative that there be a registration. We contemplate going further. Immigration and identification has been discussed with steps to be taken to differentiate nationalities - Japanese, Koreans, Chinese, etc. The registration is not discriminatory, but essential.
- GS: To reissue passes yearly would put a very heavy load on Japanese courts.
- DS: We feel that is an administrative burden but that has to be assumed and can be worked out.
- 8th A: Recommendation:

Establishment by the Japanese Government of an Illegal Entrant Screening Center at Harjo Renatristion Center to screen, photograph, fingerprint, and establish card files on all illegal entrants. This Center could also be used to secure direct intelligence and counter-intelligence information, as well as to provide a more effective means of uncovering known agents and couriers if CIC personnel were detailed for duty at the Center.

- (1) The JG should be required to establish the screening center at Harjo, with CIC supervision. Attention is invited to the 24th Division letter attached as inclosure 1 to 8th Army study.

- CIC: With regard to a screening center, CIC feels that it is a police problem rather than a CIC problem. We do not feel that we should be responsible for a center which is primarily to get these people prosecuted, or out of the country. We can supplement our existing facilities at the renatristion center. We can reinforce Sasebo to aid in collection of any intelligence that might be obtained.
- 8th A: This screening center function seems to be involved in prosecution of these individuals.
- PSD/Police: We have just assisted the Japanese police in establishing a good identification set up. At present every illegal entrant is being fingerprinted and photographed. In connection with this proposal it seems the only purpose would be interrogation by the information center which could be done by CIC. We hope we can get SCAPIN 1391 readjusted.
- PSD/  
Maritime: Since SCAPIN 1391 was issued as a cholera epidemic control, if PH/W is willing to handle the cholera control in some other manner, the entire SCAPIN could be rescinded.
- PSD: What does PH/W have to say in this?
- PH/W: Just means a continuation of what we have done up to now - seeing that they get the proper immunization and that their health is taken care of.
- 8th A: Recommendation:



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Establishment by the Japanese Government of a Criminal Court at Sasebo, competent to adjudge maximum sentence on all illegal entrants apprehended. Consideration should be given to suspension of sentence for first offenders so that upon illegal return to Japan the offender could be immediately punished without further action.

- (1) Recommend consideration be given to directing the Japanese Government to take care of recaster, the court action to be at the discretion of the Japanese.

LS: It is not necessary to advise the Japanese to be lenient, they are too lenient now. If you suspend the first sentence of every offender each one would come back.

8th A: Recommendation:

Institution of a publicity campaign in both the Japanese and Korean press to stress the illegality and punishment connected with illegal entry, and to request the support of local citizens in reporting suspicious persons to the police.

- (1) There is an extensive program underway at the present time. Posters are being displayed all along the coast and notices published to the people entreating them to turn in any suspicious persons. It is suggested that the present publicity campaign be intensified and that consideration be given to increasing current newspaper allocation as a means of achieving this publicity.

PSD: CI&E will go along with us on that score. Thru our coast guard service here we can contact coast guard representatives in Korea who will give us some help on the Korean side.

8th A: Recommendation:

In addition to the items listed in the proposed agenda, it is recommended that a request be made to the Korean Diplomatic Mission, for action by Korea to prevent departure of illegal entrants from Korea.

Recommend that consideration be given to some system which will expedite the legitimate request of a Korean to get in and out of Japan. The family, economic, social and cultural relationships established over a long period of time between Korea and Japan make a complete severance of these relationships very difficult to enforce. It is believed that rapid handling of these requests would prevent many persons from attempting the unlawful travel. In this connection, consideration should be given to establishment of a regular licensed transportation facility to operate between the two countries, to be supervised by the Japanese customs and immigration agencies.

8th A: There is no easy way to get from Japan to Korea legitimately. there are two ways to travel - a repatriation ship that leaves once a month which takes back about 500 illegal entrants and about 175 legal entrants. They apply thru G-1 and get clearance.

G-1: A Korean going to Japan from Korea must apply to the Korean mission. Before there was such a thing, G-1 screened about 1000 to 1500 a month for entry into Korea. The process takes about 2 days. They go to the Japanese Government and it seems after they get approved application they just stand. Limitation of 90 to 120 days after being approved. About 30 to 40 of these a month would come back for revalidation. There is adequate commercial transportation for repatriates going to Korea. There is

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virtually no transportation for a repatriate going to Korea unless he has dollars. The Korean mission puts up the dollars. It is basically a dollar problem.

- DS: The last recommendation is undesirable even tho a true statement. It is undesirable because it relates far more closely to SCAP policy than to exit and entry which in turn is connected with economic problem of Japan rather than relating to the problems of Japanese which we are dealing with today.
- PSD/  
Maritime: There is one method through commercial carrier. Illegal entrants are smuggled from Tsushima to the main islands.
- 8th A: We would like a report from the Navy on the percentage of those who return for compassionate reasons.
- COMNAVFE: Our survey is very hit and miss. We do not keep reports very long. Our guess is, about 70 to 75% show that they are compassionate entries.
- PSD/  
Col B: We have accomplished a great deal this afternoon. 8th Army Communication is classified as secret and this discussion should be treated as such. Further coordination will be necessary between pertinent sections and that will be arranged as rapidly as possible. (Meeting Adjourned)



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GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS  
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MEMORANDUM FOR: JAPANESE GOVERNMENT

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SUBJECT: Suppression of Illegal Entry into Japan

## 1. References:

- a. Memorandum from the Supreme Commander for the Allied Powers, file AG 000.5 (10 Dec 46)GC, SCAPIN 1391, 10 December 1946, subject, "Suppression of Illegal Entry into Japan."
- b. Memorandum from the Supreme Commander for the Allied Powers, file AG 000.5 (23 Dec 47)GC-O, SCAPIN 1391/1, 23 December 1947, subject, "Suppression of Illegal Entry into Japan."
- c. Memorandum from the Supreme Commander for the Allied Powers, file AG 000.5 (8 Jul 47)GC-O, SCAPIN 1742, 8 July 1947, subject, "Suppression of Illegal Entry into Japan."
- d. Memorandum from the Supreme Commander for the Allied Powers, file AG 560 (5 Aug 47)GD, SCAPIN 1758, 5 August 1947, subject, "Exercise of Jurisdiction over Vessels."
- e. Memorandum from the Supreme Commander for the Allied Powers, file AG 014.33 (6 Oct 48)GA, SCAPIN 1950, 23 December 1948, subject, "Termination of Repatriation for Ryukyans."
- f. Memorandum from the Supreme Commander for the Allied Powers, file AG 091.1 (28 May 49)GA, SCAPIN 2019, 22 June 1949, subject, "Establishment of Immigration Service."
- g. Paragraphs 8 and 9, Section II, Annex III, of Memorandum from the Supreme Commander for the Allied Powers, file AG 014.33 (7 May 46)GC-O, SCAPIN 927/17, 9 March 1949, subject, "Repatriation."

2. a. Memoranda referred to in paragraphs 1a, b and c above are rescinded.

b. Paragraph 3 of memorandum referred to in paragraph 1d above is amended to delete reference to Korea.

c. Paragraph 5 of memorandum referred to in paragraph 1e above is rescinded.

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AG 000.5 ( ), SCAPIN  
Subject, "Suppression of Illegal Entry into Japan."

d. Paragraph 5 of memorandum referred to in paragraph 1f above is rescinded.

e. The provisions, of <sup>of the Memorandum referred to in paragraph 1g above</sup> paragraphs ~~8 and 9~~, SCAPIN 927/17, are considered to be in consonance with the provisions of this directive.

3. The Japanese Government <sup>IS</sup> ~~will be~~ responsible for the prevention of the illegal entry of individuals, vessels, crews thereof and cargo into Japan. All persons apprehended as illegal entrants or as individuals who are otherwise in Japan without authority and/or any vessels transporting persons or cargo for illegal discharge <sup>INTO</sup> ~~in~~ Japan, <sup>INCLUDING</sup> ~~as well as such~~ illegal cargo, shall be subject to those laws and/or regulations promulgated by the Supreme Commander for the Allied Powers and the Japanese Government currently in effect or which may be hereafter <sup>PROMULGATED</sup> ~~enacted~~.

4. All persons <sup>except</sup> ~~with the exception of~~ United Nations nationals apprehended as illegal entrants are subject to prosecution for ~~such~~ illegal entry in Japanese courts. United Nations nationals apprehended as illegal entrants may be prosecuted only in occupation courts. Jurisdiction over vessels entering the territorial waters of Japan is prescribed in memorandum, SCAPIN 1758.

5. The Japanese Government will medically process all illegal entrants apprehended in Japan in accordance with existing laws, regulations and <sup>OR</sup> ~~memo-~~ randa as now govern persons who enter legally.

6. Upon satisfaction <sup>UNDER THE PROVISIONS</sup> of Japanese law, the Japanese Government <sup>IS</sup> ~~will be~~ responsible for transporting illegal <sup>entrants</sup> ~~immigrants~~ to designated reception centers at <sup>National</sup> ~~the expense of the National Government~~ and subsequently to outload <sup>entrants</sup> ~~such~~ illegal ~~immigrants~~ on ships designated for <sup>Return of illegal entrants to their native state.</sup> ~~this purpose~~.

7. The Japanese Government will furnish Japanese police at National ~~Government~~ expense as guards aboard trains and designated repatriation ships transporting illegal <sup>entrants</sup> ~~immigrants~~. Allied guards, if necessary, to lend support, ~~and~~ prestige, ~~to~~ and coordinate activities of ~~Japanese~~ police guards aboard trains and repatriation vessels, may be secured on request to the local Allied commanders.

FOR THE SUPREME COMMANDER:

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*Direct communication between G-6 agencies concerned and appropriate Occupation Force agencies are hereby authorized to implement this Memorandum*

*Adams*



Authority 20 NDT 1300By 820 NARA Date 10/01/07**SECRET**PUBLIC SAFETY DIVISION  
ROUTING SLIP

FROM: <u>R 2/3</u>		DATE: <u>12 Sept</u>
<u>1</u>	Chief of Division	<u>REP</u>
<u>4</u>	Executive Officer	
<u>2</u>	Capt. Graves	<u>REP</u>
	Capt. Russell	
	Administrative Officer	
	Chief Clerk	
	Fire Branch	
	Liaison Branch	
<u>3</u>	Maritime Branch	<u>REP</u>
	Police Branch	
	Prison Branch	
	Stat & Anal Branch	

FOR:

Information      Comment       
 Action       
 Approval      File     

Remarks:

**SECRET**

Authority: *W. N. D. T. S. C.*  
 By: *820* NARA Date *10/01/07*

**SECRET**

REMYMSG July 1948 WX 86720, Aug 1948 WX 87399, Oct 1948 WX 91303, URMSG Apr 1948 C 60117, Mar 1948 C 58910.

Disposition Korean ships found in Japanese waters is subj.

1. Korean Embassy Wash has discussed with State and Army Depts Korean claims for vessels in Japanese control and SCAP claims for return of vessels fr Korea to Japan which was subj on conf between Korean Delegation and SCAP in Tokyo beginning 9 June 1949. Korean pos is that formula applied by SCAP transmitted MYMSG is unsound, that correct principle is ret to Korea of vessels owned by companies incorporated in Korea and registered in Korea, plus vessels that come under vesting decree because in Korean waters on 9 August 1945.

2. State Dept analysis of situation is as follows:

A. On theory entitled to all ships of Korean registry owned by companies incorporated in Korea, Koreans have claimed 150 vessels said to approximate 20,000 tons plus 5 already in Korean hands of approximately 15,000 tons. SCAP has found 32 vessels of approximately 8,000 tons and is ready to ret on proof in Korean waters on 9 August 1945 but claims ret of 5 vessels. Of 32 only 2 are of major importance (over 1,000 tons).

B. Koreans estimate 300,000 tons of shipping in Korean waters on 9 August 1945 to which they would be entitled under US Formula if facts available. Koreans have indicated that since Tokyo Conf they have found evidence relating many such ships.

C. Formula set forth MYMSG was adopted in application general principles governing assets of branches in Japan. Possibility treating place of registry as situs ships under formula rather than actual location on effective date was rejected because inconsistent with general US position and in particular because would have tended to support Chinese claims to ships registered in Formosa and Dairen (URMSG C60117)

D. It is desirable politically and in connection ECA Program that a reasonable amount of tonnage be surrendered to Korea. Broad objective is to award to Korea reasonable amount of shipping to serve Korean economy with due regard for overall reduction in Japanese shipping in consequence of war. Such shipping will directly assist ECA Program and may directly reduce expenditure US funds to acquire ships for Korea.

E. Strictly, neither US or SCAP can determine ultimate rights as between Korea and Japan. Present case involves AD HOC decision determining the possession of property subj to ultimate regulation by treaty or otherwise between Korea and Japan.

3. State Dept has informed Koreans that change of principle to award all vessels owned by Korean Corps not deemed proper and cannot be made because of relationship to other property claims, and that in any case would not be considered equitable to award ships of Korea companies wherever located plus any Japanese ships that were in Korean waters on 9 August 1945. Koreans thereupon indicated that they would resume Tokyo ne-

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gotiations on US Formula even though meant ret of 5 ships now in Korean hands, continuing to request more sympathetic approach by SCAP.

4. If Koreans desire, US and SCAP can not object resumption negotiations on US Formula. Concern is felt here however that negotiations may put SCAP in difficult pos determining disputed questions of fact between Koreans and Japs. If reasonable credence given Korean evidence, result may be delivery substantial tonnage, mostly ships former Jap registry. If Korean evidence not accepted, further Diplomatic Representations probable and exacerbation US-Korean relations.

5. In foregoing circumstances suggest for your consideration following as practical solution:

A. Surrender to Korea, as under former formula, of vessels owned by South Korean Corp or other business organization in which Jap interest less than 10%, or by private individuals now resident South Korea.

B. Without prejudice ultimate rights between Korea and Japan SCAP not press claims to return 5 vessels which have come into possession of Korea and are now held by Korea under claim of right.

C. With respect other vessels of Korean registry claimed by Korea, Koreans to have benefit of presumption that in Korean waters on or after 9 August 1945 unless clear proof adduced to registry. This would affect 32 ships and any others this category which may be found.

D. Without prejudice ultimate determination rights between Korea and Japan, SCAP to take no action with respect vessels not of Korean registry.

E. Japanese claim for fishing vessels removed by Koreans fr Japan to be treated separately fr present negotiations.

6. Request your comments soonest. If you consider foregoing presents practical solution, State will present to Korean Representatives here.

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C O P YGENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERSAPO 500  
5 August 1947AG 560 ( 5 Aug 47) GD  
(SCAPIN 1758)

MEMORANDUM FOR: JAPANESE GOVERNMENT

THROUGH: Central Liaison Office, Tokyo

SUBJECT: Exercise of Jurisdiction over Vessels

1. The Japanese Government, and its tribunals and agencies, may exercise jurisdiction over vessels within its territorial waters if, in the case in which the vessel is involved, it would be authorized, under existing directives, to exercise jurisdiction over both the owner and the charterer or other authorized user or possessor of the vessel, and, also, would be authorized to exercise jurisdiction over the particular offense involving the vessel.

2. In accordance with the foregoing general principle, jurisdiction over vessels will be exercised as follows:

a. The Japanese Government, and its tribunals and agencies, will not exercise any jurisdiction over vessels owned or chartered by, or in the authorized possession of, a United Nations national, or organization (including a corporation), who is attached to or is accompanying the Allied Armed Forces.

b. (1) In criminal cases in which vessels are involved, the Japanese Government, and its tribunals and agencies, will not exercise any jurisdiction over the vessels if they are owned, or chartered by, or in the authorized possession of, one of the United Nations, or any national of such nation, including vessels owned or chartered by, or in the authorized possession of, Formosans who, at the time, are in fact, inhabitants and residents of the Island of Formosa, and, thereby, have acquired Chinese nationality or citizenship.

(2) In civil cases involving vessels, subject to review by occupation authorities, the Japanese Government, and its tribunals and agencies, may exercise jurisdiction over the vessels, unless such vessels are owned or chartered by, or are in the authorized possession of, a United Nations national, or organization (including a corporation), who is attached to or in accompanying the Allied Armed Forces, in which case paragraph "a" above applies.

c. The Japanese Government, and its tribunals and agencies, subject to review by occupation authorities, may exercise jurisdiction over vessels in its territorial waters, which are owned by persons who are not nationals of one of the United Nations, unless such vessels have been chartered to, or are in the authorized possession of, one of the United Nations or a national of one of the United Nations, in which case paragraph "b" above applies.



Authority: *W. N. D. T. S. C.*  
By: *820* NARA Date *10/01/07*

BASIC: MEMORANDUM, GHQ, SCAP, AG 560 ( 5 Aug 47) GD, dated 5 August 1947, subject, "Exercise of Jurisdiction over Vessels."

d. The Japanese Government, and its tribunals and agencies, subject to review by occupation authorities, may exercise jurisdiction over vessels owned by Formosans who are residents of Japan, except that in criminal cases involving such vessels the Japanese Government, and its tribunals and agencies, will not exercise jurisdiction if such Formosans possess registration certificates duly issued by the Chinese Government, or by the Chinese Mission in Japan, or if such vessels have been chartered to, or otherwise transferred to the authorized possession of one of the United Nations, or its Nationals, in which case sub-paragraph "b", above, applies.

3. Vessels from Korea, the Marianas, the Ryukyus and other places occupied by the Allied Occupation Forces, which carry duly authenticated documents purporting to be clearance papers from military government officers, or duly authorized port authorities, will be recognized by the Japanese Government as having entered Japanese territorial waters and ports legally. However, such vessels will be subject to the jurisdiction of the Japanese Government, and its tribunals and agencies, if, after entry into Japanese territorial waters, and ports, they are used for illegal purposes, or are involved in illegal acts, which would make such vessels answerable to the Japanese law; but the Japanese Government will obtain the approval of the Allied occupation authorities before taking jurisdiction in such cases.

4. In cases involving personnel of vessels, the Japanese Government, and its tribunals and agencies, will exercise the same jurisdiction over such persons as they do under existing directives with respect to the exercise of jurisdiction over persons.

5. This directive will not be applicable to vessels abandoned in Japanese territory and waters, if the vessels are, in fact, abandoned.

FOR THE SUPREME COMMANDER:

/s/ R. M. Levy  
/t/ R. M. LEVY,  
Colonel, AGD,  
Adjutant General.

Authority: W. W. D. T. S. C.  
By: 820 NARA Date: 10/01/07

GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS  
APO 500

22 June 1949

AG 09-1.1 (28 May 1948) GA  
SCAPIN 2019

MEMORANDUM FOR: JAPANESE GOVERNMENT

SUBJECT: Establishment of Immigration Service

1. References:

a. Circular 19, General Headquarters, Supreme Commander for the Allied Powers, 23 June 1948, subject, "Control of Entry and Exit of Individuals, Aircraft and Surface Vessels into and from Japan."

b. Circular 1, General Headquarters, Supreme Commander for the Allied Powers, 1 January 1949, subject: "Private Commercial Entrants."

c. Memorandum for the Japanese Government, AG 321 (8 Apr 46) ESS/IE, SCAPIN 941-A, 8 April 1946, subject, "Japanese Customs Organization."

d. Memorandum for the Japanese Government, AG 095 (22 May 1948) GA, SCAPIN 1971, 11 February 1949, subject, "Entry of Personnel into Japan to Visit Relatives."

2. a. Effective 1 November 1949 and subject to the supervision of the Commanding General, Eighth Army, the Japanese Government will be responsible for the immigration surveillance of all individuals authorized by the Supreme Commander for the Allied Powers to enter into or depart from Japan (except occupation force personnel traveling under official orders).

b. Currently the Supreme Commander for the Allied Powers authorizes entry into Japan for individuals in the following categories:

- (1) Compassionate entries
- (2) Correspondents
- (3) Commercial entrants
- (4) Cultural entrants
- (5) Dependents of mission members
- (6) Dependents of commercial entrants



AG 091.1 (28 May 1949) GA  
SCAPIN

- (7) Foreign diplomatic officials not assigned to Japan
- (8) Government officials or employees
- (9) Intransit personnel
- (10) Members of staff, Allied Council for Japan
- (11) Members of foreign missions accredited to the Supreme Commander for the Allied Powers
- (12) Military attaches of foreign missions in Japan
- (13) Missionaries
- (14) House guests
- (15) Tourists
- (16) Miscellaneous

3. The Japanese Government will immediately take the necessary action to:

a. Assign the necessary immigration officials to the Customs Detachment currently operating under the supervision of the Commanding General, Eighth Army, at each port of entry designated by Circular 19, General Headquarters, Supreme Commander for the Allied Powers, 1948, and amendments and supersedures thereto. The immigration officials will be under the direct supervision of the Commanding General, Eighth Army.

b. The Japanese Government will establish a central office of record for all clearances granted by the Supreme Commander for the Allied Powers to individuals entering or departing Japan, except occupation force personnel traveling under official orders. This office of record will be known as the "Central Locator Files" and will serve to inform the immigration officials of the Japanese Government working under the supervision of the Commanding General, Eighth Army of all clearances granted by the Supreme Commander for the Allied Powers. The Central Locator Files will be maintained with sufficient English-speaking personnel on a twenty-four hour basis to receive information from the Supreme Commander for the Allied Powers concerning individuals authorized him to enter or depart Japan. Upon receipt of such information, the Central Locator Files will notify the immigration officials of the Japanese Government of the clearances granted by the Supreme Commander for the Allied Powers.

Authority W.D.T.S.  
By 80 NARA Date 10/01/07AG 091.1 (28 May 49)GA,  
SCAPIN 2019

4. In order that the Central Locator Files may receive information of clearances granted by the Supreme Commander for the Allied Powers, it is desired that a messenger visit the General Headquarters, Supreme Commander for the Allied Powers, promptly at 1200 each Tuesday, Thursday and Saturday to receive a list of clearances.

5. Effective 1 November 1949, the Japanese Government will be responsible for the prevention of the illegal entry of any individual into Japan. It is desired that particular emphasis be placed on entry of individuals through those ports not recognized by the Supreme Commander for the Allied Powers as official ports of entry. Necessary action will be taken by the Japanese Government to deport individuals apprehended as illegal entrants, or individuals who are otherwise in Japan without authority.

FOR THE SUPREME COMMANDER:

/s/ R. M. Levy

R. M. LEVY  
Colonel, AGD,  
Adjutant General.



Authority W. D. T. S. C.  
By 820 NARA Date 10/01/07

C O P Y

GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS

APD 500  
10 December 1948

AG 000.5 (10 Dec 46)GC  
(SCAPIN 1391)

MEMORANDUM FOR: IMPERIAL JAPANESE GOVERNMENT

THROUGH: Central Liaison Office, Tokyo

SUBJECT: Suppression of Illegal Entry into Japan

1. Reference is made to:

a. Memorandum from the Supreme Commander for the Allied Powers, file AG 014.33 (12 Jun 46)GC, (SCAPIN 1015), dated 12 June 1946, subject as above.

b. Memorandum from the Supreme Commander for the Allied Powers, file AG 014.33 (9 Aug 46)GC, (SCAPIN 1116), dated 9 August 1946, subject: Suspension of Repatriation Through the Senzaki Reception Center.

2. The memorandums referred to above are rescinded and the following substituted therefor.

3. Since cholera is still prevalent in Korea, positive steps must be continued to detect and apprehend ships which are illegally transporting persons from Korea to Japan.

4. The Imperial Japanese Government will:

a. Continue in effect measures to detect ships illegally entering Japanese ports.

b. Seize all such ships and where possible sail them together with their crews, passengers and cargo to Sasebo or Maizuru and deliver them to United States military authorities at those ports.

c. Place all Korean illegal immigrants apprehended in Japan in cholera quarantine and otherwise medically process them according to existing memoranda covering entrance of persons into Japan. Upon clearance by quarantine officials, transport them to the Sasebo Reception Center by rail.

d. Outload Korean illegal immigrants from the Sasebo Reception Center on shipping designated for this purpose.

e. Furnish Japanese police for guards aboard trains and repatriation ships transporting Korean illegal immigrants.

Authority W.D.T.S.By 820 NARA Date 10/01/07

BASIC: Memo to IJG, file AG 000.5 (10 Dec 46)GC (SCAPIN 1391)  
subj: Suppression of Illegal Entry into Japan

5. Necessary Allied guards to lend the necessary support and prestige to Japanese police guards and coordinate their activities may be secured on request to the local Allied commander.

FOR THE SUPREME COMMANDER:

/s/ R. Y. Hersey

for

JOHN B. COOLEY  
Colonel, AGD  
Adjutant General



C O P YGENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERSAPO 500  
4 June 1946AG 091.31 (4 Jun 46)ESS/PC  
(SCAPIN - 996)

MEMORANDUM FOR: IMPERIAL JAPANESE GOVERNMENT

THROUGH : Central Liaison Office, Tokyo.

SUBJECT : Illegal Import and Export Trade.

1. Reference is made to Paragraph 7, SCAP Directive Number 3, 22 September 1945.

2. The Imperial Japanese Government is directed to take all necessary steps to stop illicit import and export trade.

3. The Imperial Japanese Government will seize all goods, wares and merchandise which are the subject of illicit import or export trade, and will take the following actions in regard to property seized:

a. Institute appropriate judicial proceedings for the violations of export, import regulations within two weeks after violations are found.

b. Store, protect and preserve all goods, wares and merchandise, except foodstuffs which are in danger of spoilage, pending determination of judicial action affecting the property.

c. Place in regular distribution channels all foodstuffs in danger of spoilage, the proceeds from the sale thereof to be subject to judicial determination in the place of the items sold.

4. If it is judicially determined that property is the subject of illicit import and export trade the property shall be confiscated and the following actions will be taken:

a. Confiscated consumer goods such as food, clothing, fuel and toilet articles will be placed in regular channels of distribution and distributed in accordance with rationing and allocation plans of the Imperial Japanese Government.

b. Confiscated money, negotiable instruments, and precious stones and metals shall be turned over to the custody of the Bank of Japan for the account of the Imperial Japanese Government.

c. Other items and durable goods, such as machinery and heavy equipment, shall be reported to General Headquarters, Supreme Commander for the Allied Powers for instructions as to disposition.

d. All confiscated vessels or small craft will be placed into service as soon as possible after court action.

e. Proceeds from all sales of confiscated property shall be credited to the general account of the Imperial Japanese Government.

f. Accurate and complete accounting will be made of the disposition of confiscated goods, wares and merchandise.

Authority: WMDTSC  
By: 20 NARA Date: 10/01/07

BASIC: Memo GHQ, SCAP, to IJG, file AG 091.31 (4 Jun 46)ESS/PC,  
subj: "Illegal Import & Export Trade," dated 4 June 1945.

5. The Imperial Japanese Government will report to the Supreme Commander for the Allied Powers, within 48 hours of discovery, all violations of paragraph 7, SCAP Directive Number 3, 22 September 1945, giving the following information:

- a. Location and date of incident.
- b. Agency making the arrest.
- c. National identity of smuggler apprehended and registry of ship or vessel.
- d. Quantities and types of goods, wares or merchandise impounded.
- e. Nature of charges made against the apprehended criminals, the scheduled date and location of trials.
- f. Any additional information pertinent to the subject.

6. The Imperial Japanese Government will report to the Supreme Commander for the Allied Powers, within two weeks after completion of action, the results of all judicial action, including confiscation, taken under this memorandum.

7. Direct communication between the appropriate agencies of the Imperial Japanese Government and the interested Staff Sections of General Headquarters, Supreme Commander for the Allied Powers is authorized to implement the provisions of this directive.

8. Memorandum for the Imperial Japanese Government from General Headquarters, Supreme Commander for the Allied Powers, file AG 091.31 (28 Jan 46)ESS/IE, (SCAPIN 660), 28 January 1946, subject: "Violations of SCAP Directive Number 3, 22 September 1945" is rescinded.

FOR THE SUPREME COMMANDER:

/s/ B. M. Fitch  
/t/ B. M. FITCH,  
Brigadier General, AGD,  
Adjutant General.



Authority: W.D. TSCA  
By: 80 NARA Date: 10/01/07

(PROPOSED SCAPIN)

GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS  
APO 500

SCAPIN

MEMORANDUM FOR: JAPANESE GOVERNMENT

SUBJECT: Suppression of Illegal Entry into Japan

1. References:

a. Memorandum for the Japanese Government, file AG 000.5  
(10 Dec 46) GC, (SCAPIN 1391) dated 10 Dec 46, subject same as above.

b. Memorandum for the Japanese Government, file AG 000.5  
(23 Dec 47) GC-O, (SCAPIN 1391/1) dated 23 Dec 47, subject same as above.

c. Memorandum for the Japanese Government, file AG 000.5  
(8 Jul 47) GC-O, (SCAPIN 1742) dated 8 Jul 47, subject same as above.

d. Memorandum for the Japanese Government, file AG 560  
(5 Aug 47) GD, (SCAPIN 1758) dated 5 Aug 47, subject Exercise of Jurisdiction over Vessels.

e. Memorandum for the Japanese Government, file AG 014.33  
(6 Oct 48) GA, (SCAPIN 1950) dated 23 Dec 48, subject Termination of Repatriation for Ryukyans.

f. Memorandum for the Japanese Government, file AG 091.1  
(28 May 49) GA, (SCAPIN 2019) dated 22 Jun 49, subject Establishment of Immigration Service.

g. Memorandum for the Japanese Government, file AG 370.05  
(7 May 46) GC-O, (SCAPIN 927/17), dated 9 Mar 49, subject Repatriation. Paragraphs 8 and 9, Section II, Annex III, SCAPIN 927/17.

2. a. Memoranda referred to in paragraphs 1a, b, and c above, are rescinded.

b. Paragraph 3 of Memorandum referred to in paragraph 1d, above is amended to delete reference to Korea.

c. Paragraph 5 of Memorandum referred to in paragraph 1e above is rescinded.

d. Paragraph 5 of Memorandum referred to in paragraph 1f above is rescinded.

(PROPOSED SCAPIN)

*Inc 1*

Authority W. J. D. T. S. C.  
By 80 NARA Date 10/01/07

## (PROPOSED SCAPIN)

## SCAPIN

e. The provisions of the Memorandum referred to in paragraph 1g, above are considered to be in consonance with the provisions of this directive.

3. The Japanese Government will be responsible for the prevention of the illegal entry of individuals, carriers, crews thereof and cargo into Japan. All persons apprehended as illegal entrants or individuals who are otherwise in Japan without authority and/or any vessels or other carriers transporting persons or cargo for illegal discharge in Japan as well as such illegal cargo shall be subject to those laws and/or regulations promulgated by the Supreme Commander for the Allied Powers and the Japanese Government as are currently in effect or which may be hereafter enacted.

4. The Japanese Government will medically process all illegal entrants apprehended in Japan in accordance with existing laws, regulations and memoranda governing persons who enter legally.

5. All persons with the exception of United Nations nationals apprehended as illegal entrants are subject to prosecution for such illegal entry in Japanese courts. United Nations nationals apprehended as illegal entrants may be prosecuted only in occupation courts. Jurisdiction of vessels, crews and cargo entering territorial waters of Japan is defined in SCAPIN 1758.

6. Upon satisfaction of Japanese law, the Japanese Government will be responsible for transporting illegal immigrants to designated reception centers at the expense of National Treasury and to subsequently outload such illegal immigrants on ship designated for this purpose.

7. The Japanese Government will furnish Japanese police at National Government expense for guards aboard trains and designated repatriation ships transporting illegal immigrants. Allied guards, if necessary, to lend support and prestige too, and coordinate activities of, Japanese police guards aboard trains and repatriation vessels may be secured on request to the local Allied commander.

FOR THE SUPREME COMMANDER:

*Encl 1*



Authority: *W. W. D. T. S. C.*  
 By: *80 NARA* Date: *10/01/07*

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SCAPIN

MEMORANDUM FOR: JAPANESE GOVERNMENT

SUBJECT: Suppression of illegal entry into Japan

## 1. References:

a. Memorandum for the Japanese Government, file AG 000.5 (10 Dec 46) GC, (SCAPIN 1391) dated 10 Dec 46, subject same as above. *(b) 1391/1 (c) 1742*

*d* b. Memorandum for the Japanese Government, file AG 014.33 (6 Oct 48) GA (SCAPIN 1950) dated 23 Dec 48 subject Termination of Repatriation for Ryukyans.

*e* c. Memorandum for the Japanese Government, file AG 091.1 (28 May 49) GA, (SCAPIN 2019) dated 22 June 49 subject Establishment of Immigration Service.

2. a. Memorandum referred to in par. 1a above is rescinded. *b-c*

b. Par 5 of memorandum referred to in par 1b above is rescinded. *e*

c. So much of Par. 5 of memorandum referred to in par. 1c above, "Necessary action will be taken by the Japanese Government to deport individuals apprehended as illegal entrants, or individuals who are otherwise in Japan without authority" is rescinded.

3. The Japanese Government <sup>*vessel*</sup> will be responsible for the prevention of the illegal entry of individuals or cargo into Japan. All persons apprehended as illegal entrants or individuals who are otherwise in Japan without authority and any ships, ~~aircraft~~ or other carrier transporting persons or cargo for illegal discharge in Japan as well as such illegal cargo shall be subject to those laws or regulations promulgated by the Supreme Commander for the Allied Powers <sup>*and*</sup> at the Japanese Government as are currently in effect or may hereinafter be enacted.

*The SC will*  
 4. All illegal immigrants apprehended in Japan will be placed in ~~chalone~~ quarantine and may be placed in such other medical quarantine as is indicated by prevalence of disease in epidemic proportions in the area or areas from which or through which such individuals came. In addition ~~all~~ illegal entrants will be medically processed in accordance with existing laws, regulations or memoranda governing the legal entry of persons into Japan <sup>*apprehended*</sup>.

5. All persons with the exception of United Nations Nationals apprehended as illegal entrants may be prosecuted for such illegal entry in Japanese courts. United Nations Nationals apprehended as illegal entrants may be prosecuted only in occupation courts.

FOR THE SUPREME COMMANDER:

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Agenda For Conference On  
Suppression of Korean Illegal Entry  
15 July 1949

PSD/G-2 Conference Room - 401A - NYK Building

1. Scope of Conference.

To consider the problem of suppression of illegal entry and smuggling as it affects the economy and stability of Japan and the objectives of the Occupation with the purpose of formulating recommendations to the Chief of Staff as to possible measures which will improve the existing situation.

2. Statistical background of illegal entry and smuggling.

3. Existing Japanese Government laws affecting control of illegal entry and smuggling.

4. Mission, capabilities and limitations of Japanese police within existing Japanese laws as pertain to the problem.

5. Mission, capabilities and limitations of Japanese Maritime Safety Board (coast guard) within existing Japanese laws as pertain to the problem.

6. Mission, capabilities and limitations of other Japanese Government agencies within existing Japanese laws as pertain to problem.

7. Means available to Japanese Government and/or the Occupation to improve the effectiveness of suppression of illegal entry and smuggling.

8. Recommendations to Chief of Staff.



Authority W.D. TSCA  
 By 880 NARA Date 10/01/07

PERSONNEL ATTENDING CONFERENCE

PSD/G-2  
15 July 1949

GHQ

G-1		Lt Col R.C. Erlenbusch
G-2	MIS	<del>Capt E.S. Pearce, USN</del>
	CIC	Capt G.I. Hessevick
	Th Intell	Dr J.G. Chapman
	PSD	Col H.E. Pulliam
		Lt Col R.T. Battey
		Mr H. S. Eaton
		Mr G. H. Rettew
G-3		Col B. L. Anderson
		Maj P. R. Steckla
G-4		Lt Col E.F. Wilson
		Cdr A. T. Hathaway
CCS		Capt O.M. Blankenship
		Capt W. R. Martin
		Mr L. W. Lamb
DS		Mr R. Finn
ESS		Mr J. T. Lassiter
GS		Mr N. Cottrell
LS		Mr J. W. Canney
		<del>Mr J. Bassin</del>
PH/W		Mr W. L. Speer
		Dr I. D. Hirschy
PM		Lt Col E.A. Sallee

8th ARMY

G-2	Col Dusenberry
	Lt Col W.C. Jesse
G-3	Col Bartlett
	Lt Col J.G. Turner
	Maj C. R. Gibbs
G-4	Lt Col F.M. Barberie
Signal	Maj R. C. Heald
PM	Lt Col Louis Mark
Transp	Maj Ivan D. Austin
Civ Affairs	Lt Col R.S. Link
Legal & Govt	Mr Howard Porter

COMNAVFE

Cdr E. S. Burns

FEAF

Maj K. L. Atchley  
 Capt. S.F. HEFFORD  
 Maj. J.F. PINKERTON

Authority: W.D. TSCA  
By: 880 NARA Date 10/01/07

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HEADQUARTERS EIGHTH ARMY  
United States Army  
Office of the Commanding General  
APO 343

AGFB 014

21 May 1949

SUBJECT: Suppression of Korean Illegal Entry

TO: Supreme Commander for the Allied Powers  
APO 500

1. Suppression of Korean illegal entry and exodus from Japan is of prime importance, not only from the smuggling aspect but also from the intelligence aspect, in view of the flow of persons whose activities are inimical to the objectives of the Occupation.

2. The critical areas of illegal entry and exodus are the islands of Kyushu and Tsushima and the prefectures of Yamaguchi and Shimane. Previous experience indicates the probability of an increase in attempted illegal entry during the coming summer months, if immediate steps are not taken to prevent such traffic.

3. Current directives of your headquarters place responsibility for suppression of illegal entry on the Japanese Government. Statistical studies show that approximately 50% of the illegal entrants are not apprehended, and only 25% of the ships involved in this traffic are captured. The inability of the Japanese Government to cope with the situation is largely attributable to lack of personnel, ships, weapons and communication facilities. Further, the indefinite suspension, by Occupational Directive, of certain laws and ordinances now on the statute books, denies the Japanese a judicatory means of combating illegal entry.

4. I believe that if sufficient pressure is brought to bear on the Japanese Government, coupled with direct aid from the Occupation Forces where necessary, the responsible Japanese agencies will be able to effectively suppress this illegal entry.

5. Since all of the means for suppression of illegal entry are not under the control of Eighth Army, I recommend that a conference be held at time and place to be determined, to achieve the coordination necessary to eliminate this threat to the occupation. Suggested attendance and subjects for consideration at the conference are included in the staff study attached.

1 Incl:  
Staff StudyS/ Walton H. Walker  
T/ WALTON H. WALKER  
Lieutenant General, United States Army  
Commanding

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Authority: *W. J. D. T. S. C.*  
By: *880* NARA Date *10/01/07*

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HEADQUARTERS EIGHTH ARMY  
United States Army  
Office of the AC of S, G-3  
APO 343

MEMORANDUM FOR: Chief of Staff, Eighth Army

15 May 1949

SUBJECT: Suppression of Korean Illegal Entry

## I. SUBJECT PRESENTED.

The present system for apprehending Korean illegal entrants is not effective. Statistical studies indicate that approximately 50% of the illegal entrants are not apprehended, and only 25% of the ships involved in this traffic are captured. Determine a more effective system for suppression of Korean illegal entry and exodus from Japan.

## II. FACTS.

1. Suppression of illegal entry and exodus from Japan is of prime importance not only from the standpoint of the economic problem involved in the accompanying smuggling trade, but also from the intelligence point of view as pertains to the entry of agents from Communist dominated areas and the influx of personnel who swell the membership of certain organizations inimical to the objectives of the Occupation.

2. The critical areas of illegal entry and exodus from Japan are the islands of Kyushu and Tsushima and the prefectures of Yamaguchi and Shimane, all in the zone of responsibility of the 24th Infantry Division. Previous experience indicates a probable increase in attempted illegal entry during the coming summer months, if immediate steps are not taken to prevent such traffic.

3. Current SCAP directives place responsibility for suppression of illegal entry and exodus on the Japanese Government. The Maritime Bureau is the Japanese agency further delegated this task.

4. The indefinite suspension, by Occupational Directives, of certain laws and Ordinances now on the statute books, denies the Japanese Government a judicatory means of combating illegal entry.

## III. DISCUSSION.

1. Recent studies show that approximately 50% of the illegal entrants escape apprehension, and only 25% of the ships involved in this traffic are captured. It may be that too great an emphasis is placed on the effectiveness of surface and air patrols conducted by the Occupation Forces. While these patrols are of distinct value, it appears likely that satisfactory results may only be obtained if the responsible Japanese agencies are adequately staffed and equipped, and their operations closely coordinated with the Navy and Air Force patrols.

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Authority: W. J. D. T. S. C.  
By: 80 NARA Date: 10/01/07

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2. The inability of the Japanese Government to cope with the situation is largely attributable to the lack of personnel, ships, weapons and communication facilities. The indefinite suspension, by Occupational Directives, of certain laws and ordinances now on the statute books, denies the Japanese a proper means of combating illegal entry. However, with sufficient pressure by Occupation Forces and direct aid where necessary, the Japanese agencies should be able to effectively suppress this illegal entry.

3. There are indications that well organized "rings" operate regularly from Korea to Japan. In Fusan, Korea, for example, the proprietors of the Tate Hotel are reported to have arranged shipment for a number of persons who were later apprehended entering Japan illegally. It appears feasible that, through direct arrangement with U. S. Army Forces in Korea and Korean Governmental agencies, it should be possible to stop some of the traffic into Japan at its source.

4. The present policy governing disposition of persons apprehended as illegal entrants is to deport them "administratively." This policy is no doubt justified under present economic conditions, but, on the other hand, it lends encouragement to illegal entrants who know that in the event they are apprehended they face only deportation. They are then free to make another attempt. It appears feasible that by reinstatement and enforcement of certain existing Japanese laws, some of the illegal entrants may be dissuaded from their intentions. Pertinent Japanese laws which, if reinstated, might be utilized to good advantage are:

a. Alien Registration Ordinance (Imperial Ordinance #207, dated 2 May 1947). This ordinance provides for imprisonment up to six (6) months and a fine not to exceed ¥2000.

b. Art. 62 and 63, Criminal Code (1907). These articles provide penalties for persons aiding or abetting those making or attempting to make illegal entry.

c. Imperial Ordinance #311 (1946). This ordinance provides for up to ten (10) years imprisonment and fines not to exceed ¥75,000, or both, for failure to pass through quarantine.

d. Police Law, Chapter VI, "Criminal Statistics and Criminal Identification."

While it may not be desirable to prosecute every individual case, it is believed that the above laws provide a legal basis for fining, imprisoning and/or deporting illegal entrants whose purpose for entering is to engage in activities which are in fact subversive, border on the subversive side, or are inimical to the concepts of the Occupation. Further, those laws provide a legal basis for the establishment of an Illegal Entrant Screening Center. Such legal grounds are deemed to be of importance since it is considered likely that certain political bodies, both within and without Japan, will vociferously attack through propaganda media any attempts to tighten the screen through which their agents and sympathizers have gained and may gain illegal admission to Japan.

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5. The Commanding General, 24th Infantry Division, more directly involved than any of the other division commanders in the problem of illegal entry, has recommended the establishment of an illegal entrant screening center at Sasebo, through which all illegal entrants apprehended in Japan would be processed and screened if they are to be deported. Details of the operations of this screening center are contained in letter, Headquarters 24th Infantry Division, AG 000.5-B, 10 March 1949, subject: "Illegal Entrant Screening Center," attached as inclosure 1.

6. Eighth Army has directed the Commanding General, I Corps to place all possible emphasis on suppression of illegal entry within the limitations of authority contained in letter, General Headquarters, Supreme Commander for the Allied Powers, AG 014.12 (3 Feb 49)GB/CIS/PSD, 3 February 1949, subject: "Relations With the Japanese Police."

## IV. CONCLUSIONS.

1. That all of the means for the suppression of illegal entry are not under the control of Eighth Army.

2. That the most effective means for suppression of illegal entry is to bring sufficient pressure to bear on the Japanese Government, which is properly charged with the responsibility, and furnish direct and coordinated aid by the Occupation Forces, where necessary, to insure success of the program.

## V. RECOMMENDATIONS.

1. That a conference be held, at a time and place to be designated by Supreme Commander for the Allied Powers, with attendance as indicated, to discuss the following subjects recommended for consideration:

## a. Attendance

- (1) Appropriate staff sections, GHQ, FEC.
- (2) Appropriate staff sections of this headquarters.
- (3) Commander Naval Forces Far East.
- (4) Commanding General, Far East Air Forces.

## b. Subjects for consideration

- (1) Revision of current SCAPINS to allow enforcement of existing laws covering illegal entry.
- (2) Increase in the number of sea-going vessels assigned to Kyushu Maritime Bureau and equipping patrol vessels with radio, searchlight and arms.
- (3) Extension of the Z/R of the Kyushu Maritime Bureau so that it coincides with the Z/R of the 24th Infantry Division.

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- (4) Establishment of a central information center to coordinate the activities of all Japanese agencies engaged in apprehending illegal entrants and smugglers. In the Kyushu region, such a center should be established at Moji.
- (5) Establishment of an effective communications net between a Central Information Center in Moji and prefectural National Rural Police Headquarters.
- (6) Conduct of a joint survey of all coastal watch stations by the National Rural Police and the Maritime Bureau. The purpose of this survey would be to determine which watch stations now in use serve a beneficial purpose, those which have little value, and to make recommendations for new stations in areas deemed to be of critical importance.
- (7) Manning of all watch stations on a 24 hour basis by members of the National Rural Police or Municipal police; arming of these police.
- (8) Requirement that all Koreans in Japan have their Korean registration certificates verified and "hanned" once each year with a special date stamp, or that new registration certificates be issued at periodic intervals.
- (9) Establishment of National Rural Police and Municipal Police check points on entrance routes to all major cities and rail centers to check Korean registration certificates.
- (10) Establishment by the Japanese Government of an Illegal Entrant Screening Center at Hario Repatriation Center to screen, photograph, fingerprint, and establish card files on all illegal entrants. This Center could also be used to secure direct intelligence and counter-intelligence information, as well as to provide a more effective means of uncovering known agents and couriers if CIC personnel were detailed for duty at the Center.
- (11) Establishment by the Japanese Government of a Criminal Court at Sasebo, competent to adjudge maximum sentence on all illegal entrants apprehended. Consideration should be given to suspension of sentences for first offenders so that upon illegal return to Japan the offender could be immediately punished without further court action.
- (12) Institution of a publicity campaign in both the Japanese and Korean press to stress the illegality and punishment connected with illegal entry, and to request the support of local citizens in reporting suspicious persons to the police.



Authority W.D.D.T.S.  
By 80 NARA Date 10/01/07

## RESTRICTED

HEADQUARTERS 24TH INFANTRY DIVISION  
Kokura, Kyushu, Japan

JBW/fm

AG 000.5 - B

A.P.O. # 24

SUBJECT: Illegal Entrant Screening Center

Mar 10 1949

THRU : Commanding General  
I Corps  
APO 301TO : Commanding General  
Eighth Army  
APO 343

1. Reference: Ltr, Headquarters 24th Infantry Division, File: AG 000.5 - B, Subj: "Statistical Report on Illegal Traffic in the 24th Infantry Division Zone of Responsibility for 1948," Dtd: 18 February 1949.

2. Illegal traffic figures as tabulated in reference letter indicate a serious potential security threat to the Occupation Forces in Japan. This illegal traffic provides a ready means for entry into Japan of espionage agents and potentially subversive individuals and groups. This existing security threat has been realized for some time and illegal entrants are partially screened by various CIC field units throughout Japan.

3. Due to the fact that all illegal entrants apprehended in Japan are deported via the Hario Repatriation Center at Sasebo, Nagasaki Ken, it is recommended that a single Illegal Entrant Screening Center be set up at Hario to provide complete direct intelligence and counter intelligence screening of this illegal traffic.

4. It is felt that a single screening center at Hario would be an improvement over the present system for a number of reasons. These include:

a. Insurance of full intelligence coverage on all illegal traffic.

b. Conservation of personnel and CIC man-hours within CIC Field Units.

c. Provisions for photographing and fingerprinting of illegal entrants under a standard system at one installation which would provide an effective means for detecting known agents.

Incl 1 to Staff Study

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Authority W.D. TSC  
By 820 NARA Date 10/01/07

## RESTRICTED

BASIC: . Ltr, Hqs 24th Inf Div, Kokura, Kyushu, APO 24, File: AG 000.5-B,  
Subj: "Illegal Entrant Screening Center," Dtd: 10 March 1949

d. Establishment of a single card file on all illegal entrants to include photographs and fingerprints.

e. Provisions for direct intelligence coverage as well as counter intelligence coverage. This will become increasingly important when U.S. Forces leave Korea.

5. Housing and messing facilities, and interrogation rooms for such a screening center exist at Hario at the present time.

6. This screening center could be operated by a 6 man intelligence team consisting of 3 CIC Agents, 2 ATIS interrogators for direct intelligence coverage and 1 fingerprint expert. Occupation Intelligence personnel could be augmented by necessary Japanese photographers and fingerprint men. If deemed advisable, a liaison group from the Korean Republics Central Intelligence Agency could be attached to the center. This liaison group could assist in detecting known subversives based on records now available within Korean Intelligence Agencies.

7. Due to primary counter intelligence interest in any such center, it is recommended that the screening center operate directly under 1st District CIC with a CIC officer as officer in charge.

8. Forwarded for consideration by higher headquarters. Commanding officer, 1st District CIC has been contacted on this matter and concurs in the plan outlined herein provided necessary personnel are made available by higher headquarters.

FOR THE COMMANDING GENERAL:

S/ Theo. F. Presley  
T/ THEO. F. PRESLEY  
Major AGD  
Asst Adj Gen

RESTRICTED



Authority W.D.D.T.S.  
By 820 NARA Date 10/01/07

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GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS  
APO 500

AG 000.5 ( )GB/CIS/PSD  
SCAPIN

MEMORANDUM FOR: JAPANESE GOVERNMENT

SUBJECT: Suppression of Illegal Entry into Japan

1. References:

- a. Memorandum from the Supreme Commander for the Allied Powers, file AG 000.5 (10 Dec 46)GC, SCAPIN 1391, 10 December 1946, subject, "Suppression of Illegal Entry into Japan." (Tab A)
- b. Memorandum from the Supreme Commander for the Allied Powers, file AG 000.5 (23 Dec 47)GC-0, SCAPIN 1391/1, 23 December 1947, subject, "Suppression of Illegal Entry into Japan." (Tab B)
- c. Memorandum from the Supreme Commander for the Allied Powers, file AG 000.5 (8 Jul 47)GC-0, SCAPIN 1742, 8 July 1947, subject, "Suppression of Illegal Entry into Japan." (Tab C)
- d. Memorandum from the Supreme Commander for the Allied Powers, file AG 560 (5 Aug 47)GD, SCAPIN 1758, 5 August 1947, subject, "Exercise of Jurisdiction over Vessels." (Tab D)
- e. Memorandum from the Supreme Commander for the Allied Powers, file AG 014.33 (6 Oct 48)GA, SCAPIN 1950, 23 December 1948, subject, "Termination of Repatriation for Ryukyans." (Tab E)
- f. Memorandum from the Supreme Commander for the Allied Powers, file AG 091.1 (28 May 49)GA, SCAPIN 2019, 22 June 1949, subject, "Establishment of Immigration Service." (Tab F)

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g. Paragraphs 8 and 9, Section II, Annex III of Memorandum from the Supreme Commander for the Allied Powers, file AG 014.33 (7 May 46)GC-0, SCAPIN 927/17, 9 March 1949, subject, "Repatriation." (Tab G)

2. a. Memoranda referred to in paragraphs 1a, b and c above are rescinded.

b. Paragraph 3 of memorandum referred to in paragraph 1d above is amended to delete reference to Korea.

c. Paragraph 5 of memorandum referred to in paragraph 1e above is rescinded.

d. Paragraph 5 of memorandum referred to in paragraph 1f above is rescinded.

e. The provisions of the memorandum referred to in paragraph 1g above are considered to be in consonance with the provisions of this directive.

3. The Japanese Government is responsible for the prevention of the illegal entry of individuals, vessels, crews thereof and cargo into Japan. All persons apprehended as illegal entrants or as individuals who are otherwise in Japan without authority and/or any vessels transporting persons or cargo for illegal discharge into Japan, including illegal cargo, shall be subject to <sup>LAWS, REGULATIONS and/or MEMORANDA</sup> [those laws and/or regulations promulgated by the Supreme Commander for the Allied Powers and the Japanese Government] currently in effect or which may be hereafter promulgated.

4. All persons except United Nations nationals apprehended as illegal entrants are subject to prosecution for illegal entry in Japanese

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courts. United Nations nationals apprehended as illegal entrants may be prosecuted only in Occupation courts. Jurisdiction over vessels entering the territorial waters of Japan is prescribed in memorandum, SCAPIN 1758.

5. The Japanese Government will medically process all illegal entrants apprehended in Japan in accordance with existing laws, regulations and/or memoranda as now govern persons who enter legally.

6. Upon satisfaction of Japanese law, the Japanese Government is responsible for transporting illegal entrants to designated reception centers at national expense and subsequently to outload <sup>illegal</sup> entrants on ships designated for this purpose.

7. The Japanese Government will furnish Japanese police at national expense as guards aboard trains and designated repatriation ships transporting illegal entrants. [Allied guards, if necessary, to lend support, prestige, and coordinate activities of police guards aboard trains and repatriation vessels, may be secured on request to the local Allied commanders.]

8. Direct communications between the Japanese Government agencies concerned and appropriate Occupation Force agencies are hereby authorized to implement this memorandum.

FOR THE SUPREME COMMANDER:

DRAFT

# OFFICIAL GAZETTE

GOVERNMENT PRINTING BUREAU

ENGLISH EDITION

昭和二十一年十一月三十日 第三種郵便物

EXTRA

FRIDAY, MAY 2, 1947

## IMPERIAL ORDINANCE

I hereby give My sanction, with the advice of the Privy Council, to the Imperial Ordinance concerning the Abrogation of the Regulations governing the Organization of the Privy Council and Executive Regulations thereof and Others, and cause the same to be promulgated.

Signed: HIROHITO, Seal of the Emperor

This second day of the fifth month of the twenty-second year of Showa (May 2, 1947)

Countersigned:

Prime Minister

YOSHIDA Shigeru

### Imperial Ordinance No. 203

The following Imperial Ordinances shall be abrogated on and after May 2, 1947:

Regulations governing the organization of the Privy Council and the Executive Regulations.

Imperial Ordinance No. 198 of 1946 (concerning the Secretary of the Privy Council)

Supplementary Provision:

The affairs relating to the remaining adjustment pursuant to the abolition of the Privy Council shall be conducted, in accordance with the decision of the Prime Minister, in the competent offices under his jurisdiction.

I hereby give My sanction to the Imperial Ordinance concerning the partial amendments of the Regulations governing the Temporary Establishment of the Investigation Bureau of the Ministry for Home Affairs, and cause the same to be promulgated.

Signed: HIROHITO, Seal of the Emperor

This second day of the fifth month of the twenty-second year of Showa (May 2, 1947)

Countersigned:

Prime Minister

YOSHIDA Shigeru

Minister of Justice

KIMURA Tokutaro

Minister for Home Affairs

UEHARA Etsujiro

### Imperial Ordinance No. 204

Article 1. The following amendments shall partially be made to the Temporary Establishment of the Investigation Bureau of the Ministry for Home Affairs:

"No. 4" shall read "No. 5" and "No. 5" shall read "No. 6", and the following paragraph shall be added as "No. 4":

4. Affairs concerning the Enforcement of the Registration Ordinance of Foreigners.

Article 2. The following partial amendments shall be made to the Temporary Establishment of the Per-

sonnel of Tokyo Metropolitan Government, Hokkaido Government and Prefectural Governments:

"Article 1-6" shall read "Article 1-7", "Article 1-7" shall read "Article 1-8" and "Article 1-8" shall read "Article 1-9".

Article 1-6. The following personnel shall be established throughout the Metropolitan Police Board, Hokkaido Government and Prefectural Governments to make them engage in the affairs concerning Police in consequence of result of the Economic Control:

Local Secretaries:

full time 7000 persons      3rd Class

Economic Superintendents      1200 persons

Economic Sub-Superintendents      5800 persons

Economic Superintendents and Economic Sub-Superintendents are assigned from among Local Secretaries of 3rd Class and shall engage, under the direction of the superior official, in the business mentioned in the preceding paragraph.

The full strength of the personnel of the Metropolitan Police Board, Hokkaido Government, and Prefectural Governments mentioned in paragraph 1, shall be decided by the Minister for Home Affairs.

Supplementary Provisions:

The present Ordinance shall come into force as from the day of its promulgation.

The following partial amendments shall be made to the Imperial Ordinance No. 528 of 1923 (concerning the Judicial Police and the Official Sanction given to those who are to discharge their duties as the Judicial Police Officials).

In Article 3, "No. 8" shall read "No. 8-2" and "No. 13" shall read "No. 14", and the following shall be added next to No. 8:

8-2. Local Secretaries who are Economic Superintendents.

The following item shall be added to the same Article:

14. Local Secretaries who are Economic Sub-Superintendents.

The following item shall be added to Article 4:

10. Regarding those mentioned in the preceding Article, No. 8-2 and No. 14, they are the crimes concerning Economic Control.

I hereby give My sanction, with the advice of the Privy Council, to the Imperial Ordinance concerning the partial amendments to the Government Officials Appointment and Promotion Ordinance, and cause the same to be promulgated.

Signed: HIROHITO, Seal of the Emperor

This second day of the fifth month of the twenty-second year of Showa (May 2, 1947)

Countersigned:

Prime Minister

YOSHIDA Shigeru

### Imperial Ordinance No. 205

Article 1. The Government Officials Appointment and



Authority: *W. N. D. T. Sec 2*  
 By: *820* NARA Date *10/01/07*

Promotion Ordinance shall be partly amended as follows:

Art. 1. Government offices shall be divided into First class, Second class and Third class, excluding special office, and the classification of each office shall be provided for by Law or Order.

In Art. 3 "Office for which an official is appointed with a ceremony of Imperial installation and" shall read "by Law or Order."

In Art. 5 par. 1 item 2, "judge or prosecutor" shall read "judge or procurator".

Article 2. Imperial Ordinance No. 80 of 1889 (concerning the qualification of Audit Inspector, shall be abrogated.

Supplementary Provision:

The present Ordinance shall come into force as from the day of its promulgation.

I hereby give My sanction, with the advice of the Privy Council to the Imperial Ordinance concerning the partial amendments to the Disciplinary Regulations of Government Officials, and cause the same to be promulgated.

Signed: HIROHITO, Seal of the Emperor

This second day of the fifth month of the twenty-second year of Showa (May 2, 1947)

Countersigned:

Prime Minister

YOSHIDA Shigeru

#### Imperial Ordinance No. 206

The Disciplinary Regulations of Government Officials shall be partly amended as follows:

In Art. 1, "Laws and Ordinances" shall read "Laws and Orders", and "in the chief aim at loyalty, obedience and diligence for His Majesty the Emperor, and His Government" shall read "in the chief aim at sincerity and diligence as servant for the whole Nation".

Art. 4. par. 2 shall be amended as follows:

The permission of the chief official concerned shall be obtained when a person wants to be a witness, expert witness etc. in accordance with Laws or Orders, or to publish secret matters relating to his official duties.

In Art. 8, par. 2, "the Sanction of His Majesty the Emperor" shall read "the permission of the Cabinet".

In Art. 7, "Higher Official (Koto-kan) Sub-ordinate official (Hannin-kan)" shall read "Government official".

Supplementary Provision:

The present Ordinance shall come into force as from the day of its promulgation.

I hereby give My sanction to the Imperial Ordinance relating to the registration of Aliens in accordance with the Imperial Ordinance No. 542, 1945, concerning the Orders to be issued in consequence of the Acceptance of the Potsdam Declaration, and cause the same to be promulgated.

Signed: HIROHITO, Seal of the Emperor

This second day of the fifth month of the twenty-second year of Showa (May 2, 1947)

Countersigned:

Prime Minister

YOSHIDA Shigeru

Minister for Home Affairs

UEHARA Etsujiro

#### Imperial Ordinance No. 207

Ordinance governing Registration of Aliens

Article 1. The present Imperial Ordinance shall be designed for adequately carrying out measures in regard to the entry of aliens and for insuring just treatment thereof in all matters.

Article 2. The term "aliens" as used in the present Imperial Ordinance shall mean persons who are not of Japanese nationality except those persons who come under any or the following categories:

(1) Persons and their dependants attached to or accompanying the Occupation Forces.

(2) The personnel who are members or employees of official missions accredited to and recognized by the Supreme Commander for the Allied Powers and members of their families.

(3) Those personnel who are stationed in Japan or official business for foreign government, their attendants and dependants.

Article 3. Aliens shall, for the time being, be forbidden to enter Japan (Areas designed by the Minister for Home Affairs shall be excepted. Same applies to other Articles.)

The provision of the preceding paragraph shall not apply to those aliens who enter Japan with the approval of the Supreme Commander for the Allied Powers, who may designate the harbor or airfield for entry.

Article 4. Any alien shall, as provided for by the Minister for Home Affairs, within sixty days of the landing, when he has entered Japan, or within fourteen days of the alteration, when non-alien has become alien, register the necessary matters to the mayor of a city or town or the head of a village (in the case of Tokyo Metropolis, where there is ward administration, Kyoto, Osaka, Nagaya, Yokohama and Kobe cities chief of the ward. Same applies to other Articles.)

In case where the difficulty of communication and other unavoidable cases render it impossible to make registration within the period specified in the preceding paragraph, the prefectural governor may prolong the period.

The registration mentioned in paragraph 1 shall not be made to more than one mayor of city or town or head of village.

Article 5. The mayor of city or town or the head of village shall, as provided for by the Minister for Home Affairs, prepare a register of aliens and maintain the same in the office of city, town or village.

Article 6. The mayor of city or town or the head of village, when filed the application for registration, shall, as provided for by the Minister for Home Affairs, enter the necessary matters in the register and issue a registration certificate.

Article 7. The alien who has changed his residence, shall, as provided for by the Minister for Home Affairs, within 14 days of such change, register with the mayor of city or town or the head of village of his new residence.

In the case of the preceding paragraph the mayor of a city or town or the head of a village shall as provided for by the Minister for Home Affairs, register the necessary matters and issue a registration certificate in exchange for that issued by the mayor of a city or town or the head of a village of the former residence.

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The provisions of Article 4, paragraph 2 and paragraph 3 shall apply to paragraph 1 of this Article.

Article 8. When a change has occurred in any items of his registration, any alien shall, as provided for by the Minister for Home Affairs, within 14 days of such change, register such alteration.

In the case of the preceding paragraph the mayor of a city or town or the head of a village shall register the alteration, as provided for by the Minister for Home Affairs.

The provision of Article 4, paragraph 2 shall apply to paragraph 1 of this Article.

Article 9. When leaving Japan, any alien shall return the registration certificate to the Government or public official designated by the prefectural governor who exercises jurisdiction over the place of the harbor or airfield from which he departs.

The alien, who becomes non-alien, shall, within 14 days of such alteration, return the registration certificate to the mayor of a city or town or the head of a village where he resides.

Article 10. An alien shall have registration certificate in his possession at all times, and produce the same upon demand of government or public official designated by the Minister for Home Affairs.

When requested by the Government or public official designated by the Minister for Home Affairs, the alien shall present passport, nationality-certificate or other papers showing that he is a proper possessor of the said registration certificate or that the matter entered in registration certificate is true.

Article 11. Formosans designated by the Minister for Home Affairs and Koreans shall, for the time being, be presumed to be aliens.

In case where an alien cannot make registration or other acts provided in the present Imperial Ordinance or Ordinance to be issued in accordance therewith on account of illness or other reasons specified by the Minister for Home Affairs, the person designated by the Minister for Home Affairs, shall perform the same for him.

Article 12. Any person who comes under any of the following categories shall be sentenced to not more than 6 months imprisonment with or without hard labor, or a major fine not exceeding 1,000 yen, or detention or police fine:

- (1) Any alien who makes his entry into Japan in contravention of the provisions of Article 3.
- (2) Any alien who, in contravention of the provisions of Article 4, paragraph 1, Article 7, paragraph 1, or Article 8, paragraph 1, fails to make registration, or who makes false registration.
- (3) Any person who prevents application for registration provided for in Article 4, paragraph 1, Article 7, paragraph 1 or Article 8, paragraph 1.
- (4) Any alien who, in contravention of the provisions of Article 4, paragraph 3 and Article 7, paragraph 3 makes registration to more than one mayor or a city or town or head of a village.
- (5) Any alien who, in contravention of the provision of Article 9, fails to return the registration certificate.
- (6) Any alien who, in contravention of the provision

of Article 10, refuses to present the registration certificate, other papers corresponding to such.

(7) Any alien who gives a registration certificate to some other person, or who receives a registration certificate signed with the name of some other person or uses the same.

(8) Any alien who forges or alters a registration certificate for the purpose of use, or who uses a forged or altered registration certificate

Article 13. The prefectural governor (in the case of Tokyo Metropolitan Police the Director of the Metropolitan Police Board Same applies to other Articles) may order out of Japan any alien who comes under any of the following categories:

(1) Any alien who entered into Japan in contravention of Article 3.

(2) Any alien who has committed the offence enumerated in the preceding Article and been sentenced to a penalty heavier than imprisonment.

(3) Any alien, except the same mentioned in the preceding paragraph, who, having been punished under the preceding Article, repeats any of the acts mentioned in the same Article.

Article 14. The Minister for Home Affairs may, as provided for by the same Minister, compulsorily repatriate any alien who comes under any of the following categories:

(1) Any alien who, makes his entry into Japan in contravention of Article 3.

(2) Any alien who disobeys a departure order mentioned in the preceding Article.

Article 15. Any alien who may take exception to the disposition of the prefectural governor or the Minister for Home Affairs under the preceding two Articles, may undertake acts of procedure within ten days from the day of the decision, in the case of Article 13 or of the commencement of the disposition, in the case of the preceding Article.

The alien referred to the disposition under the preceding two Articles shall not be repatriated during the period mentioned in the preceding paragraph and during the action, if undertaken, is pending.

Supplementary Provisions:

The present Imperial Ordinance shall come into force as from the day of its promulgation; however the provisions of Article 15 (including the case where it is applied in accordance with paragraph 3 of the Supplementary Provisions), shall come into force from the day of the enforcement of the Constitutions of Japan. In this case "day of the decision, in the case of Article 13, or of the commencement of the disposition, in the case of the preceding Article" mentioned in the same Article, paragraph 1 shall read "the day of the enforcement of the Constitution of Japan", so far as the disposition has been taken by the prefectural governor or the Minister for Home Affairs before the enforcement of the provisions of the same Article.

Any alien who resides in Japan on the day of enforcement of the present Imperial Ordinance shall, within thirty days from its enforcement, register, as provided in Article 4.

The provisions of Article 12 to Article 15 inclusive shall apply to the preceding paragraph.