



HEADQUARTERS
UNITED STATES FORCES, JAPAN
APO AREA PACIFIC 96328-5068

JUL 12 2016

MEMORANDUM FOR COMMANDER, III MEF
COMMANDER, SEVENTH FLEET
COMMANDER, MARFORJ
COMMANDER, CNFJ
COMMANDER, USARJ
COMMANDER, FIFTH AIR FORCE
DEPUTY COMMANDER, U.S. FORCES, JAPAN
COMMANDERS OF TENANT UNITS IN JAPAN
ALL MILITARY PERSONNEL IN JAPAN

FROM: COMUSFJ

SUBJECT: Liberty Order for All U.S. Military Forces Located or Operating in Japan

1. AUTHORITY AND APPLICABILITY:

a. IAW USPACOM INST 0530.6, COMUSPACOM memorandum, "Authority to Set Country-Wide Liberty/Pass Policies for US Forces Located and Operating in Japan," dated 27 May 2015, and COMUSPACOM memorandum, "U.S. Pacific Command Area of Responsibility Liberty Policy When Outside the United States and Its Territories," dated 25 September 2013, the following liberty order is established, effective 11 July 2016. This is a lawful general order, punishable under Article 92 of the Uniform Code of Military Justice.

b. This liberty order rescinds COMUSJAPAN memorandum, "Liberty Policy for All U.S. Military Forces Located and Operating in Japan," dated 26 November 2014.

c. This order is applicable to all military personnel located and operating in Japan who are subject to COMUSPACOM authority, including Reserve personnel (when serving in a Reserve capacity), National Guard personnel (when in a Title 10 status), and personnel in a TDY/TAD, deployed, leave, or pass status. This order is effective on 12 July 2016 and shall remain in effect until modified or rescinded, pending further assessment of the operational environment in Japan.

2. BACKGROUND:

a. United States military forces continue to play a critical role in shaping the reputation and image of the United States throughout the world. This is particularly true in Japan. Acts of indiscipline or criminal behavior by U.S. military personnel adversely impact international relations, tarnish the image of the United States military, and affect our military readiness. Service members must conduct themselves at all times in a professional manner and in strict accordance with the Uniform Code of Military Justice, as well as Department of Defense and Service policies, regulations, and directives. It is equally incumbent upon Commanders to ensure that proper procedures are in place to ensure full compliance with this order.

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b. Equally as important as sustaining the highest level of combat readiness, making a positive impression with the citizens of Japan, through professional behavior and comportment consistent with our core values and Service standards, is an imperative to the sustainability of our alliance and long term presence here in Japan.

3. PURPOSE: The purpose of USFJ's Liberty Program is to safeguard the vital relationship we have with Japan, bolster operational readiness, meet anti-terrorism and force protection (AT/FP) requirements, and meet our obligations under the Treaty of Mutual Cooperation and Security. Additionally, the tenets will promote good order and discipline, reinforce standards of conduct, and create a uniform liberty policy across all commands in Japan

4. METHOD:

a. Liberty Policy: Liberty is a privilege and not a right. Liberty policy in Japan will be in accordance with this order. Commanders are authorized to establish liberty programs consistent with parameters set forth below in order to meet or exceed operational readiness standards, and/or AT/FP measures needed to protect the force and ensure host nation expectations for good order and discipline are met. The following establishes parameters for commanders to utilize in the execution of liberty programs. "Authorized commander" is defined in Attachment 1 to this memorandum.

b. Commanders are directed to utilize the following operational levels (OPLEVEL) to describe liberty:

(1) OPLEVEL 1: Liberty/curfew as established by this USFJ Liberty Order with no additional restrictions.

(2) OPLEVEL 2: Liberty/curfew with limitations per authorized commander due to Foreign Criminal Jurisdiction (FCJ) incident that threatens host nation basing and/or the U.S. ability to complete its operational mission, or AT/FP requirements. These limitations may or may not include alcohol consumption limitations based on mission requirements.

(3) OPLEVEL 3: No liberty/Restricted Curfew. Service members are primarily restricted to place of residence (on or off base) when not performing their mission or as approved by an authorized commander. Alcohol restrictions may apply due to mission and/or AT/FP requirements. This level of restriction may be driven by an FCJ incident that threatens host nation basing and/or the U.S. ability to complete its operational mission, or AT/FP requirements.

(4) Authorized commanders may recall to duty status all members of a unit (squadron, battalion, or equivalent unit) in which one of its members is involved in an allegation of off/on-installation misconduct.

(5) Authorized commanders may approve resumption of liberty after review of the incident and approval of a unit remediation plan. For example, a unit remediation plan could include an analysis of contributing factors to the incident, unit training (i.e., further alcohol awareness and abuse prevention and familiarization of service core values), and/or increased

liberty buddy requirements. The purpose of this process is to ensure unit members have a common understanding of requirements and to reinforce unit cohesiveness.

(6) Any unit-wide liberty restriction should be of limited duration and implemented only for the purposes described above. Authorized commanders must keep the first O-6 in their chain of command informed of unit recalls and resumption of unit liberty under this paragraph.

c. Military personnel, including those who are in a TDY/TAD, deployed, leave, or pass status in Japan, in the grade of E-5 and below, are subject to curfew between the hours of 0100 and 0500. Military personnel in other grades are not subject to curfew, unless otherwise directed by their authorized commander. During curfew hours, military members subject to curfew must either be (1) on a U.S. military installation; (2) off the installation in a private residence; (3) in a place of lodging (hotel); or (4) in the performance of official duties (including duty-related/commute travel between an off-base residence and place of duty). Authorized commanders may grant curfew exceptions of limited duration on an individual, event-by-event basis for specific circumstances. Grade-based blanket exceptions are not authorized.

d. For all military personnel, regardless of grade, off-installation public consumption of alcohol is prohibited between 2400 and 0500 (on all days, including holidays). Public consumption of alcohol is any consumption of alcohol off of a military installation, except when in an off-installation residence, quarters, or hotel room.

e. Liberty Buddy Program (LBP) is mandated for all E-5 and below who are:

(1) TDY/TAD, deployed, leave, or pass status in Japan for 179 days or less.

(2) Assigned on Permanent Change of Station (PCS) orders or deployed to Japan for more than 180 days and planning to participate in an activity that involves the consumption of alcohol.

f. The following restrictions apply under the LBP:

(1) From 2200 to 0500 hours, if off-installation in Japan, such personnel must be accompanied by a liberty buddy. [Note: the liberty buddy provisions do not alter the curfew provisions in paragraph (c). The liberty buddy provisions are effective during designated non-curfew hours (2200 to 0100) and also during designated curfew hours (0100 to 0500), if an authorized commander previously approved a curfew waiver, per paragraph (c) above.]

(a) Such personnel may transit unaccompanied directly between their authorized place of lodging/hotel and a military installation or between military installations.

(b) For such personnel who are picking up or dropping off their liberty buddy at the liberty buddy's authorized place of lodging/hotel, they may travel unaccompanied directly from/to their own authorized place of lodging/hotel.

(2) A liberty buddy may be: (a) an active duty military member; (b) another person with SOFA status (for example, a spouse, accompanied family member, or a U.S. DoD civilian

employee); (c) other family members; or (d) another responsible individual, including a non-U.S. national, who has been approved by an authorized commander.

(3) Authorized commanders may grant individual, event-by-event exceptions of limited duration to this liberty buddy order for specific circumstances. Grade-based blanket exceptions are not authorized.

(4) Authorized commanders may impose more restrictive liberty buddy policies, as deemed lawful and necessary due to mission requirements.

5. REQUIREMENTS:

a. Training Prerequisites: Before any military member is granted liberty off-installation, the member must have completed:

(1) Sexual Assault Prevention and Response Training (IAW Service-specific instructions and Department of Defense Directive 6495.01).

(2) Responsible Drinking Training conducted IAW the direction set forth in the attached USFJ Responsible Drinking Training Matrix.

(3) Japan Indoctrination Training (USFJI 36-2811) with added emphasis on Service Core Values within the past 12 months. USFJ component commanders and senior operational commanders in Japan must document and may tailor the training as appropriate, but where possible, "in-person" training should be conducted. For other individuals (*i.e.*, CONUS personnel who are in Japan in TDY/TAD or leave status), training may be conducted electronically.

b. Command Responsibilities:

(1) Plan early. The sooner service members are made aware of the diverse aspects and importance of the liberty mission, the better the likelihood of success. Commanders will educate personnel regarding expected standards, empower them to meet/exceed those standards, and hold personnel accountable for their actions.

(2) Be aware of threats. U.S. personnel must understand the environment and potential risks posed by organizations and individuals who would do us grievous harm. Non-state violent extremist organizations and individual actors have publicly indicated the desire and intent to commit acts of terrorism against U.S. and alliance interests. It is therefore imperative that all members of our team in a liberty status are alert to indications and warnings, and are postured to act accordingly if they find themselves in developing or dangerous situations.

(3) Recognize and respect local customs. All personnel exercising the liberty mission are charged with the duty to become familiar with and respect the laws, regulations, and customs of Japan.

(4) Exhibit exemplary and attentive behavior. Every service member, regardless of rank, represents his or her unit, Service, and our nation. Appropriate personal conduct and keen situational responsiveness are integral facets of our role as ambassadors in Japan. All personnel are expected to not only act in a manner consistent with the ideal of service with honor, but also to intervene if they observe unacceptable behavior involving service members, civilian component personnel, or SOFA status dependents or recognize a possible risk to the welfare of teammates.

(5) Challenge liberty myths. Do not assume that liberty incidents only involve a certain rank or age. Do not assume that liberty incidents only occur after midnight. Do not assume that liberty incidents cannot occur in the confines of a hotel. Do not assume that serious external threats to U.S. personnel are non-existent in Japan, despite our best efforts to identify and mitigate those dangers. The liberty mission implies a profound force protection responsibility and a duty to each other to maintain situational awareness at all times.

(6) Practice and empower proactive leadership. The pillar upon which this liberty policy rests is proactive leadership exercised by commanders, officers, and NCOs over U.S. personnel. Proactive leadership includes knowing where your people are, making sure they are safe, and developing programs that foster positive behavior and accountability. Proactive leadership also involves maintaining positive control over the liberty mission at all times.

(7) Employ liberty risk measures. Commands shall have an actively managed liberty risk program that preemptively assesses the on and off duty performance/conduct of all service members to determine their ability to effectively follow rules and to identify those likely to violate liberty policies.

6. USFJ component commanders and senior operational commanders in Japan shall publish this order to all assigned military personnel. Violation of this order shall be punishable under Article 92 of the Uniform Code of Military Justice as a violation of a lawful general order. Questions concerning this memorandum should be directed to the USFJ JAG, (DSN) 225-7717.



JOHN L. DOLAN
Lieutenant General, USAF
Commander

3 Attachments:

1. Definitions
2. USFJ Liberty Order Matrix
3. Mandatory Responsible Drinking Training

cc: COMUSPACOM
COMUSPACOM Service Component Commanders

Attachment 1, **Definitions**

Authorized Commander – An O-4 or higher officer having command authority over the member. In cases where a military member does not have an O-4 or higher commander in Japan, the USFJ component commander or senior operational commander in Japan may designate an alternate O-4 or higher commander. For example, certain officers may be designated to act on the requests of CONUS-based personnel who are in Japan on leave. In units where the commander is a General/Flag Officer (*e.g.*, in a headquarters staff), that commander may designate an O-6 or higher officer to serve as the “authorized commander.”

Liberty -- After normal working hours. This includes evenings, weekends, and holidays.

Military Installations -- DoD installations, bases, posts, camps, stations, and ships. This includes DoD-controlled facilities, such as DoD lodging or recreational facilities. Armed Forces recreation facilities or areas such as the New Sanno Hotel, Hardy Barracks Compound, Okuma Recreation Area, and similar facilities or areas, are military installations. U.S. military personnel and their guests may remain in lounges/bars/casinos and all other areas within those installations, even during curfew hours.

Off-Installation Residence, Quarters, or Hotel Room (also place of lodging) -- This may belong to the member. It may also belong to another individual, provided that the military member remains there overnight, during curfew hours. The intent is to ensure that military members, who are subject to the curfew, are not off-installation, in public, during curfew hours. For example, military members may visit their friends at their off-installation residence and remain there through curfew hours. The military members in these examples must ensure that they are not off-installation in a public setting (for example, walking on off-installation streets or in a yard or on a roof where they are visible to others) during curfew hours.



USFJ Liberty Order Matrix

(Attachment 2 to USFJ Liberty Order, dated 12 July 16)

Current Liberty Policy		Location	Alcohol	Liberty Buddy Program	Curfew Hours	Training	Authorized Commanders	
Operational Levels Ref: USFJ Liberty Order, para 4.b., dated 12 July 16		No Change	No off-installation public consumption of alcohol (2400-0500) Ref: USFJ Liberty Order, para 4.d, dated 12 July 16	Mandated for all E5 and below off-installation (2200-0500) who are: 1. TDY/TAD, deployed, leave/pass status in Japan for 179 days or less. 2. Assigned on PCS orders or deployed to Japan for 180 days + and planning to drink off base Ref: USFJ Liberty Order, para 4.e & f, dated 12 July 16	E5-Below (0100-0500) Ref: USFJ Liberty Order, para 4.c, dated 12 July 16	1. SAPR 2. Responsible Drinking Training 3. Japan Indoctrination Ref: USFJ Liberty Order, para 5.a	O-4 & above Commanders have authority to grant event-by-event exceptions to curfew & liberty buddy requirements & may both implement & rescind unit denial of liberty; must report unit denial of liberty actions to first O-6 in chain Ref: USFJ Liberty Order, Attachment 1	
		OPLVL 1	No Change	No Change	No Change	No Change	No Change	No Change
		OPLVL 2	As Directed by "Authorized Commander"	Alcohol consumption may be limited	No Change	Potential increased application to all members/hours extended	No Change	No Change
OPLVL 3	As Directed by "Authorized Commander"	Alcohol purchase and consumption may be prohibited	No Change	No liberty off base/away from residence	No Change	No Change	No Change	