



DEPARTMENT OF THE ARMY  
UNITED STATES ARMY JAPAN  
UNIT 45005  
APO AP 96343-5005

APAJ-OPP (25-30mm)

15 NOV 2023

COMMAND POLICY MEMORANDUM 23-19

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: United States Army Japan (USARJ) Policy Governing the Use of Small Unmanned Aircraft Systems (sUAS) and Counter-Small Unmanned Aircraft Systems (C-sUAS)

1. References.

- a. (CUI//REL) Agreement Under Article VI of the Treaty of Mutual Cooperation and Security Between the United States of America and Japan, Regarding Facilities and Areas and the Status of United States Armed Forces in Japan (SOFA).
- b. (U) Department of Defense (DoD) Counter-Small Unmanned Aircraft Systems Strategy, 21 December 2020. United States of America and Japan.
- c. (CUI//REL), USFJ Instruction 31-208, Counter-Small Unmanned Aircraft Systems (C-sUAS), 15 March 2023.
- d. (CUI//REL) Updated United States Indo-Pacific Command (USINDOPACOM) Small Unmanned Aircraft Systems (sUAS), 1 April 2022.
- e. (U//FOUO) Office of the Secretary of Defense (OSD) Policy Memorandum, 16 November 2018, Subject: Commercial off the Shelf (COTS) UAS Implementation Guidance.
- f. (U//FOUO) ALARACT 039-2020, Consolidated DoD-Army COTS UAS Cyber Security Waiver Business Rules, DTG: R 052009Z, 5 May 2020.
- g. (U) Fiscal Year 2020 National Defense Authorization Act, section 848, Prohibition on Operation or Procurement of Foreign-made Unmanned Aircraft Systems, 9 December 2019.
- h. (U//FOUO) CJCSI 3121.01B, Standing Rules of Engagement (SROE)/Standing Rules for the Use of Force for US Forces, 13 June 2005.
- i. (U//FOUO) Government of Japan (GoJ) Designation of Defense Related Facilities Based on the Drone Act, 7 August 2020.

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2. (CUI) Records Management. All records created as a result of this policy will be managed in accordance with AR 25-400-2, Army Records Management Program and the USARPAC Records Management Program Policy Memorandum #23-01.

3. (CUI) Scope. This memorandum applies to all United States Army Japan personnel including active duty military, reserve, DoD civilians, dependents, U.S. official contractors under Article XIV of the SOFA and their employees, as well as other SOFA individuals, visitors, and Japanese employees or other nationalities employed at U.S. installations and facilities under the Master Labor Contract (MLC) or Indirect Hire Agreement (IHA)

4. (CUI) C-sUAS Systems, Operations, and Authorities. Unit commanders always retain the inherent right and obligation to exercise unit self-defense in response to a hostile act or demonstrated hostile intent. As stated in the SOFA, Article III, it is permissible under international and Japanese law to engage drones within the 300-meter no-drone-zone. Engagement should be by C-sUAS that are up-to-date and utilize most current software version. The point of contacts (POC) in paragraph 11 should be consulted concerning the latest information available on C-sUAS systems, operations, and authorities.

5. (CUI) Commercial-Off-The-Shelf (COTS) sUAS. Due to the intelligence gathering threat posed by COTS sUAS, any use of a COTS sUAS on or over U.S. installations are prohibited and requires approval by the Department of the Army (DA). All requests for COTS sUAS exemptions or authorities for C-sUAS by U.S. Army commands or unit sponsoring Japan Self-Defense Force (JSDF) will be routed through the USARJ G-3 and the Office of the Staff Judge Advocate (OSJA) 90 days in advance. USARJ CG approved COTS sUAS exception requests will then be uploaded to the DA secure SharePoint (<https://intelshare.intelink.sgov.gov/sites/cotsuasetsp>) for final determination. sUAS that are assigned to a formal Program of Record and managed by an Army Program Executive Office (PEO); have an Authority to Operate (ATO), complying with DoDi 8510.01 and have a completed cyber vulnerability assessment for the system are exempt.

6. (CUI) sUAS Flight Approval Authority.

a. (U) On U.S. Installation / Facility Requestor. The operation of any recreational sUAS on any USARJ installation is strictly prohibited; there are no exceptions. Flight of a sUAS originating or terminating on a USARJ installation is only permitted if the sUAS is part of an approved Program of Record or the requestor obtains a COTS sUAS waiver from the DA.

b. (U) Off U.S. Installation / Facility Requestor. The use of sUAS, launching and landing, outside of USARJ installations is controlled by the GoJ. A sUAS operator who desires to fly over a USARJ installation and within the 300-meter no-drone-zone must receive approval from GoJ authorities and the Installation Commander. Requestors must submit formal request to the National Police Agency at least 30 days prior to the desired



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flight date for Regional Defense Bureau coordination. Each request will specify the justification, area of flight, type and technical details of the sUAS, and time of requested flight. The Installation Commander may approve off-base flight requests in order to meet bilateral agreements. Notification of approval or disapproval will be made to the requestor no later than 72 hours prior to planned flight.<sup>1</sup>

c. (U) Other U.S. Service Installations. Personnel who intend to operate or conduct sUAS or C-sUAS activities on another U.S. service installation will adhere to specified policy established by the respective command. All USARJ commands and affiliated organizations who plan to operate sUAS or C-sUAS equipment will provide a Concept of Operation (CONOP) to the USARJ G-3 at least 90 days prior to execution and be prepared to brief the USARJ CG if requested.

7. (CUI) sUAS Flight Restrictions.

a. (U) All sUAS flights within 300 meters outside of a designated U.S. Forces / JSDF facility is prohibited unless approval for the flight is granted. Violators may be punished by imprisonment up to one year or a fine of up to 500,000 yen.

b. (U) All SOFA members should refrain from flying sUAS off the installation unless they confirm with Japanese authorities that the area they plan to fly a sUAS is authorized for flight. Supporting command Legal Offices should be consulted concerning questions.

8. (CUI) Host Nation Coordination. Each USARJ installation will coordinate with local government law enforcement officials to develop notification and response procedures to respond to unauthorized sUAS flights over or near a USARJ facility. "No Drone Zone" signage will be posted and includes both English and Japanese of equal font size. All signs must be coordinated before creation with USARJ G34 and OSJA.<sup>2</sup>

9. (CUI) Reporting Requirements for sUAS Incursions or Incidents. IAW USFJ SIR-14 and INDOPACOM SIR-19, installations will report sUAS incursion activities to USARJ G3. Commands are to report: incident date and time, military grid reference system location description, report POC, description of event, flight details (i.e., number of flights), sUAS device details (camera, other payload or sensor, other), impact to mission, and external

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<sup>1</sup> (CUI//REL) USFJ Policy Letter for Implementation of Procedures and Processes for Public Drone Request, 6 August 2019.

<sup>2</sup> The Drone Act process to establish no fly zones around select installations is on-going. Current status is available at <https://www.mod.go.jp/en/presiding/law/usfj.html>. If not yet designated as a no fly zone, other GoJ law may restrict sUAS flight on or over USARJ facilities including Interference with Business laws and the Civil Aeronautics Act which restricts flight over densely populated areas, flight higher than 150 meters, flight after sunset but before sunrise, outside the visual line of sight, within 30 meters of persons, gatherings of people, and flight dropping any objects.

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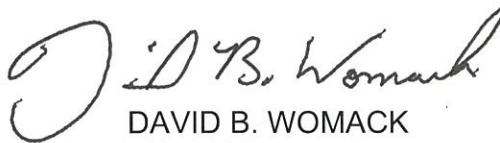
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coordination/communication. All sUAS incidents will be treated as CUI and reported through operational channels. If countermeasures were utilized, results will be generated and submitted to USARJ G3 on the secure network.

10. (U) Notice to Personnel. Personnel arriving to USARJ will be briefed on this policy. If a sUAS is discovered grounded inside the installation, do not touch or approach the sUAS and contact installation law enforcement immediately.

11. (U) Duration. This implementation guidance is effective immediately and shall remain in effect until superseded or cancelled.

12. (U) Questions concerning this policy should be directed to USARJ, G-34 Protection Cell at DSN 262-4018/8177 and the OSJA at DSN 262-4574.



DAVID B. WOMACK  
MG, USA  
Commanding

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