



DEPARTMENT OF THE NAVY
COMMANDER US NAVAL FORCES JAPAN
COMMANDER NAVY REGION JAPAN
PSC 473 BOX 12
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1050
Ser N00/1671
31 Aug 16

MEMORANDUM

From: Commander, U.S. Naval Forces Japan/Navy Region Japan
To: All Hands

Subj: LIBERTY POLICY

Ref: (a) Manual for Courts Martial (2012 ed.)
(b) COMUSFJ Memorandum of 12 Jul 16, subj: Liberty Order (w/atts)
(c) JAGINST 5800.7F
(d) USFJI 36-2811
(e) COMUSFJ Memorandum of 12 Jul 16, subj: Responsible Drinking Training (w/atts)
(f) OPNAVINST F3100.6J

Encl: (1) Liberty Policy Chart

1. Purpose. To provide Commander's intent, expectations, and requirements for individual conduct while on liberty and to promulgate the minimum standards units must incorporate into their own liberty policies.
2. Background. As our nation's largest forward-deployed naval force, our country and regional allies demand that we are ready to "fight tonight" and respond to any crisis immediately. Moreover, as guests in our ally's homeland, we must always conduct ourselves in an honorable and credible manner to respect our host nation's laws, culture, and preserve our strategic alliance. Service members' misconduct while on liberty adversely impacts both our strategic alliance with the Japanese and our military readiness.
 - a. Recent incidents related to U.S. Status of Forces Agreement (SOFA) personnel including but not limited to: DUIs; sexual assaults; and incidents of drunk and disorderly conduct; all punctuate how destructive even one individual's failure to conduct him/herself appropriately on liberty can be to military readiness.
 - b. The following regulations are punitive in nature and constitute a lawful general order. Violations of this order are punishable under the Uniform Code of Military Justice (UCMJ) Article 92 of reference (a). This order is effective as of 0000, 1 September 2016.
 - c. In accordance with reference (b), this order is a minimum baseline, and is a cornerstone for subordinate units to use in generating more specific liberty policies. Some additional tools which are not required, but authorized commanders may use include requiring liberty plans and issuing liberty cards.
 - d. This order does not replace liberty risk programs or liberty risk instructions at the command level, so long as these programs and instructions are in compliance with this order.

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3. Applicability. This order applies to all Navy service members located and operating in Japan (including Okinawa) 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 TAD/TDY, deployed, leave, or pass status. This order also applies to members of other branches of the Armed Forces attached to a Navy unit or located onboard a Naval installation in Japan. This order's application includes expeditionary and rotational units.

4. Cancellations. This instruction cancels and replaces all previous Commander, U.S. Naval Forces Japan (CNFJ) and Commander, U.S. SEVENTH Fleet (C7F) joint messages curtailing or modifying liberty released since June 2016.

5. Liberty Policy. Liberty will be executed in accordance with this order. Authorized commanders may establish more restrictive liberty programs consistent with this order and references (a) through (c) in order to maintain readiness, good order and discipline, and preserve host nation relations. All service members shall adhere to the following:

a. Liberty Training Prerequisites. In accordance with references (b) and (d), before any service member is granted regular off-installation liberty, his or her authorized commander must ensure the following training is completed:

(1) Sexual Assault Prevention and Response Training;

(2) Responsible Drinking Training; and

(3) Area Orientation. Either Area Orientation Brief/Welcome Aboard Indoctrination (for service members stationed in mainland Japan); Okinawa Orientation Overview (for Okinawa based service members); or Command-directed equivalent that complies with reference (b) para 5.a.(3).

b. Definitions. Per reference (b) the following definitions shall apply to all provisions of this order:

(1) Authorized Commander. An O-4 or higher having command authority over a service member.

(2) Liberty. After normal working hours. In most cases this includes evenings, weekends, and holidays.

(3) Military Installations. Department of Defense (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.

(4) Off-Installation Residence, Quarters, or Hotel Room (place of lodging). This may belong to the service member. It may also belong to another individual, provided that the service member

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remains there overnight, during curfew hours. The intent is to ensure that service members who are subject to the curfew are not off-installation, in public, during curfew hours. For example, service members may visit a friend at an off-installation residence and remain there through curfew hours. Service members must ensure they are not off-installation in a public setting (for example, walking on off-installation streets) during curfew hours.

c. Temporary Exceptions. Authorized commanders may grant an individual service member event-by-event exceptions of limited scope and duration to this order's baseline liberty buddy, alcohol, and curfew policies. Neither rank-based nor unit-wide exceptions are permitted.

d. Liberty Buddy.

(1) A liberty buddy may be:

(a) an active duty military member;

(b) another person with Status of Forces Agreement status (e.g., 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 a service member's command.

(2) Service members required to have a liberty buddy may transit unaccompanied directly between their authorized place of lodging/hotel and a military installation or between military installations; and when picking up or dropping off their liberty buddy at the liberty buddy's authorized place of lodging/hotel room or another U. S. military installation.

e. Tiered Liberty. Every service member assigned to Japan on Permanent Change of Station (PCS) Orders or deployed to Japan for 180 days or more will be assigned to one of the following liberty tiers. Authorized commanders must make individual determinations of a service member's placement in each category. If a service member is placed in Tier 2 or Tier 3, his/her status in that category must be reviewed at a minimum every fourteen (14) days. The likelihood an individual's behavior on liberty will damage host nation relations is the key factor in making a liberty tier determination. Liberty tiers are meant to apply to an individual. Should unit wide remediation be appropriate, COs (and OICs) are directed to set an OPLEVEL in accordance with reference (b) or execute a unit recall in accordance with paragraph (5)(h) below.

(1) Tier 1. After completion of all liberty training requirements, service members will be assigned Tier 1 liberty status unless the authorized commander makes a lawful determination to place the service member in a more restrictive liberty tier. The following rules apply to Service members in a Tier 1 status.

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(a) Curfew:

1. E-5 and below - 0100 to 0500.
2. E-6 and above - no curfew.
3. During curfew hours, Tier 1 service members must be in a place of lodging which can be a hotel room or other private residence where the service member is spending the night.

(b) Liberty buddy:

1. E-5 and below - require a liberty buddy if consuming alcohol off installation. However, for E-5 and below who are TAD, deployed, on leave, or pass status anywhere in Japan for 179 days or less must read section (f)(2) below.
2. E-6 and above - no liberty buddy required for regular liberty or to consume alcohol while on liberty.

(c) Alcohol consumption. All service members are prohibited from consuming alcohol off installation between 0000-0500 except in a hotel room or residence where the service member is lodged for the night. After 0000, all service members must vacate bars and establishments whose primary purpose is serving alcohol. Service members in Tier 1 shall use reasonable and sober judgment to determine the primary purpose of an establishment.

(2) Tier 2. The following limitations are placed on service members in a Tier 2 status. A service member's status on Tier 2 liberty shall be reviewed at a minimum every fourteen (14) days. Any exceptions to Tier 2 liberty status must be in writing from a service member's chain of command.

(a) Curfew. All Service Members - 0000 to 0500. This prohibition includes off installation hotels and lodging other than one's own home.

(b) Liberty buddy. All service members require a liberty buddy when on liberty off installation. Service members in a Tier 2 liberty status must have a liberty buddy while off installation, except as outlined in the liberty buddy guidance in paragraph (5)(d).

(c) Alcohol consumption. Prohibited for all ranks off installation.

(3) Tier 3. The following limitations are placed on service members in a Tier 3 status. A service member in Tier 3 status is restricted to his or her assigned installation, absent written permission from his/her chain of command. A service member's status on Tier 3 liberty shall be reviewed at a minimum every fourteen (14) days. Any exceptions to Tier 3 liberty status must be in writing from a service member's chain of command.

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- (a) Curfew. All Service Members - Liberty off installation is prohibited.
- (b) Liberty buddy. Not applicable because liberty off installation is prohibited.
- (c) Alcohol consumption. Prohibited on and off installation.

f. New Joins and TAD/TDY Service Members.

(1) New join. Per reference (b) paragraph (5), any new join must complete the check-in process and the liberty training prerequisites in paragraph (5)(a) prior to being granted liberty off installation. During the check-in process, a new join must have a command approved escort if leaving the installation. This escort can be a family member, civilian, or any other individual the command deems responsible. During this check-in period, individuals who are at least 20 years old may consume alcohol only on installation or in their assigned off-installation quarters. These provisions do not apply to Japan based service members executing PCS orders to a follow on location in Japan.

(2) TAD/TDY for 179 days or less (not on PCS orders to Japan). Non Japan-based service members E-5 and below in a TAD/TDY status for 179 days or less will adhere to the following:

(a) Service members in pay grades E-5 and below have no off-installation liberty (including no overnight liberty) between the hours of 0000 and 0500 and must return to or remain on installation or in off-installation lodging during curfew hours;

(b) Liberty Buddy: All service members in pay grades E-5 and below must have a liberty buddy during any off-installation between the hours of 2200-0500, or at all times if consuming alcohol;

(c) If a service member is TAD/TDY to a USMC, USAF, or USA unit operating in Japan, they shall fall under the cognizance of whichever liberty policy is more restrictive;

(d) Pursuant to reference (e), authorized commanders of service members TAD/TDY to Japan must acknowledge that each service member has read and understands this policy, reference (b), sexual assault response and prevention training, and responsible drinking training prior to going on liberty off of a military installation in Japan.

g. Operational Level (OPLEVEL). This order adopts the Commander, U.S. Forces Japan, OPLEVELs 1 through 3 contained in reference (b). Authorized commanders (or OICs as applicable) are directed to utilize these OPLEVELs as appropriate. The standard OPLEVEL for CNFJ units is OPLEVEL 1. Reasons for adopting OPLEVEL 2 or 3 might be external force protection threats, approaching typhoons or natural disasters, foreign criminal jurisdiction incidents, or high profile incidents.

h. Unit Recalls. In accordance with reference (b), an authorized commander (or OIC) may direct a unit wide recall after a triggering event occurs. Authorized commanders may also direct recall of specific departments or divisions within a command. During a recall, an authorized commander (or

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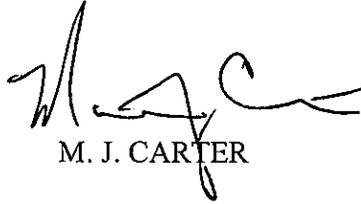
OIC) may direct a more restrictive OPLEVEL on the entire unit. A unit recall should include training or other remediation and be of limited duration, not to exceed fifteen (15) days. The purpose of a more restrictive OPLEVEL is to ensure that each member of the team understands their individual and collective responsibilities for the conduct and performance of our teammates while executing liberty. Recall periods are not punitive, instead they are a remediation measure to allow a command to focus on our critically important strategic obligations we maintain while serving in Japan. The chain of command shall be informed of any unit recalls and resumption of unit liberty after a recall.

i. Reporting Liberty Incidents. In addition to reporting requirements in reference (f), all tenant commands shall make a timely report of all foreign criminal jurisdiction incidents to their host installation commander.

j. Driving After Drinking Alcohol. Driving in the local community even after consuming minimal amounts of alcohol has caused significant liberty incidents and strained host nation relations. Accordingly, installations are directed to maintain an aggressive program of detection and deterrence using breathalyzer tests for drivers onboard, entering, and exiting military installations. Installations are also directed to incorporate additional drunk driving awareness training into their respective drivers' education curriculums.

k. Liberty Plans. Authorized commanders have the discretion to direct service members to provide liberty plans.

6. The point of contact is the Chief of Staff, CNFJ at DSN: 315-243-7605; or the Staff Judge Advocate, at DSN: 315-243-9985.



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C7F/CNFFJ/CNRJ Liberty Policy

	Alcohol	Buddy Policy	Curfew	Training
New Join (PG)	- May consume alcohol on installation or in off base quarters if age 20 or older.	- Liberty not authorized off base.	- Liberty not authorized off base.	- Must complete all training requirements.
TAD/TDY (179 days or less)	- No public consumption of alcohol between 0000-0500.	- E1 - E5: Liberty buddy required during any off-base liberty between 2200-0500, or at any time if consuming alcohol.	- E1 - E5: no off-installation liberty between 0000-0500.	- All training requirements must be completed. May be completed upon arrival or by alternate means in advance.
Tier 3	- No alcohol consumption allowed on or off-installation.	- Limited to on-installation liberty only.	- Limited to on-installation liberty only.	- N/A.
Tier 2	- No alcohol consumption off-installation except in off-installation lodging quarters.	- Required at all times when off-installation.	- 0000-0500 for all hands.	- N/A.
Tier 1	- No public consumption of alcohol between 0000-0500.	- E1 - E5: required if planning to consume alcohol off-base.	- E1 - E5: no off-installation liberty between 0100-0500. - E6 and above no curfew.	All service members default into Tier 1 status after completing all "New Join" training requirements.