

**Promoting Effective Measures**  
**on**  
**Various Issues**  
**Deriving from Military Installations**

**October 2011**

**The Okinawa Municipal Council**  
**for**  
**Military Land Conversion and Base Problems**  
**(Gunttenkyo Council)**

## **Promoting Effective Measures on Various Issues Deriving from Military Installations**

First, I would like to express my sincere gratitude for the exceptional understanding and consideration you have shown toward the resolution of U.S. military base issues in Okinawa Prefecture.

In our prefecture of Okinawa, which accounts for only 0.6 percent of the total land area of Japan, approximately 74 percent of the facilities for the exclusive use of the U.S. Forces in Japan are located in and around our islands, having various impacts on the residents living around the bases and on the lives of the citizens of the prefecture at large.

The Okinawa Municipal Council for Military Land Conversion and Base Problems, known as the Guntenkyo Council, has twice received responses from the Government of Japan as to the status of the steps taken by the GOJ and its future schemes towards the requests filed by the Council. In addition, under the Okinawa Policy Council, the GOJ also established a subcommittee designated to alleviate the burden stemming from U.S. military bases. Despite the GOJ responses and the ongoing discussions with the said subcommittee, the present circumstances does not allow one to say that tangible progress has been made regarding the alleviation of burden surrounding the military bases.

The people of Okinawa have continued to shoulder the excessive weight of military bases for 66 years since the end of World War II. It is the sincerest wish of the citizens of Okinawa to see the resolution of base issues in our island prefecture.

To that end, we kindly ask for your further efforts in our requests toward the resolution of various issues deriving from the military bases.

Sincerely,

Hirokazu Nakaima  
Governor of Okinawa Prefecture  
President of the Guntenkyo Council

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# I Reducing the Impact of U.S. Military Bases on Okinawa

## 1 Japan-U.S. Joint Statement

### (1) MCAS Futenma: Relocation Out of the Prefecture, Prompt Return, and Elimination of Danger Factors

We call for:

- (A) the review of the Japan-U.S. Joint Statement and steps toward the relocation of MCAS Futenma out of Okinawa Prefecture and the return of the land;
- (B) drastic measures to be taken promptly in regards to the elimination of danger factors and mitigation of noise from MCAS Futenma, even if only for the duration of time before its return; and
- (C) the provision of thorough explanations under the responsibility of the Government of Japan (GOJ), regarding the MV-22 Osprey deployment and its various impacts such as on the daily lives of the citizens of the Prefecture.

Reasons:

MCAS Futenma is located in the heart of an urban area and with its significant impact on the local population, it is a pressing issue to alleviate anxieties over aircraft accidents among the residents in the surrounding communities as well as to resolve the impact of noise.

Notably, a serious accident occurred in August 2004, when an MCAS Futenma-based heavy-lift helicopter crashed into the grounds of the Okinawa International University and burst into flames. This accident only intensified the wish of the Okinawan people for the prompt return and the eradication of danger factors of the Air Station.

At the Japan-U.S. Security Consultative Committee on June 21, 2011, both governments of Japan and the U.S. issued a statement with items including ‘the Realignment on Okinawa.’ At the Committee, both sides completed the verification and validation of the location, and confirmed the configuration and construction methods for the replacement facility of Futenma Air Station. However, taking into consideration the various circumstances that have unfolded since September of 2009, we believe that realization of this plan, which has not garnered the

understanding of the local residents, is virtually unfeasible.

To that end, it is necessary to review the Japan-U.S. Joint Statement which concludes that the Futenma Replacement Facility is to be located at Henoko-saki and adjacent water areas, and steps are needed towards the relocation of MCAS Futenma out of Okinawa Prefecture and the prompt return of the land thereafter.

Further, as we cannot leave the current dangers unresolved, the matter of eliminating the risks and mitigating the noise of the Air Station must be addressed immediately, even if only for the duration of time before its return.

In August 2007, GOJ announced various measures as part of the efforts to remove risks at Futenma Air Station, and also that by May of 2009, these efforts were all completed. However, from the standpoint of protecting the lives, properties, and safety of the local residents, additional drastic and remedial actions are necessary.

In regard to the MV-22 Osprey deployment, the citizens of the Prefecture are concerned over the deployment of this aircraft due to accidents in its development stages which include fatalities. Taking into consideration that sufficient information is not currently given, we are opposed to the deployment of the MV-22 Osprey.

The GOJ has responded to the queries submitted jointly by the Okinawa Prefectural Government (OPG) and the City of Ginowan, but the GOJ was unable to respond to some of the questions asked, and the provision of explanations regarding impacts to the lives of the citizens in the Prefecture continues to be necessary.

(2) Relocation of Marine Corps Personnel from Okinawa to Guam, Return of Installations & Areas South of Kadena Air Force Base

We call for:

- (A) the relocation of Marine Corps personnel from Okinawa to Guam and the return of facilities and areas south of Kadena Air Force Base be carried out with certainty, and not by a “package” projects, but by each facility or area whose return is feasible;
- (B) consultations to be resumed promptly in regard to SACO-related projects and others where implementations have been interrupted, as well as the acceleration of consultations regarding partial return of facilities and areas associated with the promotion of local public projects;
- (C) the implementation of specific and effective training relocation in the context of expanding the relocation of U.S. Forces’ activities outside of Okinawa Prefecture; and
- (D) thoroughgoing attention to be paid regarding the job security of on-base employees.

Reasons:

The concentration of U.S. Forces Japan in Okinawa Prefecture is clearly disproportionate, and the scale of the troop force far exceeds the fair share of burden from a national perspective.

The lives of the Prefecture’s citizens are impacted in a wide range by daily aircraft noise, field fires and other harms on the natural environment caused by live-ammunition exercises, pollution from oils and fuels in the rivers, seas and soils, and aircraft accidents as well as criminal offenses involving U.S. Forces troops and other persons under the SOFA.

The Guntenkyo Council believes that the relocation of Marine Corps training outside of the Prefecture and the reduction of the U.S. Forces footprint in Okinawa will lead to the decrease of incidents and accidents involving the U.S. Forces’ personnel and other related persons. Furthermore, the return of facilities and areas south of Kadena Air Force Base is of great importance, which will greatly affect the advancement and growth of Okinawa Prefecture in the future.

As for the relocation of MCAS Futenma, the current relocation plan is not supported by the citizens of the Prefecture, and taking into consideration the

various circumstances that have unfolded since September of 2009, it is virtually infeasible to fulfill the plan.

In line with this, we call for efforts toward the relocation of MCAS Futenma out of the Prefecture and prompt return of the land, together with our requests for the relocation of Marine Corps personnel from Okinawa to Guam and the return of facilities and areas south of Kadena Air Force Base to be carried out with certainty, without being bound to the “package” proposal, but by facility or area where its return is feasible.

Detailed plans for integration, consolidation and reduction of facilities and areas must be drawn and announced at the earliest date, particularly for facilities and areas south of Kadena Air Force Base which are not subject to be returned and which will remain on Okinawa.

Further, we feel it is necessary to start the relocation of the Marine Corps troops in Okinawa to Guam expeditiously, without relevance to the development of the issues surrounding MCAS Futenma, but in accordance with the progress of work in the buildup in Guam, of which the GOJ is to cover 6.09 billion USD (approximately 500 billion JPY) for the facility and infrastructure construction costs confirmed by both governments of Japan and the U.S.

Moreover, despite being adopted as SACO and/or other related projects, there are cases where discussions concerning the execution of projects have been interrupted for reasons that the integration of facilities and areas set in the Japan-U.S. Roadmap for the realignment of U.S. Forces have not moved forward. Specifically, consultations have not moved forward surrounding the construction of the general waste disposal site in Kin District where plans for this project have been drawn by the municipalities hosting Camp Hansen. In order to execute these projects, which relates to the lives of residents and the revitalization of these regions, it is necessary to resume talks in a prompt manner.

Finally, for issues related to ensuring job security of on-base employees, the current framework needs to be sustained and also, thoroughgoing attention has to be paid to this matter, including the establishment of a new system.

(3) Partial Lifting of Restrictions in Training Area Hotel Hotel, and Return of Tori Shima & Kume Jima Ranges

We call for:

- (A) the partial lifting of restrictions in Area Hotel Hotel and the return of Tori Shima and Kume Jima Ranges.

Reasons:

The waters nearer to Okinawa Island within Training Area Hotel Hotel and its surroundings are favorable fishing grounds for diamondback squid and skipjack and other tuna.

Further, in close proximity to this designated training area are air and sea traffic routes between the capital city of Naha on the main island to both Minamidaito and Kitadaito islands. Therefore, this issue is a matter of concern from the perspective of ensuring the safety of the routes that support the livelihood of the residents on the islands.

In addition, the area in the surrounding waters of Tori Shima and Kume Jima Ranges are thriving payao fishing sites and aquafarms are located nearby that cultivate *mozuku* seaweed.

Water areas surrounding Okinawa Prefecture are designated for the use of U.S. Forces based on the Japan-U.S. Status of Forces Agreement, which limits fishing sites and also greatly restricts mobility from one area to another. In addition to this, in April 2008, a U.S. Marine Corps aircraft accidentally dropped a bomb outside of the designated training waters of Tori Shima Range, jeopardizing the safe operation of fishing boats in the area.

Furthermore, Tori Shima continues to lose its original geographic features as an island from the many years of live-ammunition training. This is an important issue related to our national sovereignty and security interests.

To that end, the partial lifting of restrictions in Area Hotel Hotel and the return of Tori Shima and Kume Jima Ranges are necessary to ensure the safety and livelihood of the people of Okinawa and for our pursuit of balanced growth in our Prefecture.

- I Reducing the Impact of U.S. Military Bases on Okinawa
- 2 Fundamental Preventive Measures Regarding Incidents Involving U.S. Military Personnel & Other Persons Under the SOFA

We call for:

- (A) the prevention of recurring incidents through further disciplinary measures such as strengthening of human rights education as well as safety management measures;
- (B) the prompt disclosures of causes and investigation results relating to incidents; and
- (C) the implementation of drastic measures, and examination of the effectiveness of the preventive measures issued by the USFJ Okinawa Area Coordinator in June of 2010.

Reasons:

The Council has repeatedly called for the strengthening of discipline and preventive measures to the relevant authorities in order to work towards the eradication of incidents involving U.S. military personnel and related persons, particularly focusing on the thorough awareness education aimed at underage servicemembers and family members. However, the situation in Okinawa remains to show no significant decline in the occurrence of incidents and accidents.

As of September 2011, there have been a total of 5,733 criminal cases involving those under the SOFA since Okinawa's reversion to Japan in 1972. The figure includes 567 cases of murder (including 12 cases where victims were civilians), robbery, and rape, which are categorized as heinous offenses.

There were as many as 71 criminal cases in the last year alone, including physical assault, infliction of injury, theft, and home invasion incidents during late-nights and/or involving alcohol.

In order to prevent such incidents and accidents involving U.S. military servicemembers and other SOFA-related personnel, which impact the citizens of Okinawa with increased concerns, it is necessary to further enhance the disciplinary measures by raising awareness in regard to human rights issues. Furthermore, from the standpoint of alleviating the anxiety of the residents of the Prefecture, it is also necessary to have thorough information and investigation results of incidents and accidents disclosed in an expeditious manner.

In addition, despite the preventive measures implemented by the USFJ Okinawa Area Coordinator in June of 2010, aimed at curbing incidents and accidents involving U.S. military servicemembers, their families and other related components, alcohol-related incidents and accidents have occurred frequently during the curfew hours, and makes it necessary for both governments of Japan and the U.S. to implement drastic preventive measures including the review of the effects of the measures implemented by the USFJ Okinawa Area Coordinator.

- I Reducing the Impact of U.S. Military Bases on Okinawa
- 3 Thorough Preventive & Safety Management Measures Regarding Accidents in U.S. Military Training & Exercises

We call for:

- (A) the disclosure in advance of the details about scheduled training and exercises of the U.S. military;
- (B) the prompt disclosure of the investigation reports, if/when accidents caused by training and exercises occur, and the implementation of fundamental and effective measures of safety management, including the thorough examining of the causes of accidents; and
- (C) the adequate assistance to the local governing bodies under the responsibility of the GOJ, including financial measures for the development of safety arrangements and maintaining equipments which will be used in case of nuclear accidents caused by U.S. nuclear-powered ships.

Reasons:

The Council has repeatedly called for the strengthening of preventive measures and safety management to the relevant authorities in order to work towards the eradication of incidents and accidents associated with the U.S. military training and exercises. However, the situation surrounding training-related accidents continues to recur.

As of September 2011, there have been a total of 519 cases in regard to aircraft accidents (43 of which were aircraft crashes) since Okinawa's reversion to Japan. These aircraft-related accidents include the U.S. military helicopter crash on the grounds of the Okinawa International University in 2004; midair collision of F-15 fighters also in 2004; F-15 crash within the Hotel Hotel training area in 2006; and the 2008 crash in the northern city of Nago, of a small aircraft belonging to the Kadena Aero Club.

Furthermore, various situations have occurred in the recent years, including forest/field fires due to live-ammunition firing and bombing exercises (there have been a total of 527 of such cases since Okinawa's reversion to Japan and up to the end of September in 2011); red-soil runoff from the depletion of vegetation in the mountains; accidental bombing by Harrier attack aircraft in a

non-designated training water area (within the proximity to Tori Shima Range, 2008); and a servicemember parachuting down on to the site outside of the provided facilities and areas during parachute training (in Ie Island, January 2011).

Although information regarding the conducting of training and exercises are provided through the Okinawa Defense Bureau in advance and in writing, the provided information does not include the details of the training and exercises such as the specific scheduled times. In addition, if/when accidents occur, the disclosure of accident investigation reports take a considerable amount of time and sufficient details are not provided. These factors contribute to the heightened concern among the residents in the Prefecture.

In order to alleviate the anxiety of the residents, it is necessary to have the detailed information disclosed in advance, concerning the military training and exercises.

In addition, we request the swift disclosure of investigation results if/when accidents occur, and to conduct thorough examinations to uncover the causes of accidents, and in regard to safety management, the implementation of fundamental and effective measures.

Moreover, matters concerning the creation of adequate preventive/emergency measures in case of nuclear accidents are pressing issues in our Prefecture, where we have frequent port calls of nuclear-powered American vessels. Therefore, it is necessary to have the GOJ take the responsibility in providing sufficient support, which includes financial measures for the local governing bodies, toward building safety frameworks and maintaining equipment in preparation for possible nuclear accidents involving nuclear-powered U.S. vessels.

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### 4 Aircraft Noise Mitigation at Kadena Air Force Base & MCAS Futenma

We call for:

- (A) the examination of the effectiveness of the partial relocation of exercises presently conducted from Kadena Air Force Base, and the implementation of specific and efficient measures based on its results;
- (B) the strict compliance of the Aircraft Noise Abatement Countermeasures at Kadena Air Force Base and Futenma Air Station to keep within the environmental standards;
- (C) the avoidance of flying over residential areas;
- (D) the installation of systems to clearly define the flight altitude, course, etc., of aircraft at both facilities, and the disclosure of this data;
- (E) the strengthening and upgrading of noise countermeasures such as the expansion of areas covered for home sound-insulation work, including those residences built after the notification of areas subject to soundproofing work, and expanding these measures to offices and retail premises; and
- (F) the prompt institutionalization of subsidies for solar photovoltaic system installations.

Reasons:

The U.S. military operations impact the surrounding communities in various ways, but the most notable impact is the aircraft noise associated with Kadena Air Force Base and MCAS Futenma, both of which are located in close proximity to residential areas. Noise emitted by landings and take-offs of aircraft continue to gravely impact the lives of the residents in these areas.

The Council has iteratively called for the alleviation of aircraft noise and its adverse impacts, yet the situation remains to be one with no viable improvements.

With Kadena-based aircraft such as the F-15 fighters, other U.S. military aircraft based elsewhere in Japan, or those visiting aircraft from installations abroad that conduct touch-and-go exercises, low-altitude flight training, and engine-testing in aprons located near residential areas, the surrounding communities are impacted by intense noise on a daily basis. The residents of the

surrounding areas are constantly exposed to great adverse effects to their health and lives by the noise as well as odors from exhaust gas emissions, abnormalities in hearing, and disruptions in the classrooms among other issues.

Although Kadena Air Force Base has partially relocated its training and exercises as part of the U.S. Forces realignment, the alleviation of burden has yet to be realized, as positive effects are not noticeable at the present time. For this reason, it is necessary to examine and determine the effectiveness of the training relocation, and reflect these examination results on the expeditious implementation of specific and substantial measures.

At MCAS Futenma, the low-altitude flights of helicopters that circle above the surrounding residential areas are raising issues concerning the consistent occurrence of noise including low-frequency noise. In addition to this, numerous inbound aircraft such as the F/A-18 and others are frequently taking off and landing to and from this Air Station.

Even after the agreement of the Aircraft Noise Abatement Countermeasures at Kadena Air Force Base and Futenma Air Station was concluded in March of 1996, the aircraft noise monitoring conducted at various monitoring stations continued to show results which exceeded the environmental standards every year. We call for the strict compliance to the Aircraft Noise Abatement Countermeasures in order to meet these environmental standards.

Furthermore, the U.S. military aircraft taking off and landing at Kadena Air Force Base and Futenma Air Station are not only flying above the residential areas of their surrounding communities, but also in a wider range, above residences in various parts of Okinawa Island. With an increase in the complaints from citizens affected in these various parts of Okinawa, it is necessary to avoid flights above residential areas.

Furthermore, in order to effectively handle the matters concerning the Aircraft Noise Abatement Countermeasures and also the issues of aircraft flying above residential areas, we must first understand what the actual situation is. To that end, it is necessary for the GOJ to establish a system which will clearly define the current situation of flights, such as their altitude, course, and other relevant details, and provide this data to the citizens of Okinawa.

Based on the Law Concerning Adjustment, etc. of the Living Environment in the Environs of Defense Facilities (Living Environment Improvement Law), residences in the surrounding areas of Kadena Air Force Base and MCAS Futenma have undergone soundproofing work. However, the number of homes constructed

after the designation of areas, and therefore not subject to this work, has increased. Moreover, despite the real impact of noise, there are many homes located outside of the designated soundproofing areas, as well as many offices and other businesses which are not subject to sound-insulation work.

For these reasons, it is necessary to expand the designated soundproofing areas, which currently is limited to those areas with a noise level of up to 75 WECPNL, to areas with noise impacts of up to 70 WECPNL, which is the environmental standard. Furthermore, it is necessary to strengthen and expand the present measures to include homes constructed after the designation of soundproofing areas, as well as offices and businesses.

Those homes where soundproofing work have been conducted are installed with air-conditioning equipment, but the cost of electricity for the operation of these apparatus are principally borne by the residents.

The Council understands that the provision of subsidies for the installation of solar photovoltaic systems is under review as a way to mitigate the cost of electricity-use, but we urge all relevant authorities to institutionalize subsidies for the installation of solar power systems as swiftly as possible.

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5 Strengthening of Preventive Measures Against Residential Environment Damage & Natural Environment Destruction Resulting from U.S. Military Activities & Base Operations

We call for:

- (A) the strengthening of preventive measures against harm to the community environment and destruction to the natural environment caused by U.S. Forces activities and base operations, and for permissions to be granted expeditiously to enter the installations in cases of incidents and/or accidents;
- (B) new environmental provisions to be added to the Japan-U.S. Status of Forces Agreement with stipulations that Japanese domestic laws concerning environmental conservation shall apply;
- (C) compliance to the standards and procedures of the relevant Japanese environmental laws concerning environment-related incidents and/or accidents that may occur before the proposed revision of the Japan-U.S. Status of Forces Agreement, and for the handling of such cases to be explained promptly to the local governments and other concerned bodies;
- (D) the implementation of appropriate measures upon conducting necessary studies concerning the issue of reception interruptions/disturbances of television broadcasting, etc., caused by the base operations of the U.S. Forces;
- (E) the inclusion of Futenma Air Station as a defense facility subject to subsidies for the projects related to broadcasting receptions in the surrounding areas;
- (F) the release of detailed information concerning the radioactive waste that are stored at MCAS Futenma, associated with the U.S. Forces support operations at the areas affected by the Great East Japan Earthquake. The detailed information shall be disclosed under the responsibility of the GOJ, and shall include the figures regarding the radiation levels of this waste, etc., and the waste shall be appropriately disposed of at the earliest possible time. Furthermore, local governing bodies shall be promptly notified on matters related to radiation and

radioactive materials; and

- (G) the confirmation of all facts regarding the testimonies of U.S. Forces veterans that defoliants were used at the U.S. military facilities in Okinawa, and the provision of explanations to the local governing bodies concerning this issue as soon as possible.

Reasons:

With the heightened global awareness regarding the importance of environmental protection in today's society, it is necessary to put our efforts, in particular, towards the conservation of our natural environment.

However, in Okinawa Prefecture, a wide range of damage and destruction to the communities and the natural environment continues to occur, stemming from the U.S. military bases. At the present time, Japanese environmental conservation laws are not applied to the U.S. Forces operations, and in addition, information is not sufficiently disclosed. This has given rise to a great number of issues.

In particular, since Okinawa's reversion to Japan in 1972, there have been 153 confirmed cases (as of the end of September 2011) of leakage incidents, of liquids such as oil, fuel, and waste water. Recently, there have been frequent occurrences of waste water and/or jet fuel spilling into rivers and streams and flowing into residential areas.

These creeks and rivers, along with underground water wells within the U.S. military installations, are precious sources of water for the residents of Okinawa Prefecture. Such leakage accidents are matters of great concern not only in regard to environmental pollution, but also in the health aspects of the citizens of our prefecture.

Additionally, at Kadena Air Force Base, training and exercises are conducted using sirens, blast sounds, and loudspeakers. This adds to the stress of the residents in the vicinity of the installation who are already exposed to the strain of daily aircraft noise.

For these reasons, it is necessary to address the strengthening of preventive measures against harm to the community environment and destruction to the natural environment from U.S. Forces activities and base operations. In addition, in cases of incidents and/or accidents, it is necessary for our permission requests to enter into the relevant installation(s), to be granted expeditiously.

Further, it is necessary to establish and add provisions under the Japan-U.S. Status of Forces Agreement which stipulate that the U.S. military

operations are subject to Japanese environmental conservation laws.

Moreover, for the period of time in which the Japan-U.S. SOFA is reviewed, it is necessary for all of the environment-related incidents and accidents to be handled, under the responsibility of the GOJ, according to the standards and procedures of domestic laws, and for the outcome of these cases to be promptly explained to the relevant local governing bodies and other parties.

In addition, for the issues surrounding reception disturbances of television broadcasting, etc., caused by the base operations of the U.S. Forces, and taking into consideration that the transition to digital terrestrial broadcasting has taken place, it is necessary to promptly conduct appropriate studies in accordance with the wishes of residents and others within the communities that surround U.S. Forces facilities. We ask for appropriate measures to be implemented swiftly if and when reception disturbances are confirmed in the studies.

Futenma Air Station is a U.S. Marine Corp aviation facility that sees incoming flights of FA-18 fighter jets and other aircraft. The results of the aircraft noise monitoring for JPY 2010 conducted by OPG show that the level of aircraft noise has escalated, recording a reading of 123.6dB, the highest noise level in the last ten (10) years. For these reasons, it is necessary to take appropriate measures including the designation of the Air Station as a defense facility subject to subsidies for the projects related to broadcasting receptions in the surrounding areas.

Associated with the U.S. Forces support operations in the aftermaths of the Great East Japan Earthquake, in the matters regarding the radioactive waste currently stored at MCAS Futenma, there was a lapse of approximately three months upon the return of U.S. Marine Corps troops to Okinawa before notification of its storage was given to the GOJ. In order to alleviate the concerns of residents in Okinawa, in a time when efforts are ongoing in handling the situation that arose after the nuclear power plant accident, it is absolutely necessary to disclose information in full and in an expeditious manner. To that end, it is necessary to properly dispose the radioactive waste stored at MCAS Futenma at the earliest possible time, and under the responsibility of the GOJ.

Additionally, fear of health hazards and environmental contamination have spread among local government bodies due to media reports where veterans of the U.S. Forces who were stationed at U.S. military bases on Okinawa, claim defoliants were once used at the U.S. military facilities and areas in this prefecture. Therefore, to eliminate anxieties among the local residents, it is necessary to verify and confirm all the facts concerning these claims and explanations must be provided to the local governing bodies.

# I Reducing the Impact of U.S. Military Bases on Okinawa

## 6 Fundamental Review of the Japan-U.S. Status of Forces Agreement

We call for the fundamental review of the Japan-U.S. Status of Forces Agreement as stated below.

- (1) Provisions Related to Article II (Permission, Determination, Return, and Special Usage of Facilities and Areas)
  - (1)-1. Clearly stipulate that when requests are made by the concerned local authorities regarding the agreements related to the details of specific facilities and areas, these issues will be examined and reviewed.
  - (1)-2. Clearly stipulate that upon the review of the issues stated above, the views of the local authorities shall be heard and their interests respected, and that these same procedures will be applied in reviewing the return of facilities.
  - (1)-3. Clearly stipulate the range of use, purpose, conditions, etc., regarding the agreement(s) related to each and specific facilities and areas.
- (2) Provisions Related to Article III (Safeguarding and Control Within and Outside of the Facilities and Areas)
  - (2)-1. Clearly stipulate that the U.S. Forces shall accommodate the local governing bodies with necessary and appropriate support for their performance of duties, including access to the facilities and areas upon prior notification. Additionally, specify that in cases of emergency, immediate access shall be permitted to the local governing bodies.
  - (2)-2. Clearly stipulate that information on incidents and accidents, such as aircraft accidents and forest/field fires which occur within the U.S. Forces facilities and areas, shall be promptly provided to the concerned local governing bodies, and that appropriate preventative measures shall be taken to limit the extent of damage.
  - (2)-3. Clearly stipulate that Japanese domestic laws and regulations shall be applied to the operations of U.S. Forces including exercises/training and facility management and maintenance.
- (3) Provisions Related to Article III-A (Environmental Conservation, etc. of the Facilities and Areas) \* Recommended Addition
  - (3)-1. Clearly stipulate that environmental clauses with the following specifications shall be newly established.

- (3)-1-1. The U.S. Forces shall be responsible for the prevention of pollution arising from the U.S. Forces operations and to implement necessary measures to protect the natural environment. Additionally, specify that the Japanese environmental preservation laws and regulations shall be applied to the activities conducted by the U.S. Forces.
  - (3)-1-2. When developing plans related to the facilities and areas, U.S. Forces shall make all efforts to minimize adverse impacts on people, flora, fauna, soil, water, and air as well as cultural assets. Furthermore, the impact of the concerned projects shall be reviewed and assessed before and after the projects are undertaken and the results of these reviews shall be made available to the public. Moreover, both the governments of Japan and the U.S. shall discuss measures for environmental preservation based on the results of the said review.
  - (3)-1-3. The U.S. shall be responsible for taking appropriate restorative measures concerning environmental pollution stemming from the activities of the U.S. Forces. The governments of Japan and the U.S. shall discuss on the costs of such measures.
- (4) Provisions Related to Article IV (Return, Restoration and Compensation of Facilities and Areas)
  - (4)-1. Clearly stipulate that in regards to the return of the facilities and areas used by the U.S. Forces, the governments of Japan and the U.S. shall conduct joint environmental surveys in advance. If environmental pollution has been confirmed, the governments of Japan and the U.S. shall take necessary measures to restore the land to its original state and discuss the cost burden.
- (5) Provisions Related to Article V (Access and Movement of Vessels and Aircraft)
  - (5)-1. Clearly stipulate that the use of civilian airports and ports by the U.S. Forces shall be restricted to cases of emergencies.
  - (5)-2. Clearly stipulate that the terms "access to" and "movement" stated in this Article do not include activities that are considered as part of training and/or exercises.
- (6) Provisions Related to Article IX (Entry into or Departure from Japan by Members of the United States Armed Forces, the Civilian Component, and Their Dependents)
  - (6)-1. Clearly stipulate that Japanese laws and regulations relating to public health and quarantine shall be applied to SOFA-related personnel,

animals, and plants.

(7) Provisions Related to Article XIII (Taxation)

(7)-1. Clearly stipulate that private vehicles owned by SOFA-related personnel are subject to the same tax rates as private vehicles owned by Japanese nationals.

(8) Provisions Related to Article XV (Non-Appropriated Fund Organizations)

(8)-1. Clearly stipulate that Japanese citizens are restricted from receiving services provided by U.S. organizations within the facilities and areas.

(9) Provisions Related to Article XVII (Criminal Jurisdiction)

(9)-1. Clearly stipulate that when requested by relevant Japanese authorities, the U.S. side will comply to transfer the custody of suspect(s) prior to indictment.

(10) Provisions Related to Article XVIII (Civil Claims)

(10)-1. Clearly stipulate that if damages arise due to acts or negligence by members of the U.S. Armed Forces, the civilian component, and their dependents, and the amount of compensation does not meet the reparations ruled in the final court decision, the governments of Japan and the U.S. shall bear the responsibility in covering the amount of difference, and the two governments shall discuss the cost burden.

(10)-2. Clearly stipulate that if and when an order is issued by the Japanese courts, the U.S. authorities shall seize salaries, etc. to be paid to those members of the U.S. Armed Forces and the civilian component in question, and turn these assets over to the Japanese authorities.

(11) Provisions Related to Article XXV (Joint Committee)

(11)-1. Clearly stipulate that the agreements made by the Japan-U.S. Joint Committee shall be promptly made available to the public.

Reasons:

The U.S. military bases are concentrated excessively in our Prefecture and furthermore, many of these installations are located in close proximity to residential areas. Incidents, accidents, and environmental issues that stem from the U.S. military bases, as well as criminal offenses and other issues involving servicemembers, military-related personnel and their family members have great impact on the lives of the citizens of the Prefecture. For these reasons, the consolidation and reduction of U.S. military bases and the review of the Japan-U.S. Status of Forces Agreement are important issues that need to be addressed.

From the standpoint of protecting the lives and rights of the citizens of Okinawa from the various incidents, accidents, etc., stemming from the U.S. military bases, as well as to improve public welfare, the Council believes it is necessary to examine the nature of U.S. military operations in Okinawa and we have called for the review of the Japan-U.S. SOFA to the Government of Japan at every opportunity.

It has been over 50 years since the conclusion of the Japan-U.S. Status of Forces Agreement. The Agreement does not contain any provisions concerning the environment and, with the rise in awareness concerning human rights as well as in the areas of environmental issues, is not in line with the times.

Despite the stance of the GOJ to address the issues regarding the revision of the Japan-U.S. Status of Forces Agreement, relevant principles have not been presented. With this, in August 2010, the Council called for the GOJ to define the principles at the earliest possible time and to begin the necessary work for the review. However, we have not witnessed any efforts toward the review of the Status of Forces Agreement.

We request that the Government of Japan, which is responsible in providing the military installations, promptly begin the work of reviewing the Japan-U.S. Status of Forces Agreement and handle these matters in a practical manner.

## II Promoting Resolutions for the Return of U.S. Forces Facilities and Areas and the Issues Related to the Land Use

### 1 Enactment of the Act for the Promotion of Land Use of Former Military Installations (tentative name of law)

We call for:

- (A) the enactment of the Act for the Promotion of Land Use of Former Military Installations (tentative name of law), taking into consideration the outline proposed by Okinawa Prefecture for the said Act.

Reasons:

The Act on Special Measures for the Promotion and Development of Okinawa (Act No. 14 of 2002) and the Act on Special Measures Incidental to Reversion of Lands in Okinawa Prefecture Offered for Use by United States Forces in Japan (Act No. 102 of 1995), which are the existing laws related to the land use of former U.S. military facilities and areas, will expire at the end of March, 2012.

The GOJ, which provided the bases over a long period of time, must shoulder the responsibility in the matters concerning the land use of future large-scale reversion of former military bases. This should be done without placing excessive burden on the local municipalities, and in ways which will lead to the advancement of Okinawa. These matters concerning land use are of the highest priority toward improving Okinawa's base issues.

Therefore, in regard to the new law(s) to be enacted upon the expiration of the existing laws, it is required to unify the present Acts, include necessary systems, and the law(s) must be put in place until the development work is completed on all of the former military bases.

The Coordination Committee for Land Use-Related Municipalities is made up of the Okinawa Prefectural Government and mayors and representatives from the eleven (11) municipalities within the Prefecture that are related to these land use issues. The Coordination Committee documented a basic outline proposed for the Act for the Promotion of Land Use of Former U.S. Military Installations (tentative title of law), based on the "Fundamental Notion Behind the Proposal Regarding the Establishment of New Laws Relating to the Land Use of Former U.S. Military Installations," which was submitted to the GOJ last year. This past June,

the Committee presented to the GOJ, its calls to enact the aforementioned Act that takes into consideration the basic outline proposed. At the meeting of the Okinawa Promotion Working Group of the Okinawa Policy Council held on September 26, 2011, the Cabinet Office responded to review the establishment of new law(s). However, regarding the review, etc., of the entitlement program that the Prefecture is calling for, it is extremely regrettable that the existing framework is to be continued.

To that end, it is necessary that the GOJ move forward with the reviewing process regarding the enactment of new law(s) that takes into consideration the basic outline proposed by the Coordination Committee of Okinawa, and to enact law(s) under the responsibility of the GOJ and which goes beyond the existing framework related to land use of former U.S. military installations (including the securement of separate budget(s), the placement of special measures on administrative and budget for the advanced acquisition of public land, etc., the establishment of the GOJ initiative to head the execution of projects, the review of the entitlement programs, the on-site study inside the bases before their return, the thorough implementation of work to restore the land to their original states, the induction of national projects on the returned land which includes the nationally operated, large-scale Futenma Park (tentative name), etc.).

## II Promoting Resolutions for the Return of U.S. Forces Facilities and Areas and the Issues Related to the Land Use

- 2 Expedite the Procedures for the Partial Return of U.S. Forces Facilities and Installations Associated with the Implementation of Public Works Projects; and Expand the Opportunities for Local Construction Companies in Okinawa to Receive Public Works Contracts Issued by U.S. Forces

We call for:

- (A) the procedures associated with the partial return of U.S. Forces facilities and areas to be accelerated, as these procedures are required to implement public works projects involving roads, rivers and other public spaces; clear explanations on the basis for the requirement of prerequisites when applying for the land return; and
- (B) waivers of performance bonds required in public works contracts awarded by the U.S. Forces as well as for the efforts to divide and/or separate the construction orders.

Reasons:

In Okinawa, we are largely dependent on automobiles for transportation on land, and in a Prefecture that sees much flooding damage caused by typhoons and torrential rainfall, the development and maintenance of road networks and water-related measures such as flood controls are important public projects and critical in improving mobile accessibility and convenience, and in ensuring a safe and secure living environment for our local citizens.

However, when partial returns of U.S. Forces facilities and areas are necessary to implement such public works projects, there have been numerous cases of projects being delayed for a significant amount of time due to stalls in the talks over issues that involve only partial changes to the borders the relevant facilities and areas.

Therefore, it is necessary to move the procedures involved in the partial returns of U.S. Forces facilities and areas in a speedy and steady manner, as these procedures are required in the implementation of public works projects involving roads, rivers and other public spaces in our prefecture.

When applying for the partial return of U.S. Forces and facilities, there is a prerequisite to have the consent of more than 80% of the relevant landowners. Clear explanations on the basis for such prerequisites need to be provided.

Funded by the U.S. federal government, the U.S. Forces on Okinawa awards a number of contracts for construction and other work. In recent years, for example, large-scale work such as the ¥10 billion renovations of housing complexes for military personnel and their dependents have been issued.

The bidding procedures of the U.S. require the furnishing of a performance bond at the time of the contract in an amount equal to the total cost of the work when this work exceeds an amount higher than \$150,000. Consequently, the larger the scale of construction works, it is less likely for construction companies in Okinawa to be able to provide the performance bonds required, and in addition, local insurance firms are not able cover the expense.

The U.S. Miller Act, which stipulates the provision of performance bonds, has a waiver clause that exempts a contractor from furnishing a performance bond when work is performed in country outside of the U.S. By applying this clause and other means such as separating and/or dividing the construction orders in a scale that would allow the local contractors to get involved, Okinawan builders would have greater opportunities to be awarded work orders for projects within the U.S. bases in the prefecture.

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Military Land Conversion & Base Problems**

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