

**UNITED STATES – JAPAN JOINT STATEMENT  
ON REVIEWING IMPLEMENTATION PRACTICES OF THE STATUS OF  
FORCES AGREEMENT (SOFA) RELATED TO U.S. PERSONNEL WITH  
SOFA STATUS, INCLUDING THE CIVILIAN COMPONENT**

July 5, 2016

In the spirit of Alliance cooperation, the U.S. Government (USG) and the Government of Japan (GOJ) have engaged in an intensive review of implementation practices related to U.S. personnel with Status of Forces Agreement (SOFA) status, including the civilian component.

Following senior-level bilateral meetings, the two Governments decided to introduce new SOFA implementation practices regarding the civilian component and to enhance training and education processes for all U.S. personnel with SOFA status in the following areas:

***Clarifying the Scope of the Civilian Component***

The USG and the GOJ commit to clarify the scope of the civilian component by evaluating categories of positions eligible for status as members of the civilian component. These categories could include:

- Appropriated fund and non-appropriated fund civilian employees working for or under supervision of the United States Armed Forces in Japan.
- Civilian employees on United States Armed Forces-operated vessels and aircraft.

- USG employees not employed by the United States Armed Forces, whose presence in Japan is solely for official purposes in connection with the United States Armed Forces.
- Technical advisors and consultants whose presence in Japan is at the official invitation of and solely for the United States Armed Forces in Japan.

The two Governments commit to identify eligibility criteria for technical advisors and consultants to ensure that SOFA eligibility for contractor personnel is reserved for those with a high degree of skill or knowledge who are essential to the mission of U.S. Forces in Japan. The two Governments further commit to identify professional functions that could qualify as technical advisors and consultants.

***Procedures to Exclude Persons Who Are Ordinarily Resident in Japan from Being Members of the Civilian Component***

The USG and the GOJ also commit to strengthen mechanisms and procedures for coordination to ensure that persons with residency status in Japan are excluded from the civilian component.

***Reviewing SOFA Status***

In order to strengthen monitoring of the SOFA status of U.S. personnel, including the civilian component, the USG plans to conduct formalized, regular reviews of all contractor personnel who are designated as covered by the SOFA and other selected categories of the civilian component to ensure that they are in fact eligible for SOFA status. The USG and the GOJ are to establish a working group on the civilian component, including eligibility for SOFA status, in the Joint Committee framework.

The two Governments acknowledge positively the U.S. Forces, Japan commitment to revise and to update its Instruction, “Acquisition and Contracting in Japan,” to apply uniform policies with respect to: designating contractors as SOFA status-eligible; regulation of their conduct on and off duty; and how to terminate SOFA status of contractors with SOFA status.

### ***Enhancing Training and Orientation Processes for All SOFA Personnel***

The USG commits to enhance training and orientation processes, informed by local input, to ensure understanding of SOFA status responsibilities, of potential penalties for misconduct, and of criminal jurisdiction authorities under the SOFA and relevant Joint Committee arrangements, including those concerning custody. This enhanced training is to be mandatory for members of the United States armed forces and of the civilian component, as well as for personnel with Article XIV

status. It should be taken at the earliest opportunity, as operationally feasible. Dependents are to be invited and encouraged to participate.

### ***Conclusion***

The two Governments decided to work hard towards finalizing bilateral consultations and announcing respective detailed measures through appropriate bilateral instruments in the coming months. As part of this effort, the USG and the GOJ have also committed to identify an appropriate form of the role for the GOJ in the qualification process of contractor personnel and SOFA status review, consistent with the SOFA.

The two Governments reaffirm the essential role the Alliance plays in promoting regional peace, security, and prosperity, and they believe that these measures will contribute to the sustainability of U.S. Forces in Japan, whose presence remains integral to the mission of the Alliance. The two Governments also underscore a mutual commitment to strengthen the Alliance further and to enhance deterrence in a complex regional and global security environment.