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# Japan-U.S. Relations: Issues for Congress

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## Summary

Japan is a significant partner for the United States in a number of foreign policy areas, particularly in U.S. security priorities, which range from hedging against Chinese military modernization to countering threats from North Korea. The alliance facilitates the forward deployment of about 50,000 U.S. troops and other U.S. military assets based in Japan. In addition, Japan's participation in the Trans-Pacific Partnership (TPP) talks increases the credibility and viability of the proposed trade pact, which is a core component of Obama Administration efforts to "rebalance" U.S. foreign policy priorities toward the Asia-Pacific region.

After years of turmoil, Japanese politics has entered a period of stability with the December 2012 and December 2014 election victories of current Prime Minister Shinzo Abe and his Liberal Democratic Party (LDP). The Japanese constitution does not require new elections until 2018. The LDP's recent election may have given Abe some political capital to pursue the more controversial initiatives of his agenda, such as joining the proposed TPP trade pact and increasing the Japanese military's capabilities and flexibility. The political continuity in Tokyo has allowed Abe to reinforce his agenda of revitalizing the Japanese economy and boosting the U.S.-Japan alliance, both goals that the Obama Administration has actively supported.

On the other hand, comments and actions on controversial historical issues by Abe and his Cabinet have raised concern that Tokyo could upset regional relations in ways that hurt U.S. interests. Abe is known for his strong nationalist views. Abe's approach to issues like the so-called "comfort women" forced prostitutes from the World War II era, Japanese history textbooks that critics claim whitewash Japanese atrocities, visits to the Yasukuni Shrine that honors Japan's war dead and includes Class A war criminals, and statements on territorial disputes in the Sea of Japan and the East China Sea are all ongoing points of tension in the region. To many U.S. observers, Abe brings both positive and negative qualities to the alliance, at once bolstering it but also renewing historical animosities that could disturb the regional security environment. The upcoming 70<sup>th</sup> anniversary of the end of World War II could be a sensitive time for Asia as Japan and other countries reflect on a difficult period that remains politically potent today.

U.S.-Japan defense cooperation has improved and evolved in recent decades as the allies adjust to new security challenges, such as the ballistic missile threat from North Korea and the confrontation between Japan and China over disputed islets. In April 2015, the United States and Japan updated their bilateral defense guidelines to modernize security cooperation and improve the speed and flexibility of alliance coordination during contingencies. The Abe Cabinet's 2014 decision to relax Japan's prohibition on participating in collective self-defense activities could allow the Japanese military to play a greater role in global security, but domestic legislation is needed for implementation. Despite overcoming a major hurdle in 2013 to relocate the controversial Futenma base on Okinawa, many local politicians and activists are opposed to the plans to realign U.S. forces.

Japan is one of the United States' most important economic partners. Outside of North America, it is the United States' second-largest export market and second-largest source of imports. Japanese firms are the United States' second-largest source of foreign direct investment, and Japanese investors are the largest foreign holders of U.S. treasuries. Japan, the United States, and 10 other countries are participating in the TPP free trade agreement negotiations. If successful, the negotiations could reinvigorate a bilateral economic relationship by addressing long-standing, difficult issues in the trade relationship. On the other hand, failure to do so could set back the

relationship. If a TPP agreement is reached, Congress must approve implementing legislation before it would take effect in the United States.

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## Recent Developments

### Abe Visits Washington

Japanese Prime Minister Shinzo Abe is scheduled to address a joint meeting of Congress on April 29, becoming the first Japanese leader to do so. His address is part of an eight-day visit to the United States, including a summit with President Obama and a state dinner at the White House. The visit is expected to focus heavily on the Trans-Pacific Partnership (TPP) negotiations as well as expanded security cooperation in the alliance.

Since they took over the reins of government in December 2012, Abe and his Liberal Democratic Party (LDP) have consolidated political power. Most recently, Abe in December 2014 led the LDP victory in elections for the Lower House of Japan's Parliament (called the Diet). These results likely will perpetuate the weakness of Japan's opposition parties and the dominance of the LDP, Japan's main conservative party and the ruling party for nearly all of the past 60 years. As a result of the December election, the Lower House does not have to be dissolved again until 2018. It is expected that Abe will continue to have both a positive and negative impact on the U.S.-Japan relationship, at once bolstering it but also testing it by renewing historical animosities with China and South Korea that could disturb the regional security environment. (See "Japan's Foreign Policy and U.S.-Japan Relations" section below for more.)

#### History of Japanese Dignitaries Addressing Congress

When Prime Minister Shinzo Abe addresses a joint meeting of Congress on April 29, it will be the 117<sup>th</sup> such speech by a foreign leader or dignitary. Although Abe will be the first Japanese prime minister to address both chambers simultaneously, as shown by the list below, other Japanese officials have addressed either the House or the Senate individually, a practice that used to be far more common. For more background, see CRS Report IN10236, *Foreign Heads of State Addressing Congress*, by Jacob R. Straus.

- 1872: On March 6, Ambassador Tomomi Iwakura, a minister and leader of Japan's early Meiji government, addressed the House;
- 1917: Ambassador and former Minister of Foreign Affairs Kikujiro Ishii addressed the Senate on August 30 and the House on September 5;
- 1950: Member of the Japanese Diet (legislature) Chojiro Kuriyama addressed the Senate on July 28. Three days later, Diet member Tokutaro Kitamura addressed the House;
- 1951: Diet Members Tadao Kuraishi and Aisuke Okamoto addressed the Senate on July 2; Diet member Zentaro Kosaka addressed the Senate on August 23;
- 1954: Prime Minister Shigeru Yoshida gave brief remarks to the Senate on November 12;
- 1957: Prime Minister Nobusuke Kishi (current Prime Minister Shinzo Abe's grandfather) spoke to the Senate and then to the House on June 20;
- 1961: on June 22, Prime Minister Hayato Ikeda gave brief remarks to the Senate and then addressed the House.<sup>1</sup>

In 2006, many government officials and analysts expected Japanese Prime Minister Junichiro Koizumi to be invited to address a joint meeting, in part to recognize the close cooperation between the Koizumi and George W. Bush governments. However, according to an account by a former staffer to former Chairman of the House International

<sup>1</sup> Congressional Directory, "Joint Sessions and Meetings, Addresses to the Senate or the House, and Inaugurations," available at [http://www.senate.gov/pagelayout/reference/four\\_column\\_table/Joint\\_Sessions.htm](http://www.senate.gov/pagelayout/reference/four_column_table/Joint_Sessions.htm) (click the Joint Sessions and Meetings, Addresses to the Senate or the House, and Inaugurations link at the bottom of the page).

Relations Committee Henry Hyde, plans for the meeting were dropped after the publication of a letter from Hyde to Speaker Dennis Hastert expressing concerns about Koizumi's annual visits to the controversial Yasukuni Shrine.<sup>2</sup> At the time, Shinzo Abe served as Prime Minister Koizumi's Chief Cabinet Secretary, arguably the second-most important post in the Japanese government.

## Revised Mutual Defense Guidelines Announced

In late April 2015, the United States and Japan announced the revision of their Mutual Defense Guidelines (MDG), the culmination of a process that began in late 2013. The MDG outlines how the U.S. and Japanese militaries interact in peacetime and in war as the basic framework for defense cooperation based on a division of labor. The United States and Japan first codified the MDG in 1978 and then updated the guidelines in 1997, after their main security concerns had shifted from the Soviet Union to regional hotspots like the Korean Peninsula and the Taiwan Strait. The new MDG accounts for developments in military technology, improvements in interoperability of the U.S. and Japanese militaries, and the complex nature of security threats in the 21<sup>st</sup> century. For example, the MDG addresses bilateral cooperation on cybersecurity, the use of space for defense purposes, and ballistic missile defense, none of which were mentioned in the 1997 guidelines.

The expanded scope of U.S.-Japan security cooperation in the new guidelines is a result of a deepening alliance partnership. For Washington and Tokyo, this incremental entanglement brings both opportunities and risks. The new guidelines for the defense of Japan's outlying islands may deter China from an adventurous attempt to seize territory, but they also have the effect of making it nearly impossible for Washington to avoid entanglement in a Japan-China conflict surrounding the Senkaku/Diaoyu Islands (see "Territorial Dispute with China" section below). Conversely, the Abe Administration's decision to enable collective self-defense (see section "Collective Self-Defense") will facilitate Japan's involvement in more U.S. conflicts, in more significant ways. The Japanese military would be able to defend U.S. vessels and aircraft, provide non-combat logistical support to U.S. troops, and engage in minesweeping operations during a war.

## Regional Relations and Upcoming Anniversary

With the 70<sup>th</sup> anniversary of the end of World War II approaching in August 2015, there is increased attention to the historical issues that have dogged Japan's relationship with its neighbors. International audiences will be watching closely on how Abe handles the upcoming commemorations. At his first press conference of 2015, Abe pledged that his government would uphold the 1995 Murayama Statement that apologized for the suffering caused by Japan during the war. Abe also indicated that his government would issue its own statement "expressing remorse" for the war, setting off speculation in the region that the planned document may stop short of a forthright apology.

Prime Minister Abe and South Korean President Park Geun-hye have not yet held a bilateral summit, though they have met on several occasions, and Chinese President Xi Jinping's brief meeting with Abe in November was the leaders' first since both took office in 2012 (they held

<sup>2</sup> Dennis Halpin, "Korea Scores a Milestone with President Park's Address to U.S. Congress," *Korea Chair Platform*, Center for Strategic and International Studies, May 14, 2013. The House International Relations Committee is now called the House Foreign Affairs Committee.

another short meeting on April 23). Leaders in Seoul and Beijing were outraged by Abe's December 2013 visit to Yasukuni Shrine, a Shinto shrine established to "enshrine" the "souls" of Japanese soldiers who died during war, but that also includes 14 individuals who were convicted as Class A war criminals after World War II. South Korea has criticized the Abe Administration's moves that appear to downplay the Imperial Japanese government's involvement in the "comfort women" system, referring to the thousands of women recruited to provide sex to Japanese soldiers. Critics claim that the Abe government has attempted to change the prevailing understanding that Japan coerced the women into sexual slavery.

### Possible Endgame for TPP Negotiations<sup>3</sup>

Japan has been negotiating a potential free trade agreement (FTA) with the United States since it became the 12<sup>th</sup> and latest country to join the Trans-Pacific Partnership (TPP) talks in July 2013. From a U.S. perspective, Japan's participation greatly increased the economic significance of the potential FTA, but also introduced a number of challenges into the TPP negotiations, particularly in the areas of auto and agricultural trade. Addressing these sensitive bilateral issues will be important for the conclusion of the broader 12-country talks, which negotiators contend is "coming into focus." A number of factors may affect the speed at which these issues are resolved. Abe's December 2014 electoral victory may give him more leverage to make the politically difficult decisions necessary to conclude the TPP talks. In addition, Japan's continued slow growth, including the dip into economic recession in 2014, could create greater impetus for concluding the TPP as a pro-growth strategy, although it could also shift the Japanese government's focus to other domestic economic issues, including ongoing fiscal challenges. Abe's U.S. visit could also be an action-forcing event for the conclusion of the bilateral negotiations, though Japanese government officials have raised doubts that conclusion is possible in such short order.<sup>4</sup> If negotiations proceed much into the summer, some argue that U.S. congressional consideration of the agreement could be impacted by the 2016 presidential elections, as certain domestic procedures must be completed after the negotiations conclude but before Congress votes on the agreement.<sup>5</sup>

Ultimately, Congress would be required to approve implementing legislation if a completed TPP agreement is to apply to the United States. During the TPP negotiating process, Congress has a formal and informal role in influencing U.S. negotiating positions. The Obama Administration contends that it has been negotiating the TPP as if trade promotion authority (TPA), which expired in 2007, were in force, including through consultation with and notifications to Congress. TPA is the authority that allows for trade agreements negotiated by the President to receive expedited legislative consideration if congressional negotiating objectives are followed. Some observers contend that the absence of TPA has contributed to Japan's reluctance to put forward its best offers in the TPP negotiations—without TPA in place the TPP agreement could be subject to amendment when considered by Congress, and Prime Minister Abe may be reluctant to offer politically painful concessions without greater certainty that the Obama Administration can gain congressional support for them. The Bipartisan Congressional Trade Priorities and Accountability

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<sup>3</sup> For more on the TPP negotiations, see CRS Report R42694, *The Trans-Pacific Partnership (TPP) Negotiations and Issues for Congress*, coordinated by Ian F. Fergusson.

<sup>4</sup> "Tokyo Says Don't Expect TPP Deal at Summit," *The Oriental Economist Alert*, April 20, 2015.

<sup>5</sup> *Ibid.*



Act of 2015, which would renew TPA, was introduced in the House (H.R. 1890) and Senate (S. 995) on April 17 and 16, respectively.<sup>6</sup> (See “Bilateral Trade Issues” section for more details.)

## Opposition to U.S. Base Relocation in Okinawa

Japanese politicians who oppose the relocation of a U.S. Marine Corps base within Okinawa won all major elections in Okinawa in late 2014. The incumbent governor of Okinawa, Hirokazu Nakaima, lost the November gubernatorial election to a former ally, Takeshi Onaga, a conservative who ran on a platform opposed to the controversial base relocation. Nakaima had approved construction of an offshore landfill necessary to build the replacement facility for Marine Corps Air Station (MCAS) Futenma. The new facility, located in the sparsely populated Henoko area of Nago City, would replace the functions of MCAS Futenma, located in the center of a now crowded town in southern Okinawa. In the December nationwide Diet elections, opposition party candidates won in all of Okinawa’s four districts, including the first victory in a single-seat constituency for a Japanese Communist Party politician in nearly 20 years. The Abe Administration’s forceful promotion of the Futenma base relocation within Okinawa reportedly was a major factor in the defeat of LDP candidates.<sup>7</sup>

The new governor, Onaga, has vowed to work toward canceling the planned base relocation, and in March 2015 he requested that the Japanese central government cease work on the offshore landfill. Although the governor’s legal and administrative capability to block construction is limited—Tokyo rejected the stop-work order—his stance seems to have galvanized the anti-base civic movement on Okinawa.<sup>8</sup> Regular protests that are larger and more vocal than in the past have created complications for construction at the Henoko site, a sign that Okinawa’s political environment could make it difficult for Tokyo to implement the base relocation as planned. (See “Realignment of the U.S. Military Presence on Okinawa” section for background information and further discussion.)

The broader realignment of the U.S. Marine Corps from Okinawa to Guam received a boost from the passage of the FY2015 National Defense Authorization Act (P.L. 113-291). Section 2821 of the act allows the Department of Defense to proceed with its planned military construction for the realignment on Guam, including the expenditure of Japanese government funds allocated for that purpose. Although challenges remain, especially those related to civilian infrastructure on Guam, Congress’s removal of previous restrictions on military construction should facilitate the Marine Corps realignment and the reduction of the U.S. military presence on Okinawa.

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<sup>6</sup> For more on TPA, see CRS Report RL33743, *Trade Promotion Authority (TPA) and the Role of Congress in Trade Policy*, by Ian F. Fergusson; CRS Report R43491, *Trade Promotion Authority (TPA): Frequently Asked Questions*, by Ian F. Fergusson, Richard S. Beth, and William H. Cooper; and CRS In Focus IF10038, *Trade Promotion Authority (TPA)*, by Ian F. Fergusson.

<sup>7</sup> “LDP Suffers Crushing Defeat in Okinawa, a Blow to Base Relocation,” *Asahi Shimbun*, December 17, 2014.

<sup>8</sup> Matthew M. Burke and Chiyomi Sumida, “Okinawa Protests Intensify as Futenma Relocation Construction Begins,” *Stars and Stripes*, April 5, 2015.

Figure I. Map of Japan



Source: Map Resources. Adapted by CRS.

### Japan Country Data

**Population:** 127.1 million  
**Percentage of Population over 64:** 25% (U.S. = 12.4%)  
**Life Expectancy:** 84 years  
**Area:** 377,835 sq km (slightly smaller than California)  
**Per Capita GDP:** \$37,100 (2013 est.) purchasing power parity  
**Primary Export Partners:** China 18.1%, U.S. 17.8%, South Korea 7.7%, Thailand 5.5%, Hong Kong 5.1% (2012)  
**Primary Import Partners:** China 21.3%, U.S. 8.8%, Australia 6.4%, Saudi Arabia 6.2%, UAE 5.0%, South Korea 4.6%, Qatar 4.0% (2012)  
**Yen: Dollar Exchange Rate:** 97.44 (2013 est.), 79.42 (2012 est.), 79.81 (2011 est.), 87.78 (2010 est.)

Source: CIA, *The World Factbook*, September 2014.

## Japan's Foreign Policy and U.S.-Japan Relations

The U.S.-Japan relationship is broad, deep-seated, and stable. Regionally, Tokyo and Washington share the priorities of managing relations with a rising China and addressing the North Korean threat. Globally, the two countries cooperate on scores of multilateral issues, from nuclear nonproliferation to climate negotiations. In 2014, Japan contributed significantly to the international humanitarian responses to the conflict in Syria and the outbreak of Ebola.

The return of the conservative Liberal Democratic Party (LDP) to power in late 2012, led by Prime Minister Shinzo Abe, has stabilized Japanese politics. The LDP coalition controls both chambers of the Japanese parliament, known as the Diet, with no elections required until 2018. This period of expected stability follows a prolonged stretch of divided government from 2007 until 2012, when six different men served as Prime Minister, each for about one year.

The consolidation of power around Abe and his conservative base in the LDP has both positive and negative implications for the United States. On the one hand, the combination of political continuity in Tokyo and Abe's implementation of many policies that the United States favors have provided a much firmer foundation for U.S.-Japan cooperation and planning on a wide range of regional matters. Specifically, Abe has taken steps to break the logjam on the realignment of U.S. forces in Japan, increased Japan's diplomatic and security presence in East Asia, and brought Japan into the 12-nation Trans-Pacific Partnership (TPP) trade negotiations that include the United States. He has also moved aggressively to accelerate the slow economic growth that has characterized the economy for much of the past two decades. Simultaneously, however, Abe and his government may have jeopardized U.S. interests in the region by taking steps that aggravate historical animosities between Japan and its neighbors, particularly China and South Korea.

### Abe and Historical Issues

Historical issues have long colored Japan's relationships with its neighbors, particularly China and South Korea, which argue that the Japanese government has neither sufficiently "atoned" for nor adequately compensated them for Japan's occupation and belligerence in the early 20<sup>th</sup> century. Abe's selections for his cabinets include a number of politicians known for advocating nationalist, and in some cases ultra-nationalist, views that many argue appear to glorify Imperial Japan's actions.

During a previous year-long stint as prime minister in 2006-2007, Abe was known for his nationalist rhetoric and advocacy for more muscular positions on defense and security matters. Some of Abe's positions—such as changing the interpretation of Japan's constitution to allow for Japanese participation in collective self-defense—were largely welcomed by U.S. officials eager to advance military cooperation. Other statements, however, suggest that Abe embraces a revisionist view of Japanese history that rejects the narrative of Imperial Japanese aggression and victimization of other Asians. He has been associated with groups arguing that Japan has been unjustly criticized for its behavior as a colonial and wartime power. Among the positions advocated by these groups, such as *Nippon Kaigi Kyokai*, are that Japan should be applauded for liberating much of East Asia from Western colonial powers, that the 1946-1948 Tokyo War

Crimes tribunals were illegitimate, and that the killings by Imperial Japanese troops during the 1937 “Nanjing massacre” were exaggerated or fabricated.<sup>9</sup>

In his first term in 2006-2007, Abe took a generally pragmatic approach to regional relations and had some success at the time mending poor relations with Seoul and Beijing. During his second term, Abe has demonstrated an inconsistent pattern of making, and then at least partially recanting, controversial statements that upset China and South Korea. In April 2013, he made comments to the Diet that suggested that his government would not re-affirm the apology for Japan’s wartime actions issued by then-Prime Minister Tomiichi Murayama in 1995. The Murayama Statement is regarded as Japan’s most significant official apology for wartime acts. Through his spokesperson, Abe later said, “during the wars of the 20<sup>th</sup> century, Japan caused tremendous damage and suffering to the people of many countries, particularly to those of Asian nations ... this understanding is an understanding that the Abe Cabinet shares with previous cabinets.”<sup>10</sup> From the earliest days of the Abe Administration, his chief spokesman has said that the Abe government will abide by the Murayama Statement. Similar treatment was given to the 1993 Kono Statement (see “Comfort Women Issue” section below); an official inquiry into its drafting seemed to undermine the legitimacy of the apology, even as the Chief Cabinet Secretary pledged to uphold the statement.

## Yasukuni Shrine

The controversial Yasukuni Shrine has been a flashpoint for regional friction over history. The Tokyo shrine was established to house the spirits of Japanese soldiers who died during war, but also includes 14 individuals who were convicted as Class A war criminals after World War II. The origins of the shrine reveal its politically charged status. Created in 1879 as Japan’s leaders codified the state-directed Shinto religion, Yasukuni was unique in its intimate relationship with the military and the emperor.<sup>11</sup> The Class A war criminals were enshrined in 1978; since then, the emperor has not visited the shrine, and scholars suggest that it is precisely because of the criminals’ inclusion. Adjacent to the shrine is the Yushukan, a war history museum, which to many portrays a revisionist account of Japanese history that at times glorifies its militarist past.

In December 2013, Prime Minister Abe paid a highly publicized visit to Yasukuni Shrine, his first since becoming prime minister. Response to the visit, which had been discouraged in private by U.S. officials, was uniformly negative outside of Japan. Unusually, the U.S. Embassy in Tokyo directly criticized the move, releasing a statement that said, “The United States is disappointed that Japan’s leadership has taken an action that will exacerbate tensions with Japan’s neighbors.”<sup>12</sup> Since then, sizeable numbers of LDP lawmakers, including three Cabinet ministers, have periodically visited the Shrine on ceremonial days, including the sensitive date of August 15, the anniversary of Japan’s surrender in World War II. The Japanese politicians say that they go to Yasukuni to pay respects to the nation’s war dead, as any national leaders would do. Some politicians and observers have suggested that the Chidorigafuchi National Cemetery, which

<sup>9</sup> See, for instance, Asia Policy Point, *The Abe Administration Cabinet 2012-2014*, August 2, 2014.

<sup>10</sup> Press conference by the Chief Cabinet Secretary, May 8, 2013, at [http://www.kantei.go.jp/foreign/tyoukanpress/201305/08\\_a.html](http://www.kantei.go.jp/foreign/tyoukanpress/201305/08_a.html).

<sup>11</sup> John Breen, ed., *Yasukuni, the War Dead and the Struggle for Japan’s Past* (New York: Columbia University Press, 2008).

<sup>12</sup> “Statement on Prime Minister Abe’s December 26 Visit to Yasukuni Shrine,” U.S. Embassy in Tokyo, Japan, December 26, 2013, <http://japan.usembassy.gov/e/p/tp-20131226-01.html>.

houses the remains of unidentified Japanese killed in World War II, could serve as an alternative place to honor Japan's war dead. In October 2013, U.S. Secretary of State John Kerry and Secretary of Defense Chuck Hagel paid their respects at Chidorigafuchi. Abe attended a ceremony at Chidorigafuchi (and not Yasukuni Shrine) on August 15, 2014, and has paid his respects at Chidorigafuchi on other occasions in 2013 and 2014.

## **Comfort Women Issue**

Other regional powers have criticized Abe's statements on the so-called "comfort women," who were forced to provide sexual services for Japanese soldiers during the imperial military's conquest and colonization of several Asian countries in the 1930s and 1940s. In the past, Abe has supported the claims made by many conservatives in Japan that the women were not directly coerced into service by the Japanese military. When he was prime minister in 2006-2007, Abe voiced doubts about the validity of the 1993 Kono Statement, an official statement issued by then-Chief Cabinet Secretary Yohei Kono that apologized to the victims and admitted responsibility by the Japanese military. At that time, the U.S. House of Representatives was considering H.Res. 121 (110<sup>th</sup> Congress), calling on the Japanese government to "formally acknowledge, apologize, and accept historical responsibility" for forcing young women into military prostitution. Abe appeared to soften his commentary and asserted that he would stand by the statement. (The House later overwhelmingly endorsed the resolution.)<sup>13</sup>

In the past, Abe has suggested that his government might consider revising the Kono Statement, a move that would be sure to degrade Tokyo's relations with South Korea and other countries. Since the days after Abe's election in December 2012, Abe's Chief Cabinet Secretary Yoshihide Suga has said that the Abe government would abide by the Kono statement. However, in June 2014, in response to a request by an opposition party Diet member, the Abe government released a study that examined the Kono Statement and concluded that it had been crafted in consultation with Seoul, implying that the document was not based solely on historical evidence. The Abe Cabinet did not take any steps to disavow the Kono Statement, but critics claim that the study discredits the apology and gives further proof of Tokyo's (and specifically Abe's) revisionist aims.

The issue of the so-called comfort women has gained visibility in the United States, due in part to Korean-American activist groups. These groups have pressed successfully for the erection of monuments commemorating the victims, passage of a resolution on the issue by the New York State Senate, and the naming of a city street in the New York City borough of Queens in honor of the victims.

## **Territorial Dispute with China**

Japan and China have engaged in a struggle over islets in the East China Sea known as the Senkakus in Japan, Diaoyu in China, and Diaoyutai in Taiwan, which has grown increasingly heated since summer 2012. The uninhabited territory, administered by Japan but also claimed by

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<sup>13</sup> In the 113<sup>th</sup> Congress, the 2014 Consolidated Appropriations Act (P.L. 113-76, H.R. 3547) indirectly referred to this resolution. P.L. 113-76's conference committee issued a Joint Explanatory Statement that called on Federal Agencies to implement directives contained in the July 2013 H.Rept. 113-185, which in turn "urge[d] the Secretary of State to encourage the Government of Japan to address the issues raised" in H.Res. 121.

China and Taiwan, has been a subject of contention for years, despite modest attempts by Tokyo and Beijing to jointly develop the potentially rich energy deposits nearby, most recently in 2008-2010. In August 2012, the Japanese government purchased three of the five islands from a private landowner in order to preempt their sale to Tokyo's nationalist governor, Shintaro Ishihara.<sup>14</sup> Claiming that this act amounted to "nationalization" and thus violated the tenuous status quo, Beijing issued sharp objections. Chinese citizens held massive anti-Japan protests, and the resulting tensions led to a drop in Sino-Japanese trade. In April 2013, the Chinese foreign ministry said for the first time that it considered the islands a "core interest," indicating to many analysts that Beijing was unlikely to make concessions on this sensitive sovereignty issue.

Starting in the fall of 2012, China began regularly deploying maritime law enforcement ships near the islands and stepped up what it called "routine" patrols to assert jurisdiction in "China's territorial waters."<sup>15</sup> Chinese military surveillance planes reportedly have entered airspace that Japan considers its own, in what Japan's Defense Ministry has called the first such incursion in 50 years.<sup>16</sup> Since early 2013, near-daily encounters have occasionally escalated: both countries have scrambled fighter jets, and, according to the Japanese government, a Chinese navy ship locked its fire-control radar on a Japanese destroyer and helicopter on two separate occasions. In November 2014, Japan and China agreed to re-start talks on establishing a maritime communication mechanism to prevent unexpected military encounters.

U.S. administrations going back at least to the Nixon Administration have stated that the United States takes no position on the territorial disputes. However, it also has been U.S. policy since 1972 that the 1960 U.S.-Japan Security Treaty covers the islets, because Article 5 of the treaty stipulates that the United States is bound to protect "the territories under the Administration of Japan" and Japan administers the islets. China's increase in patrols appears to be an attempt to demonstrate that Beijing has a degree of administrative control over the islets, thereby casting into doubt the U.S. treaty commitment. In its own attempt to address this perceived gap, Congress inserted in the FY2013 National Defense Authorization Act (H.R. 4310, P.L. 112-239) a resolution stating, among other items, that "the unilateral action of a third party will not affect the United States' acknowledgment of the administration of Japan over the Senkaku Islands." For more information, see CRS Report R42761, *Senkaku (Diaoyu/Diaoyutai) Islands Dispute: U.S. Treaty Obligations*, and CRS Report R42930, *Maritime Territorial Disputes in East Asia: Issues for Congress*.

The Senkaku/Diaoyu conflict embodies Japan's security challenges. The maritime confrontation with Beijing is a concrete manifestation of the threat Japan has faced for years from China's rising regional power. It also brings into relief Japan's dependence on the U.S. security guarantee and its anxiety that Washington will not defend Japanese territory if Japan risks going to war with China. Operationally, Japan has built up the capacity of its military, known as the Japan Self Defense Forces, in the southwest part of the archipelago.

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<sup>14</sup> In April 2012, Tokyo governor Shintaro Ishihara announced in Washington, DC, that he intended to purchase three of the five islets from their private Japanese owner. Ishihara, who is known for expressing nationalist views, called for demonstrating Japan's control over the islets by building installations on the island and raised nearly \$20 million in private donations for the purchase. In September, the central government purchased the three islets for ¥2.05 billion (about \$26 million at an exchange rate of ¥78:\$1) to block Ishihara's move and reduce tension with China.

<sup>15</sup> "Chinese Ships Continue Patrol Around Diaoyu Island," *China Daily*, October 28, 2012.

<sup>16</sup> "Japan Scrambles Jets in Islands Dispute with China," *New York Times*, December 13, 2012.

## China's Air Defense Identification Zone (ADIZ)

In November 2013, China abruptly announced that it would establish an air defense identification zone in the East China Sea, covering the disputed Senkaku/Diaoyu islets as well as airspace that overlaps with the existing ADIZs of Japan, South Korea, and Taiwan. The move appeared to fit with an overall pattern of China asserting territorial claims more actively in the past few years.<sup>17</sup> China's announcement produced indignation and anxiety in the region and in Washington for several reasons: the ADIZ represented a new step to pressure—to coerce, some experts argue—Japan's conciliation in the territorial dispute over the islets; China had not consulted with affected countries; the announcement used vague and ominous language that seemed to promise military enforcement within the zone; the requirements for flight notification in the ADIZ go beyond international norms and impinge on the freedom of navigation; and the overlap of ADIZs could lead to accidents or unintended clashes, thus raising the risk of conflict in the East China Sea. Some analysts argue that China's ADIZ also represents a challenge to Japanese *administration* of the Senkaku/Diaoyu islets, which is the basis of the U.S. treaty commitment to defend that territory.

The United States and Japan coordinated at a high level their individual and joint responses to China's ADIZ announcement. Secretary of Defense Chuck Hagel declared that the ADIZ is a destabilizing attempt to alter the status quo and will not change how the U.S. military conducts operations. Two days after the announcement, the U.S. Air Force flew B-52 bombers on a planned training flight through China's new ADIZ without notifying China, and Japanese military aircraft did the same soon after. However, the respective instructions of each government to commercial airlines differed. Whereas the State Department said that the United States generally expects U.S. commercial air carriers to follow Notices to Airmen (NOTAMS), including Chinese requests for identification in the controversial ADIZ, Tokyo instructed Japanese commercial airlines to not respond to Chinese requests when traveling through the ADIZ on routes that do not cross into Chinese airspace. The discrepancy contributed to latent anxieties in Tokyo about U.S.-Japan unity and the relative prioritization of China and Japan in U.S. policymaking.<sup>18</sup>

## Japan and the Korean Peninsula

### Japan's Ties with South Korea

Japan's relations with South Korea have been strained since 2012, a situation that spurred President Obama to convene a trilateral meeting of heads of state on the sidelines of the Nuclear Security Summit in The Hague in March 2014. The meeting focused on cooperation to deal with North Korea's nuclear weapons program, but the underlying goal appeared to be to encourage Seoul and Tokyo to mend their frayed relations. The meeting appears to have opened the door for the two sides to improve their relationship somewhat, leading to more frequent and higher level bilateral meetings—up to the Foreign Ministers' level—between March 2014 and April 2015. In late 2014, U.S. defense officials pushed Tokyo and Seoul to sign on to a trilateral intelligence-sharing agreement that enables Japan and South Korea to exchange information regarding North

<sup>17</sup> For more information and analysis, see CRS Report R42930, *Maritime Territorial Disputes in East Asia: Issues for Congress*, by Ben Dolven, Mark E. Manyin, and Shirley A. Kan.

<sup>18</sup> Nanae Kurashige and Yoshihiro Makino, "Japan Baffled by U.S. Telling Airlines to Respect New Chinese Air Zone," *Asahi Shimbun*, December 1, 2014.

Korea's missile and nuclear threats. A poor relationship between Seoul and Tokyo jeopardizes U.S. interests by complicating trilateral cooperation on North Korea policy and other regional challenges. Tense relations also complicate Japan's desire to expand its military and diplomatic influence, goals the Obama Administration generally supports, as well as the creation of an integrated U.S.-Japan-South Korea ballistic missile defense system.

As of April 2015, Abe and his South Korean counterpart, President Park Geun-hye, had yet to hold a summit. The high-level interaction that has occurred between the two governments frequently has been contentious, though it appears to have been less so between the fall of 2014 and spring of 2015. South Korean leaders have objected to a series of statements and actions by Abe and his Cabinet officials that many have interpreted as denying or even glorifying Imperial Japan's aggression in the early 20<sup>th</sup> century. Officials in Japan refer to rising "Korea fatigue," and express frustration that for years South Korean leaders have not recognized and in some cases rejected the efforts Japan has made to acknowledge and apologize for Imperial Japan's actions. Past overtures, including a proposal that the previous Japanese government floated in 2012 to provide a new apology and humanitarian payments to the surviving "comfort women," have faltered. In addition to the comfort women issue, the perennial issues of Japanese history textbooks and a territorial dispute between Japan and South Korea continue to periodically rile relations. A group of small islands in the Sea of Japan, known as Dokdo in Korean and Takeshima in Japanese (the U.S. government refers to them as the Liancourt Rocks), are administered by South Korea but claimed by Japan. Mentions of the claim in Japanese defense documents or by local prefectures routinely spark official criticism and public outcry in South Korea. Similarly, Seoul expresses disapproval of some of the history textbooks approved by Japan's Ministry of Education that South Koreans claim diminish or whitewash Japan's colonial-era atrocities.

### **Shifts in Japan's North Korea Policy**

Since 2009, Washington and Tokyo have been largely united in their approach to North Korea, driven by Pyongyang's string of missile launches and nuclear tests. Japan has employed a hardline policy toward North Korea, including a virtual embargo on all bilateral trade and vocal leadership at the United Nations to punish the Pyongyang regime for its human rights abuses and military provocations.

In 2014, Abe appeared to adjust his approach to Pyongyang by addressing the long-standing issue of Japanese citizens kidnapped by North Korean agents decades ago. In 2002, then-North Korean leader Kim Jong-il admitted to the abductions and returned five survivors, claiming the others had perished from natural causes. Since that time, Abe has been a passionate champion for the abductees' families and pledged as a leader to bring home all surviving Japanese. In May 2014, back-channel negotiations between Tokyo and Pyongyang yielded an agreement by North Korea to reopen the investigation into the remaining abductees' fates in exchange for Japan's relaxing some of its unilateral sanctions. By early 2015, however, many analysts doubt that North Korea will deliver on its promises, and forward progress in bilateral relations appeared limited.

### **Renewed Relations with India, Australia, and ASEAN**

The Abe Administration's foreign policy has displayed elements of both power politics and an emphasis on democratic values, international laws, and norms. Shortly after returning to office, Abe released an article outlining his foreign and security policy strategy titled "Asia's Democratic Security Diamond," which described how the democracies of Japan, Australia, India, and the



United States could cooperate to deter Chinese aggression on its maritime periphery.<sup>19</sup> In Abe's first year in office, Japan held numerous high-level meetings with Asian countries to bolster relations and, in many cases, to enhance security ties. Abe had summit meetings in India, Russia, Great Britain, all 10 countries in the Association of Southeast Asian Nations (ASEAN), and several countries in the Middle East and Africa. This energetic diplomacy indicates a desire to balance China's growing influence with a loose coalition of Asia-Pacific powers, but this strategy of realpolitik is couched in the rhetoric of international laws and democratic values.

Abe's international outreach has yielded mixed results. Bilateral ties with Australia are robust; Abe's highly publicized July 2014 visit to Canberra yielded new economic and security arrangements, including an agreement to transfer defense equipment and technology. Overall relations with ASEAN are also strong and provide quiet support for Japan's increasing role in Southeast Asia. India's new leader, Narendra Modi, and Abe held a summit meeting soon after Modi's inauguration.

## **Japan-Russia Relations**

Part of Abe's international diplomacy push has been to reach out to Russia. Japan and the Soviet Union never signed a peace treaty following World War II due to a territorial dispute over four islands north of Hokkaido in the Kurile Chain, known in Japan as the Northern Territories. Both Japan and Russia face security challenges from China and may be seeking a partnership to counter Beijing's growing economic and military power. Ambitious plans to revitalize relations with Moscow, including resolution of the disputed Islands, however, have faltered. Russia's aggression in the Ukraine disrupted the improving relationship in 2014: Tokyo signed on to the G7 statement condemning Russia's action and implemented sanctions and asset freezes. Since then, relations have chilled, yet Japan has attempted to salvage the potential breakthrough by imposing only relatively mild sanctions despite pressure from the United States and other western powers. At an Asia Pacific Economic Cooperation (APEC) sideline meeting in November 2014, Abe reportedly secured an agreement for Putin to visit Japan in 2015. Tokyo may face pressure from the United States to curb any further rapprochement with Moscow due to continued tension in the U.S.-Russia relationship.

## **International Child Custody Disputes**

After several years of persistent but low-decibel pressure from the United States (including from Members of Congress), in April 2014 Japan acceded to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. The Hague Convention sets out rules for resolving child custody in failed international marriages. In July 2014, Congress took further action to ensure worldwide compliance with the Hague Convention by passing the Sean and David Goldman International Child Abduction Prevention and Return Act of 2014 (P.L. 113-150). The law directs the U.S. government, especially the State Department, to devote additional resources to assist "left-behind" parents and to prevent child abduction with existing authorities. P.L. 113-150 also instructs the Secretary of State to take actions, which range from a demarche to the suspension of U.S. development and security assistance funding, against consistently noncompliant countries.

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<sup>19</sup> Shinzo Abe, "Asia's Democratic Security Diamond," *Project Syndicate*, December 27, 2012.

The United States reportedly has as many as 200 custody disputes with Japan.<sup>20</sup> In the months following Japan's accession to the Hague Convention, the rate of reported parental child abductions from the United States to Japan dropped significantly.<sup>21</sup> Some experts suggest that the provisions of the convention act as a strong deterrent. In its domestic laws, Japan only recognizes sole parental authority, under which only one parent has custodial rights, and there is a deep-rooted notion in Japan that the mother should assume custody. Japanese officials say that in many cases the issue is complicated by accusations of abuse or neglect on the part of the foreign spouse, though State Department officials dispute that claim.<sup>22</sup> Some observers fear that, given the existing family law system, Japanese courts may cite clauses in the Hague Convention that prevent return of the child in the case of "grave risk."<sup>23</sup> Furthermore, the Hague Convention process for repatriation of a kidnapped child will only apply to cases initiated after April 2014, although parents in preexisting custody disputes now have a legal channel for demanding a meeting with the child.

## U.S. World-War II-Era Prisoners of War (POWs)

For decades, U.S. soldiers who were held captive by Imperial Japan during World War II have sought official apologies from the Japanese government for their treatment. A number of Members of Congress have supported these campaigns. The brutal conditions of Japanese POW camps have been widely documented.<sup>24</sup> In May 2009, the Japanese Ambassador to the United States attended the last convention of the American Defenders of Bataan and Corregidor to deliver a cabinet-approved apology for their suffering and abuse. In 2010, with the support and encouragement of the Obama Administration, the Japanese government financed a Japanese/American POW Friendship Program for former American POWs and their immediate family members to visit Japan, receive an apology from the sitting Foreign Minister and other Japanese Cabinet members, and travel to the sites of their POW camps. Annual trips were held in 2010, 2011, 2012, 2013, and 2014.<sup>25</sup>

In the 112<sup>th</sup> Congress, three resolutions—S.Res. 333, H.Res. 324, and H.Res. 333—were introduced thanking the government of Japan for its apology and for arranging the visitation program.<sup>26</sup> The resolutions also encouraged the Japanese to do more for the U.S. POWs,

<sup>20</sup> "U.S. Fathers Urge Japan to Comply with Child Custody Treaty," Kyodo News Agency, March 31, 2014.

<sup>21</sup> "Hague Reduces Child Abductions," *Yomiuri Shimbun*, July 6, 2014. CRS interviews with State Department officials in November 2014 confirmed that the rate of new U.S.-Japan custody cases declined significantly after April 2014.

<sup>22</sup> U.S. State Department, "Press Availability on International Parent Child Abduction," Kurt Campbell, Assistant Secretary, Bureau of East Asian and Pacific Affairs, February 2, 2010.

<sup>23</sup> Koji Kawamura, "Japan Implements Domestic Law Concerning the Convention on the Civil Aspects of International Child Abduction," *Monday Business Briefing*, April 4, 2014.

<sup>24</sup> By various estimates, approximately 40% held in the Japanese camps died in captivity, compared to 1%-3% of the U.S. prisoners in Nazi Germany's POW camps. Thousands more died in transit to the camps, most notoriously in the 1942 "Bataan Death March," in which the Imperial Japanese military force-marched almost 80,000 starving, sick, and injured Filipino and U.S. troops over 60 miles to prison camps in the Philippines. For more, see out-of-print CRS Report RL30606, *U.S. Prisoners of War and Civilian American Citizens Captured and Interned by Japan in World War II: The Issue of Compensation by Japan*, by Gary Reynolds (available from the co-authors of this report).

<sup>25</sup> For more on the program, see <http://www.us-japandialogueonpows.org/>. Since the mid-1990s, Japan has run similar programs for the POWs of other Allied countries.

<sup>26</sup> S.Res. 333 (Feinstein) was introduced and passed by unanimous consent on November 17, 2011. H.Res. 324 (Honda) and H.Res. 333 (Honda) were introduced on June 22, 2011, and June 24, 2011, respectively, and referred to the House Foreign Affairs Subcommittee on Asia and the Pacific.

including by continuing and expanding the visitation programs as well as its World War II education efforts. They also called for Japanese companies to apologize for their or their predecessor firms' use of un- or inadequately compensated forced laborers during the war.

## **Energy and Environmental Issues**

Japan and the United States cooperate on a wide range of environmental initiatives both bilaterally and through multilateral organizations. In April 2013, Secretary of State John Kerry and the Japanese Foreign Minister launched a new bilateral dialogue to push for a post-2020 international agreement to combat climate change and to cooperate in advancing low-emissions development worldwide. Japan is considered to be closely aligned with the Obama Administration in international climate negotiations in its position that any international climate agreement must be legally binding in a symmetrical way, with all major economies agreeing to the same elements. The U.S. Department of Energy and Japan's Ministry of Energy, Trade, and Industry signed agreements in 2013 to step up civil nuclear cooperation on light-water nuclear reactor research and development (R&D) and nuclear nonproliferation. The U.S.-Japan Bilateral Commission on Civil Nuclear Cooperation focuses on safety and regulatory matters, emergency management, decommissioning and environmental management, civil nuclear energy R&D, and nuclear security. The U.S.-Japan Clean Energy Policy Dialogue (EPD) focuses on clean energy technology and development. Tokyo and Washington also cooperate on climate issues in multilateral and regional frameworks such as the International Energy Agency (IEA), the Asia-Pacific Economic Cooperation (APEC), the Clean Energy Ministerial (CEM), the International Energy Forum (IEF), and the East Asian Summit (EAS). However, because of the shutdown of Japan's nuclear reactors (see below), international observers have raised concerns about losing Japan as a global partner in promoting nuclear safety and nonproliferation measures and in reducing greenhouse gas emissions.<sup>27</sup>

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<sup>27</sup> Hideshi Futori, "Japan's Role in Asia's Nuclear Security," Woodrow Wilson Center, February 10, 2014.

### March 2011 “Triple Disaster”

On March 11, 2011, a magnitude 9.0 earthquake jolted a wide swath of Honshu, Japan’s largest island. The quake, with an epicenter located about 230 miles northeast of Tokyo, generated a tsunami that pounded Honshu’s northeastern coast, causing widespread destruction in Miyagi, Iwate, Ibaraki, and Fukushima prefectures. Some 20,000 lives were lost, and entire towns were washed away; over 500,000 homes and other buildings and around 3,600 roads were damaged or destroyed. Up to half a million Japanese were displaced. Damage to several reactors at the Fukushima Dai-ichi nuclear power plant complex led the government to declare a state of emergency and evacuate nearly 80,000 residents within a 20-kilometer radius due to dangerous radiation levels.

In many respects, Japan’s response to the multifaceted disaster was remarkable. Over 100,000 troops from the Self Defense Forces (SDF), Japan’s military, were deployed quickly to the region. After rescuing nearly 20,000 individuals in the first week, the troops turned to a humanitarian relief mission in the displaced communities. Construction of temporary housing began a week after the quake. Foreign commentators marveled at Japanese citizens’ calm resilience, the lack of looting, and the orderly response to the strongest earthquake in the nation’s modern history. Japan’s preparedness—strict building codes, a tsunami warning system that alerted many to seek higher ground, and years of public drills—likely saved tens of thousands of lives.

Appreciation for the U.S.-Japan alliance surged after the two militaries worked effectively together to respond to the 2011 earthquake and tsunami. Years of joint training and many interoperable assets facilitated the integrated alliance effort. “Operation Tomodachi,” using the Japanese word for “friend,” was the first time that SDF helicopters used U.S. aircraft carriers to respond to a crisis. The USS *Ronald Reagan* aircraft carrier provided a platform for air operations as well as a refueling base for Japanese SDF and Coast Guard helicopters. Other U.S. vessels transported SDF troops and equipment to the disaster-stricken areas. Communication between the allied forces functioned effectively, according to military observers. For the first time, U.S. military units operated under Japanese command in actual operations. Specifically dedicated liaison officers helped to smooth communication. Although the U.S. military played a critical role, the Americans were careful to emphasize that the Japanese authorities were in the lead.

Despite this response to the initial event, the uncertainty surrounding the nuclear reactor meltdowns and the failure to present longer-term reconstruction plans led many to question the government’s handling of the disasters. As reports mounted about heightened levels of radiation in the air, tap water, and produce, criticism emerged regarding the lack of clear guidance from political leadership. Concerns about the government’s excessive dependence on information from Tokyo Electric Power Company (TEPCO), the firm that owns and operates the power plant, amplified public skepticism and elevated criticism about conflicts of interest between regulators and utilities.

## Nuclear Energy Policy

Japan is undergoing a national debate on the future of nuclear power, with major implications for businesses operating in Japan, U.S.-Japan nuclear energy cooperation, and nuclear safety and nonproliferation measures worldwide. Prior to 2011, nuclear power was providing roughly 30% of Japan’s power generation capacity, and the 2006 “New National Energy Strategy” had set out a goal of significantly increasing Japan’s nuclear power generating capacity. However, the policy of expanding nuclear power encountered an abrupt reversal in the aftermath of the March 11, 2011, natural disasters and meltdowns at the Fukushima Daiichi nuclear power plant. Public trust in the safety of nuclear power collapsed, and a vocal anti-nuclear political movement emerged. This movement tapped into an undercurrent of anti-nuclear sentiment in modern Japanese society based on its legacy as the victim of atomic bombing in 1945. As the nation’s 52 nuclear reactors were shut down one by one for their annual safety inspections in the months after March 2011, the Japanese government did not restart them (except a temporary reactivation for two reactors at one site in central Japan). Since September 2013, no reactors have been operating.

The drawdown of nuclear power generation resulted in many short- and long-term consequences for Japan: rising electricity costs for residences and businesses; heightened risk of blackouts in the summer, especially in the Kansai region; widespread energy conservation efforts by

businesses, government agencies, and ordinary citizens; the possible bankruptcy of major utility companies; and increased fossil fuel imports (see next section). The Institute of Energy Economics, Japan, calculated that the nuclear shutdowns led to the loss of 420,000 jobs and \$25 billion in corporate revenue in 2012 alone.<sup>28</sup>

The LDP has promoted a relatively pro-nuclear policy, despite persistent anti-nuclear sentiment among the public. The Abe Administration released a Strategic Energy Plan in April 2014 that identifies nuclear power as an “important base-load power source,” although the plan does not provide target percentages for Japan’s ideal mix of different energy sources.<sup>29</sup> In September 2014, following a safety review, Japan’s Nuclear Regulation Authority (NRA) issued its approval to restart two nuclear reactors operated by Kyushu Electric. Although the actual restart is still subject to approvals by local politicians, some analysts project that the first nuclear restarts will occur in the first quarter of 2015.<sup>30</sup> In the coming years, the government likely will approve the restart of many of Japan’s existing 48 nuclear reactors, but as many as half, or even more, may never operate again. Approximately 60% of the Japanese public opposes the restart of nuclear reactors, compared to approximately 30% in favor.<sup>31</sup> The Abe Cabinet faces a complex challenge: how can Japan balance concerns about energy security, promotion of renewable energy sources, the viability of electric utility companies, the health of the overall economy, and public concerns about safety? If Japan closes down its nuclear power industry, will it still play a lead role in promoting nuclear safety and nonproliferation around the world?

## U.S. Exports of Liquefied National Gas (LNG) to Japan

Japan imports more LNG than any other country and is a large potential market for U.S. LNG exports. Due to the suspension of nuclear power at present, Japan has become increasingly dependent on fossil fuels for electric power generation (see previous section). Japan imported a record 87.5 million metric tons of LNG in 2013, with Australia, Malaysia, and Qatar the leading suppliers. Japanese utilities have been attracted to the large difference between their oil-linked prices for natural gas and the much lower price prevailing in North America. The lower price is largely a result of the expansion of natural gas production from shale. For more information, see CRS Report R42074, *U.S. Natural Gas Exports: New Opportunities, Uncertain Outcomes*, by Michael Ratner et al.

As of December 2014, the Department of Energy (DOE) has approved, either fully or conditionally, nine terminals in the continental United States to export LNG to countries with which the United States does not have a free trade agreement (FTA).<sup>32</sup> The first LNG export terminal is due to come online in 2016, and other terminals will begin operations in subsequent years, after constructing the infrastructure necessary to liquefy natural gas. Japanese energy and trading companies have already signed contracts for delivery of LNG in 2017 with multiple U.S. export projects. The Natural Gas Act requires that DOE issue a permit to export natural gas to

<sup>28</sup> Masakazu Toyoda, “Energy Policy in Japan: Challenges after Fukushima,” Institute of Energy Economics, Japan, presentation prepared for delivery on January 24, 2013.

<sup>29</sup> “Strategic Energy Plan,” Japan Ministry of Economy, Trade, and Industry, April 2014, [http://www.enecho.meti.go.jp/en/category/others/basic\\_plan/pdf/4th\\_strategic\\_energy\\_plan.pdf](http://www.enecho.meti.go.jp/en/category/others/basic_plan/pdf/4th_strategic_energy_plan.pdf).

<sup>30</sup> Bloomberg New Energy Finance, “Japan Nuclear Restart Likely in 2015,” August 8, 2014

<sup>31</sup> “Over Half Oppose Japan Engaging in Collective Self-Defense: Survey,” Kyodo News Agency, January 26, 2014. “30% Approve of Raising Sales Tax to 10% as Scheduled; Cabinet Support Flat,” Nikkei, August 25, 2014.

<sup>32</sup> Japan currently imports less than 1% of its natural gas supply from Alaska.

non-FTA countries, including Japan, if DOE determines that such export would be in the public interest. A DOE-commissioned study concluded in December 2012 that LNG exports would produce net economic benefits for the United States, but the study has been controversial. Critics of increased exports have raised concerns about the environment and higher gas prices for domestic industries and consumers. As of December 2014, there are approximately 28 terminals awaiting DOE approval to export LNG to non-FTA countries.

Some Members of Congress have joined the debate on LNG exports to Japan. Senator Lisa Murkowski reportedly wrote in a letter to the Secretary of Energy, Steven Chu, “Exporting LNG, particularly to allies that face emergency or chronic shortages, but with whom we do not have free-trade agreements, is in the public interest.”<sup>33</sup> On the other side of the debate, Senator Ron Wyden, then-chairman of the Senate Energy and Natural Resources Committee, wrote in a letter to Secretary Chu, “The shortcomings of the [DOE] study are numerous and render this study insufficient for the Department to use in any export determination.”<sup>34</sup> Numerous bills on the issue were introduced in the 113<sup>th</sup> Congress. The Domestic Prosperity and Global Freedom Act (H.R. 6), introduced by Representative Cory Gardner, was passed by the House as amended on June 25, 2014. Senator Mark Udall introduced the American Job Creation and Strategic Alliances LNG Act (S. 2083) on March 5, 2014, and then introduced S. 2274 to expedite the LNG approval process.

## Japanese Participation in Sanctions on Iran

Over the past decade, concerns over Iran’s nuclear program have led to increased scrutiny of Japan’s long-standing trade with and investments in Iran. Japan is one of the top consumers of Iranian oil exports, albeit now at greatly reduced volumes. As part of their efforts to enhance economic penalties on Iran, the Bush and Obama Administrations have pushed Japan to curtail its economic ties with Tehran. In general, although Japan has been a follower rather than a leader in the international campaign to pressure Tehran, Japanese leaders have in recent years cooperated with the U.S.-led effort, reducing significantly what had been a source of tension between Washington and Tokyo during the 1990s and early 2000s. For most of the past decade Iran was Japan’s third-largest source of crude oil imports, but it fell to sixth after sanctions took effect in 2011, and Iran accounted for only 5% of Japan’s oil imports in 2012-2013.<sup>35</sup> Japanese firms have withdrawn from energy sector investments in Iran, and some major companies, such as Toyota Motors, have ceased doing business there, viewing it as a “controversial market.”

In December 2014, the Obama Administration granted Japan another six-month waiver under P.L. 112-81, the National Defense Authorization Act for Fiscal Year 2012, which could have placed strict limitations on the U.S. operations of Japanese banks that process transactions with Iran’s Central Bank.<sup>36</sup> Japan has reduced its imports of Iranian oil over the past several years, despite its increased need for oil imports with the shutdown of virtually all of its nuclear power industry.

<sup>33</sup> Geof Koss, “With Eye on Japan, Murkowski Makes Case for Gas Exports,” *CQ Roll Call*, January 25, 2013.

<sup>34</sup> Office of Senator Ron Wyden, “Wyden Highlights Flaws in DOE Export Study,” press release, January 10, 2013, <http://www.wyden.senate.gov/news/press-releases/wyden-highlights-flaws-in-doe-export-study->

<sup>35</sup> Takeo Kumagai, “Japan’s 2013 Crude Imports from Iran Drop 6% on Year to 177,414 b/d,” *Platts Commodity News*, February 2, 2014.

<sup>36</sup> State Department Press Release, “Statement on Significant Reductions of Iranian Crude Oil Purchases,” March 20, 2012. For more on Iran sanctions, see CRS Report RS20871, *Iran Sanctions*, by Kenneth Katzman.

Japan's crude oil imports from Iran fell by roughly 40% in 2012 and declined a further 6% in 2013.<sup>37</sup> Additionally, Japan has restricted the activities of 21 Iranian banks.<sup>38</sup>

U.S. sanctions that went into effect in February 2013 pressure banks that deal with the Iranian Central Bank to either prevent repatriation of Iran's foreign currency (non-rial) assets or else be frozen out of the U.S. financial system. Iran can still use the funds to finance trading activities not covered by sanctions, but, since it runs a large trade surplus with Japan (and other Asian oil importers), a significant portion of its oil export earnings are held in Japan and other importing countries.<sup>39</sup> An interim agreement on Iran's nuclear program in November 2013 allowed for the repatriation of \$4.2 billion of Iranian foreign currency assets held abroad. The Bank of Japan transferred the first \$550 million of this sum to Iran in February 2014.

## Alliance Issues

The U.S.-Japan alliance has long been an anchor of the U.S. security role in Asia. Forged in the U.S. occupation of Japan after its defeat in World War II, the alliance provides a platform for U.S. military readiness in the Pacific. About 50,000 U.S. troops are stationed in Japan and have the exclusive use of approximately 90 facilities (see **Figure 2**). In exchange, the United States guarantees Japan's security, including through extended deterrence, known colloquially as the U.S. "nuclear umbrella." The U.S.-Japan alliance, which many believe has been missing a strategic rationale since the end of the Cold War, may have found a new guiding rationale in shaping the environment for China's rise. In addition to serving as a hub for forward-deployed U.S. forces, Japan provides its own advanced military assets, many of which complement U.S. forces. For more information and analysis, see CRS Report RL33740, *The U.S.-Japan Alliance*.

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<sup>37</sup> "Corrected: Japan Nov Crude Imports from Iran Fall 20.3 Pct yr/yr—METI," Reuters News, January 7, 2013.

<sup>38</sup> Ministry of Economy, Industry, and Trade Press Release, "Addition of an Entity Subject to Accompanying Measures Implemented Pursuant to the UN Resolution Against Iran," March 13, 2012.

<sup>39</sup> "Asian Buyers to Deepen Iranian Crude Import Cuts in 2013," *Metis Energy Insider*, December 24, 2012.

Figure 2. Map of U.S. Military Facilities in Japan



**Source:** Map Resources. Adapted by CRS.

**Notes:** MCAS is the abbreviation for Marine Corps Air Station. NAF is Naval Air Facility.

Since the early 2000s, the United States and Japan have taken significant strides to improve the operational capability of the alliance as a combined force, despite political and legal constraints.



Japan's own defense policy has continued to evolve, and its major strategic documents reflect a new attention to operational readiness and flexibility. The original, asymmetric arrangement of the alliance has moved toward a more balanced security partnership in the 21<sup>st</sup> century, and Japan's decision to engage in collective self-defense may accelerate that trend. Unlike 25 years ago, the Japan Self-Defense Forces (SDF) are now active in overseas missions, including efforts in the 2000s to support U.S.-led coalition operations in Afghanistan and the reconstruction of Iraq. Japanese military contributions to global operations like counter-piracy patrols relieve some of the burden on the U.S. military to manage security challenges. Due to the co-location of U.S. and Japanese command facilities in recent years, coordination and communication have become more integrated. The joint response to a 2011 tsunami and earthquake in Japan demonstrated the interoperability of the two militaries. The United States and Japan have been steadily enhancing bilateral cooperation in many other aspects of the alliance, such as ballistic missile defense, cybersecurity, and military use of space. Alongside these improvements, Japan continues to pay nearly \$2 billion per year to defray the cost of stationing U.S. forces in Japan.

In late 2013, Japan released two new documents that reflect its concerns with security threats from North Korea and the territorial dispute with China over a set of islets in the East China Sea. The National Defense Program Guidelines (NDPG) emphasized Japan's need to upgrade its capabilities to respond to threats to its territory from ongoing Chinese incursions by purchasing a variety of new military hardware and improving its intelligence, surveillance, and reconnaissance (ISR) capabilities. The NDPG also called for a new approach termed "Proactive Pacifism" that involves Japan taking a greater role in international operations in concert with other countries. The NDPG was reinforced by the release of Japan's first-ever National Security Strategy that also calls for Japan's "proactive contribution to peace" and outlines a further increase in defense spending to respond to "complex and grave national security challenges."

## **Revised Mutual Defense Guidelines**

In late April 2015, the United States and Japan announced the completion of the revision of their Mutual Defense Guidelines (MDG), a process that began in late 2013. First codified in 1978 and later updated in 1997, the MDG outlines how the U.S. and Japanese militaries will interact in peacetime and in war as the basic framework for defense cooperation based on a division of labor. The new MDG accounts for developments in military technology, improvements in interoperability of the U.S. and Japanese militaries, and the complex nature of security threats in the 21<sup>st</sup> century. For example, the MDG addresses bilateral cooperation on cybersecurity, the use of space for defense purposes, and ballistic missile defense, none of which were mentioned in the 1997 guidelines. The new guidelines lay out a framework for bilateral, whole-of-government cooperation in defending Japan's outlying islands. The MDG also significantly expands the scope of U.S.-Japan security cooperation to include defense of sea lanes and, potentially, Japanese contributions to U.S. military operations outside East Asia. The Abe Administration is developing legislation to implement these far-reaching defense reforms (see next section), with the intent to secure passage of these bills in the Diet by summer 2015.

The new MDG also seeks to improve alliance coordination. The guidelines establish a standing Bilateral Coordination Mechanism (BCM), which will involve participants from all the relevant agencies in the U.S. and Japanese governments, as the main body for coordinating a bilateral response to any contingency. This new mechanism removes the major "seam" between war and peace that had inhibited alliance coordination in the past. The previous BCM only would have assembled if there was a state of war, meaning that there was no formal organization to

coordinate military activities in peacetime, such as during the disaster relief response to the March 2011 disasters in northeast Japan.

## **Collective Self-Defense**

Perhaps the most symbolically significant—and controversial—security reform of the Abe Administration has been Japan’s potential participation in collective self-defense. Dating back to his first term in 2006-2007, Abe has shown a determination to adjust this highly asymmetric aspect of the alliance: the inability of Japan to defend U.S. forces or territory under attack. According to the traditional Japanese government interpretation, Japan possesses the right of collective self-defense, which is the right to defend another country that has been attacked by an aggressor,<sup>40</sup> but exercising that right would violate Article 9 of the Japanese constitution.<sup>41</sup> However, Japan has interpreted Article 9 to mean that it can maintain a military for national defense purposes and, since 1991, has allowed the SDF to participate in noncombat roles overseas in a number of United Nations (U.N.) peacekeeping missions and in the U.S.-led coalition in Iraq.

In July 2014, the Abe Cabinet announced a new interpretation, under which collective self-defense would be constitutional as long as it met certain conditions. These conditions, developed in consultation with the LDP’s dovish coalition partner Komeito and in response to cautious public sentiment, are rather restrictive and could limit significantly the latitude for Japan to craft a military response to crises outside its borders. Other legal and institutional obstacles in Japan likely will inhibit full implementation of this new policy in the near term. However, the removal of the blanket prohibition on collective self-defense will enable Japan to engage in more cooperative security activities, like noncombat logistical operations and defense of distant sea lanes, and to be more effective in other areas, like U.N. peacekeeping operations. For the U.S.-Japan alliance, this shift could mark a step toward a more equal and more capable defense partnership. Chinese and South Korean media, as well as some Japanese civic groups and media outlets, have been critical, implying that collective self-defense represents an aggressive, belligerent security policy for Japan.

## **Realignment of the U.S. Military Presence on Okinawa**

Due to the legacy of the U.S. occupation and the island’s key strategic location, Okinawa hosts a disproportionate share of the U.S. military presence in Japan. About 25% of all facilities used by U.S. Forces Japan (USFJ) and over half of USFJ military personnel are located in the prefecture, which comprises less than 1% of Japan’s total land area. The attitudes of native Okinawans toward U.S. military bases are generally characterized as negative, reflecting a tumultuous history and complex relationships with “mainland” Japan and with the United States. Because of these widespread concerns among Okinawans, the sustainability of the U.S. military presence in Okinawa remains a critical challenge for the alliance.

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<sup>40</sup> Article 51 of the U.N. Charter provides that member nations may exercise the rights of both individual and collective self-defense if an armed attack occurs.

<sup>41</sup> Article 9 of the Japanese constitution, drafted by American officials during the post-war occupation, outlaws war as a “sovereign right” of Japan and prohibits “the right of belligerency,” stipulating that “land, sea, and air forces, as well as other war potential, will never be maintained.”

In the last days of 2013, the United States and Japan cleared an important political hurdle in their long-delayed plan to relocate a major U.S. military base on the island of Okinawa.<sup>42</sup> Hirokazu Nakaima, then-governor of Okinawa, approved construction of an offshore landfill necessary to build the replacement facility. This new base, located in the sparsely populated Henoko area of Nago City, would replace the functions of Marine Corps Air Station (MCAS) Futenma, located in the center of a crowded town in southern Okinawa. The encroachment of residential areas around the Futenma base over decades has raised the risks of a fatal aircraft accident, which could create a major backlash on Okinawa and threaten to disrupt the alliance. Nakaima's approval of the landfill permit in theory should allow Washington and Tokyo to consummate their agreement to return the land occupied by MCAS Futenma to local authorities, while retaining a similar level of military capability on Okinawa. A U.S.-Japan joint planning document in April 2013 indicated that the new base at Henoko would be completed no earlier than 2022. For more information and analysis, see CRS Report R42645, *The U.S. Military Presence in Okinawa and the Futenma Base Controversy*.

Despite the decision by Nakaima, most Okinawans oppose the construction of a new U.S. base for a mix of political, environmental, and quality-of-life reasons. Politicians opposed to the Futenma relocation won elections in 2014 for governor of Okinawa, mayor of Nago City, and all four Okinawan districts in the Lower House of the Diet. In March 2015, the current Okinawan governor ordered the Japanese central government to cease construction at the Henoko site. Although most experts agree that the power to cancel construction of the new facility is probably beyond the authorities of the governor and mayor—the Abe Administration denied the governor's request—their combined resistance could delay progress and send a strong political signal.<sup>43</sup> Okinawan anti-base civic groups have ramped up their protest activities recently, and some groups may take extreme measures to prevent construction of the facility at Henoko.

The Abe Administration, having invested significant time and money in gaining Nakaima's consent, will likely need to invest additional political capital to ensure that the base construction proceeds without significant delays and without further alienating the Okinawan public. Failure to implement the Futenma relocation could solidify an impression among some American observers that the Japanese political system struggles to follow through with difficult tasks. On the other hand, the risk remains that heavy-handed actions by Tokyo or Washington could lead to more intense anti-base protests.

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<sup>42</sup> The relocation of the Futenma base is part of a larger bilateral agreement developed by the U.S.-Japan Special Action Committee on Okinawa (SACO) in 1996. In the SACO Final Report, the United States agreed to return approximately 20% of land used for U.S. facilities on Okinawa, including all or parts of a dozen sites. Handover of MCAS Futenma was contingent on "maintaining the airfield's critical military functions and capabilities." The plan for implementing the SACO agreement evolved over the late 1990s and early 2000s until Washington and Tokyo settled on a "roadmap" in 2006: once Japan constructed the Futenma replacement facility at the Henoko site, the United States would relocate roughly 8,000 marines from Okinawa to Guam, about half of the U.S. Marine Corps (USMC) presence then on Okinawa. In 2012, the allies revised the implementation plan to "de-link" the Futenma relocation and the realignment of marines to Guam. The 2012 agreement also revised the USMC realignment: 9,000 marines would be relocated from Okinawa; 4,700 to Guam; 2,500 to Australia (on a rotational basis); and the remainder to Hawaii and the continental United States.

<sup>43</sup> Matthew M. Burke and Chiyomi Sumida, "Tokyo Vows to Defy Order to Halt Okinawa Construction," *Stars and Stripes*, March 24, 2015.

## Marine Corps Realignment to Guam

The realignment of marines from Okinawa to Guam and elsewhere is now proceeding on its own timeline, separate from the issue of the Futenma replacement facility. The FY2015 National Defense Authorization Act (NDAA, P.L. 113-291) removed prior restrictions on military construction for the Guam realignment, though the freeze on Department of Defense (DOD) spending on Guam's civilian infrastructure remains. DOD is now able to spend Japanese government funds allocated for the realignment. Japan has agreed to pay \$3.1 billion of the estimated \$8.7 billion total cost and will have preferential access to some of the new training facilities. In the FY2013 and FY2014 NDAA's, Congress had imposed several requirements on DOD before it could begin military construction for the Marine Corps realignment. DOD was able to fulfill most of those requirements, culminating in its submission of the Guam Master Plan to Congress in August 2014. The U.S. Navy expects to announce a Record of Decision (a key planning milestone) for the Guam realignment in spring 2015. DOD still faces a number of challenges on Guam, particularly regarding civilian infrastructure and public services, but the FY2015 NDAA has given momentum to this massive project.

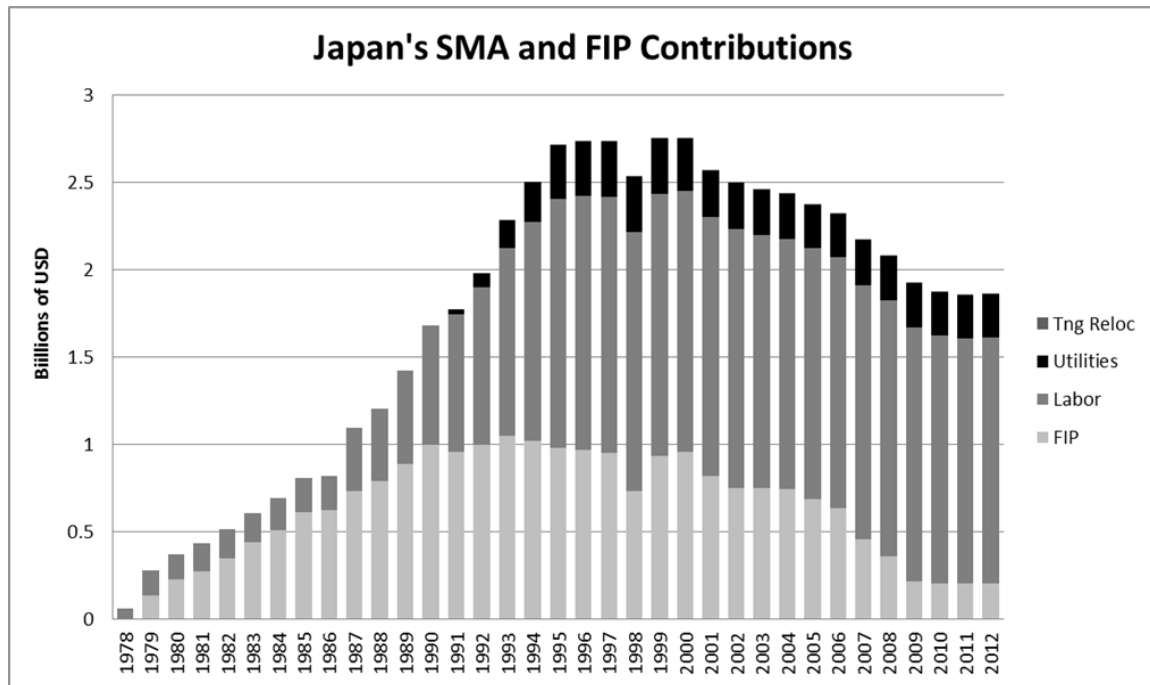
## Burden-Sharing Issues

The Japanese government provides nearly \$2 billion per year to offset the cost of stationing U.S. forces in Japan (see **Figure 3**). The United States spends an additional \$2 billion per year (on top of the Japanese contribution) on nonpersonnel costs for troops stationed in Japan.<sup>44</sup> Japanese host nation support is composed of two funding sources: Special Measures Agreements (SMAs) and the Facilities Improvement Program (FIP). Each SMA is a bilateral agreement, generally covering five years, that obligates Japan to pay a certain amount for utility and labor costs of U.S. bases and for relocating training exercises away from populated areas. The current SMA, which runs from 2011 to 2015, allows a gradual decline in Japan's contributions to labor and utility costs, although U.S. costs are slowly rising, according to an April 2013 report issued by the Senate Armed Services Committee.<sup>45</sup> The amount of FIP funding is not strictly defined, other than an agreed minimum of \$200 million per year, and thus the Japanese government adjusts the total at its discretion. Tokyo also decides which projects receive FIP funding, taking into account, but not necessarily deferring to, U.S. priorities. The United States and Japan will negotiate the next SMA in 2015.

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<sup>44</sup> U.S. Congress, Senate Committee on Armed Services, *Inquiry into U.S. Costs and Allied Contributions to Support the U.S. Military Presence Overseas*, 113<sup>th</sup> Cong., April 15, 2013, S.Rept. 113-12 (Washington: GPO, 2013).

<sup>45</sup> *Ibid.*

**Figure 3. Host Nation Support for USFJ**

**Source:** U.S. Congress, Senate Committee on Armed Services, Inquiry into U.S. Costs and Allied Contributions to Support the U.S. Military Presence Overseas, 113<sup>th</sup> Congress, April 15, 2013, S.Rept. 113-12 (Washington: GPO, 2013).

**Notes:** Chart from U.S. Forces Japan, Presentation: Special Measures Agreement Overview (June 27, 2012). Tng Reloc = Training Relocation

## Extended Deterrence

The growing concerns in Tokyo about North Korean nuclear weapons development and China's modernization of its nuclear arsenal in the 2000s provoked renewed attention to the U.S. policy of extended deterrence, commonly known as the "nuclear umbrella." The United States and Japan initiated the bilateral Extended Deterrence Dialogue in 2010, recognizing that Japanese perceptions of the credibility of U.S. extended deterrence were critical to its effectiveness.<sup>46</sup> The dialogue is a forum for the United States to assure its ally and for both sides to exchange assessments of the strategic environment. The views of Japanese policymakers (among others) influenced the development of the 2010 U.S. Nuclear Posture Review.<sup>47</sup> Reportedly, Tokyo discouraged a proposal to declare that the "sole purpose" of U.S. nuclear weapons is to deter nuclear attack.

Japan also plays an active role in extended deterrence through its ballistic missile defense (BMD) capabilities. The United States and Japan have cooperated closely on BMD technology development since the earliest programs, conducting joint research projects as far back as the 1980s. Japan's purchases of U.S.-developed technologies and interceptors after 2003 give it the

<sup>46</sup> Brad Roberts, "Extended Deterrence and Strategic Stability in Northeast Asia," National Institute of Defense Studies (Japan), Visiting Scholar Paper Series, No. 1, August 9, 2013.

<sup>47</sup> Roberts (2013).

second-most potent BMD capability in the world. The U.S. and Japanese militaries both have ground-based BMD units deployed on Japanese territory and BMD-capable vessels operating in the waters near Japan. The number of U.S. and Japanese BMD interceptors is judged to be sufficient for deterring North Korea without affecting strategic stability with China. North Korea's long-range missile launches in 2009 and 2012 provided opportunities for the United States and Japan to test their BMD systems in real-life circumstances. For more information, see CRS Report R43116, *Ballistic Missile Defense in the Asia-Pacific Region: Cooperation and Opposition*.

## Economic Issues

U.S. trade and broader economic ties with Japan remain highly important to U.S. national interest and, therefore, to the U.S. Congress. By the most conventional method of measurement, the United States and Japan are the world's largest and third-largest economies (China is number two), accounting for nearly 30% of the world's gross domestic product (GDP) in 2013. Furthermore, their economies are intertwined by trade in goods and services and by foreign investment. For more information, see CRS Report RL32649, *U.S.-Japan Economic Relations: Significance, Prospects, and Policy Options*.

## Overview of the Bilateral Economic Relationship

Japan remains an important economic partner of the United States, but its importance arguably has been eclipsed by other partners, notably China. Japan was the United States' fourth-largest merchandise export market (behind Canada, Mexico, and China) and the fourth-largest source of U.S. merchandise imports (behind China, Canada, and Mexico) in 2014. These numbers probably underestimate the importance of Japan in U.S. trade since Japan exports intermediate goods to China that are then used to manufacture finished goods that China exports to the United States. The United States was Japan's largest export market and second-largest source of imports in 2014. The global economic downturn had a significant impact on U.S.-Japan trade: both exports and imports declined in 2009 from 2008. U.S.-Japan bilateral trade increased since 2009 and until 2012, but declined in 2013. (See **Table 1**.)

**Table 1. U.S. Merchandise Trade with Japan, Selected Years**  
(\$ billions)

Year	Exports	Imports	Balances
1995	64.3	123.5	-59.1
2000	65.3	146.6	-81.3
2003	52.1	118.0	-66.0
2004	54.4	129.6	-75.2
2005	55.4	138.1	-82.7
2006	59.6	148.1	-88.4
2007	62.7	145.5	-82.8
2008	66.6	139.2	-72.3
2009	51.2	95.9	-44.8

Year	Exports	Imports	Balances
2010	60.5	120.3	-59.8
2011	66.2	128.8	-62.2
2012	70.0	146.4	-76.3
2013	65.2	138.6	-73.4
2014	67.0	133.9	-67.0

**Source:** U.S. Commerce Department, Census Bureau. FT900. Exports are total exports valued on a free alongside ship (f.a.s.) basis. Imports are general imports valued on a customs basis. Figures may not add due to rounding.

Despite some outstanding issues, tensions in the U.S.-Japan bilateral economic relationship have been much lower than was the case in the 1970s, 1980s, and early 1990s. A number of factors may have contributed to this trend:

- Japan’s slow, if not stagnant, economic growth, which began with the burst of the asset bubble in the 1990s and continued as a result of the 2008-2009 financial crisis and the 2011 disasters, has changed the general U.S. perception of Japan from one as an economic competitor to one as a “humbled” economic power;
- the rise of China as an economic power and trade partner has caused U.S. policymakers to shift attention from Japan to China as a source of concern;
- the increased use by both Japan and the United States of the WTO as a forum for resolving trade disputes has de-politicized disputes and helped to reduce friction; and
- shifts in U.S. and Japanese trade policies that have expanded the formation of bilateral and regional trade agreements with other countries have lessened the focus on their bilateral ties.

## Abenomics

Between the end of World War II and 1980s, Japan experienced high levels of economic growth. It was dubbed an “economic miracle” until the collapse of an economic bubble in Japan in the early 1990s brought an end to rapid economic growth. Many economists have argued that, despite the government’s efforts, Japan never fully recovered from the 1990s crisis. Japan’s economy has suffered from chronic deflation (falling prices) and low growth over the past two decades. Additionally, in the past several years, Japan’s economy was hit by two economic crises: the global financial crisis in 2008 and 2009, and the March 2011 earthquake, tsunami, and nuclear reactor meltdowns in northeast Japan (see box on the March 2011 “Triple Disaster”).

Prime Minister Abe has made it a priority of his administration to boost economic growth and to eliminate deflation. Abe has promoted a three-pronged, or “three arrow,” economic program, nicknamed “Abenomics.” The three arrows include monetary stimulus, fiscal stimulus, and structural reforms that improve the competitiveness of Japan’s economy. Many economists agree that progress across the three arrows has been uneven.<sup>48</sup>

<sup>48</sup> For example, see IMF, “Japan: 2014 Article IV Consultation-Staff Report; and Press Release,” July 31, 2014, (continued...)

- The most progress has been made on the first arrow, monetary stimulus to reverse deflation. In the spring of 2013, Japan's central bank (Bank of Japan, or BOJ) announced a continued loose monetary policy with interest rates of 0%, quantitative easing measures, and a target inflation rate of 2%.
- In terms of fiscal policy, the Japanese government initially implemented fiscal stimulus packages worth about \$145 billion, aimed at spending on infrastructure, particularly in the areas affected by the March 2011 disaster. However, concerns about Japan's fiscal position became more prominent; Japan's public debt, at over 240% of the country's gross domestic product (GDP), is the highest of any economy in the world. To address the fiscal pressures, the government raised the sales tax from 5% to 8% in April 2014.
- There has been more skepticism about progress on the third arrow: structural reforms.<sup>49</sup> The government announced several growth-enhancing proposals, including restructuring the agricultural, medical services, and electricity sectors; reducing labor market rigidities; and opening markets; among others. Although some reforms have been implemented, such as those relating to corporate governance, electricity sector reform, and a bill to encourage farmland consolidation, some reforms are politically contentious and more remains to be done. In a July 2014 assessment of the Japanese economy, the IMF recommended that the Japanese government should take steps to increase the employment of women, older workers, and foreign labor, to offset Japan's aging labor force; reduce labor market duality; and accelerate agricultural and services sector deregulation.<sup>50</sup>

In terms of the economic impact of "Abenomics" to date, results have been mixed. In November, data releases revealed that Japan's economy had slipped back into recession (meaning that GDP fell two quarters in a row). This was Japan's fourth recession since 2008, and was largely attributed to the April 2014 sales tax increase. In response to the negative economic news, the Japanese government postponed a second sales tax increase by 18 months to April 2017 and Abe called for snap elections on the grounds that he sought a new mandate for his economic program. The BOJ is also implementing a second round of quantitative easing, announced in October 2014.

In February 2015, data releases showed that the economy started growing again in the fourth quarter of 2014. Some economists attributed improved economic conditions to the government's policy response to the recession, as well as booming tourism, improving consumer confidence, and a weaker yen, which may be spurring domestic manufacturing. In April 2014, the IMF projected that Japan's economy contracted slightly in 2014 (by 0.06%) and will grow modestly in 2015, by 1.0%. Longer-term, many analysts suggest that structural reforms will be critical for reviving economic growth. Abe's reelection may provide political leeway to pursue these reforms, although low voter turnout in his re-election may signal weakened popular support for Abe's policy proposals.

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(...continued)

<http://www.imf.org/external/pubs/cat/longres.aspx?sk=41800.0>.

<sup>49</sup> "Same Race, Same Horse," *Economist*, November 22, 2014.

<sup>50</sup> IMF, "Japan's Bumpy Growth Path Puts Premium on Structural Reforms," *IMF Survey*, July 31, 2014, <http://www.imf.org/external/pubs/ft/survey/so/2014/car073114a.htm>.



## Emphasis on “Womenomics”

A key component of the third arrow focuses on “womenomics,” or boosting economic growth through reforms and policies to encourage the participation and advancement of women in the workforce. Japan lags behind many other high-income countries in terms of gender equality, with one of the lowest rates of female participation in the workforce among Organization for Economic Cooperation and Development countries. A strategist with Goldman Sachs in Japan estimates that closing the gender employment gap could boost Japan’s GDP by nearly 13%.<sup>51</sup> To advance its “womenomics” initiative, the government has proposed, and is in various stages of implementing, a number of policies, such as expanding the availability of day care, increasing parental leave benefits, and allowing foreign housekeepers in special economic zones, among other measures. Although some are optimistic that the measures will help close the gender gap in Japan, others express concern about potential challenges, such as a work culture that demands long hours and makes it hard to balance work and family demands. For further information, see CRS Report R43668, “*Womenomics*” in *Japan: In Brief*.

## Bilateral Trade Issues

### Japan and the Proposed Trans-Pacific Partnership Agreement (TPP)

The proposed TPP is an evolving regional free trade agreement (FTA). Originally formed as an FTA among Singapore, New Zealand, Chile, and Brunei, the TPP is now an agreement under negotiation among the original four countries plus the United States, Australia, Canada, Mexico, Peru, Malaysia, Vietnam, and Japan. The negotiators envision a comprehensive and high standard agreement to liberalize trade and to establish enhanced trade rules and disciplines. They also envision the TPP to be a “21<sup>st</sup> century” framework for governing trade within the Asia-Pacific region and, therefore, addressing cross-cutting issues, such as regulatory coherence, global supply chains, digital trade, and state-owned enterprises.

As the second-largest East Asian economy and a crucial link in Asian production networks, Japan’s participation in the TPP (officially joining in July 2013) is economically significant, although it continues to be the subject of debate within the Japanese political leadership and among Japanese and U.S. stakeholders. In deciding to participate in the TPP, Abe confronted influential domestic interests that argued against the move. Among the most vocal have been Japanese farmers, especially rice farmers, and their representatives. They argued that Japanese agriculture will be severely harmed by foreign competition if Japan removes its high tariffs and other protective measures on imports of agricultural products. Some Japanese health providers have argued that Japan’s national health insurance system will be adversely affected because, they claim, the TPP could force Japanese citizens to buy foreign-produced pharmaceuticals and medical devices. Abe has acknowledged those domestic sensitivities, but has also insisted that Japan needs to be part of TPP to support economic growth. Other Japanese business interests, including manufacturers, strongly support the TPP.

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<sup>51</sup> Kathy Matsui et al., “Womenomics 4.0: Time to Walk the Talk,” Goldman Sachs, May 30, 2014, <http://www.goldmansachs.com/our-thinking/investing-in-women/womenomics4-folder/womenomics4-time-to-talk-the-talk.pdf>.

Underlying Abe's decision to enter the TPP talks is a growing feeling among many Japanese that, after two decades of relatively sluggish growth, Japan's economic and political influence is waning in comparison with China and with middle powers such as South Korea. The rapid aging and gradual shrinking of Japan's population have added to a sense among many in Japan that the country needs to develop new sources of growth to maintain, if not increase, the country's living standards.

If an agreement is reached, Japan's membership in the proposed TPP would constitute a de facto U.S.-Japan FTA. Japan's participation enhances the clout and viability of the proposed TPP, which would be a core component of Obama Administration efforts to rebalance U.S. foreign policy priorities toward the Asia-Pacific region. When Japan entered the talks, the share of the world economy accounted for by TPP countries rose from around about 30% to about 38%. If successful, the negotiations could reinvigorate a bilateral economic relationship that has remained steady but stagnant by forcing the two countries to address long-standing, difficult trade issues. On the other hand, failure to resolve these bilateral issues could indicate that the underlying problems are too fundamental to overcome, which could set back the relationship.

### **Parallel U.S.-Japan Negotiations**

Because Japan joined the TPP talks after they had begun, it was required to reach agreements with the 11 other members over the terms of its entry. As a result of its discussions with the United States, Japan in April 2013 made a number of concessions, or confidence-building measures, and agreed to address a number of other outstanding issues in separate talks with the United States that would occur in parallel with the main TPP negotiations. Among other steps, Japan agreed that under the proposed TPP, U.S. tariffs on imports of Japanese motor vehicles will be phased out over a period equal to the longest phase-out period agreed to under the agreement. Japan also agreed to increase the number of U.S.-made vehicles that can be imported into Japan under its Preferential Handling Procedure (PHP), from 2,000 per vehicle type to 5,000 per vehicle type. In addition, the two countries agreed to convene separate negotiations that are to address issues regarding non-tariff measures (NTMs) pertaining to auto trade. Furthermore, the two sides agreed to hold another separate set of bilateral negotiations, parallel to the TPP talks, to address issues regarding NTMs in insurance, government procurement, competition policy, express delivery, and sanitary and phytosanitary measures. The parallel negotiations are to achieve "tangible and meaningful" results by the completion of the main TPP negotiations and will be legally binding at the time a TPP agreement would enter into force.

Despite a continued push for progress by both governments, U.S. bilateral negotiations with Japan remain a key challenge in the overall TPP negotiations. (As discussed in the accompanying text box, the separate U.S.-Japan negotiations are occurring in parallel with the plurilateral TPP talks.) On many of the non-tariff issues in the agreement, such as intellectual property rights protections, U.S. and Japanese goals are reportedly closely aligned. In the areas of auto and agricultural trade, however, disagreements remain. U.S. automakers are closely watching the negotiations and have expressed concerns with reducing U.S. auto import tariffs without greater reciprocal access to the Japanese market. Although U.S. auto exports to Japan face no tariff, U.S. import penetration is low, which U.S. automakers partially blame on allegedly discriminatory regulations and other non-tariff measures. On agriculture, Japan has highlighted the importance of maintaining certain import protections for the five "sacred" commodities, while some U.S. industry groups are strongly opposed to any agricultural carve-outs and have suggested that the TPP be concluded without Japan if Japan refuses to provide sufficient market access.

Japan is also participating in other bilateral and regional trade negotiations in the Asia-Pacific. Japan, together with the 10 members of the Association of Southeast Asian Nations (ASEAN), China, South Korea, Australia, New Zealand, and India, announced in November 2012, their intention to begin negotiations to form a trade arrangement—the Regional Comprehensive Economic Partnership (RCEP). While not ostensibly in conflict with the TPP, some have suggested the RCEP could be a less ambitious alternative to the more comprehensive TPP, and

thus, perhaps easier to conclude. While RCEP would include some TPP partners, the absence of the United States and the inclusion of China is noteworthy.<sup>52</sup> In 2013, Japan began negotiating a trilateral FTA with China and South Korea.

## Debates about Exchange Rates and “Currency Manipulation”

The first “arrow” of Abenomics, expansionary monetary policies, has contributed to a depreciation of the yen against the U.S. dollar. In mid-2012, the yen was valued at an average of 79 yen (¥) per dollar. Since that time, the yen has depreciated by about 50% against the dollar, to 120 yen (¥) per dollar in early April 2015, similar to the value of the yen against the dollar in 2007.<sup>53</sup> Some policymakers and analysts allege that Japan is manipulating its exchange rate to drive down the value of the yen and boost its exports at the expense of other countries, including the United States. Japanese officials deny any manipulation of the yen. Some analysts argue that Japan’s monetary policies, similar to the Fed’s quantitative easing programs, are aimed at boosting economic growth and that any impact on the value of the yen is a side effect, rather than the goal, of the policies.<sup>54</sup>

Some Members of Congress and analysts have expressed concerns about “currency manipulation” in the context of the proposed TPP, primarily focused on Japan. It has been argued that Japan has a history of intervening in foreign exchange markets to impact the value of the yen, manipulation of exchange rates has a large and unfair impact on competitiveness, current forums for addressing exchange rate disputes are ineffective, and trade agreements should tackle “currency manipulation” to create a level playing field. In 2013, 230 Representatives and 60 Senators sent letters to the Obama Administration calling for “currency manipulation” to be addressed in TPP.<sup>55</sup> Additionally, addressing currency manipulation is identified as a principal negotiating objective in Trade Promotion Authority (TPA) legislation introduced in the House and the Senate in April 2015 (H.R. 1890; S. 995). Some Members are also exploring legislation (outside of trade agreements) to address concerns about the exchange rate policies of other countries. For example, legislation was introduced in February 2015 to impose countervailing duties on countries with undervalued currencies (H.R. 820; S. 433).

However, proposals to address “currency manipulation” in TPP are controversial. Some argue that seeking to include currency issues in a trade agreement is not a straightforward process and could make the agreement more difficult to conclude. There is also disagreement among economists about how to define currency manipulation and what benchmarks should be used. Still others question whether currency manipulation is a significant problem. They raise questions about whether government policies have long-term effects on exchange rates; whether it is possible to differentiate between “manipulation” and legitimate central bank activities; and the net effect of

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<sup>52</sup> See, for example, Beginda Pakpahan, “Will RCEP Compete with the TPP?” *EastAsiaForum*, <http://www.eastasiaforum.org>.

<sup>53</sup> Federal Reserve.

<sup>54</sup> For more information about exchange rates and “currency manipulation,” see CRS In Focus IF10049, *Debates over “Currency Manipulation”*, by Rebecca M. Nelson, and CRS Report R43242, *Current Debates over Exchange Rates: Overview and Issues for Congress*, by Rebecca M. Nelson.

<sup>55</sup> Representative Mike Michaud, “Majority of House Members Push Obama to Address Currency Manipulation in TPP,” Press Release, June 6, 2013, <http://michaud.house.gov/press-release/majority-house-members-push-obama-address-currency-manipulation-tpp>; Senator Debbie Stabenow, “Sixty Senators Urge Administration to Crack Down on Currency Manipulation in Trans-Pacific Partnership Talks,” Press Release, September 24, 2013, [http://www.stabenow.senate.gov/?p=press\\_release&id=1171](http://www.stabenow.senate.gov/?p=press_release&id=1171).

currency manipulation on the U.S. economy. As TPP negotiations progress, it is not clear to what extent negotiators are discussing exchange rate issues.

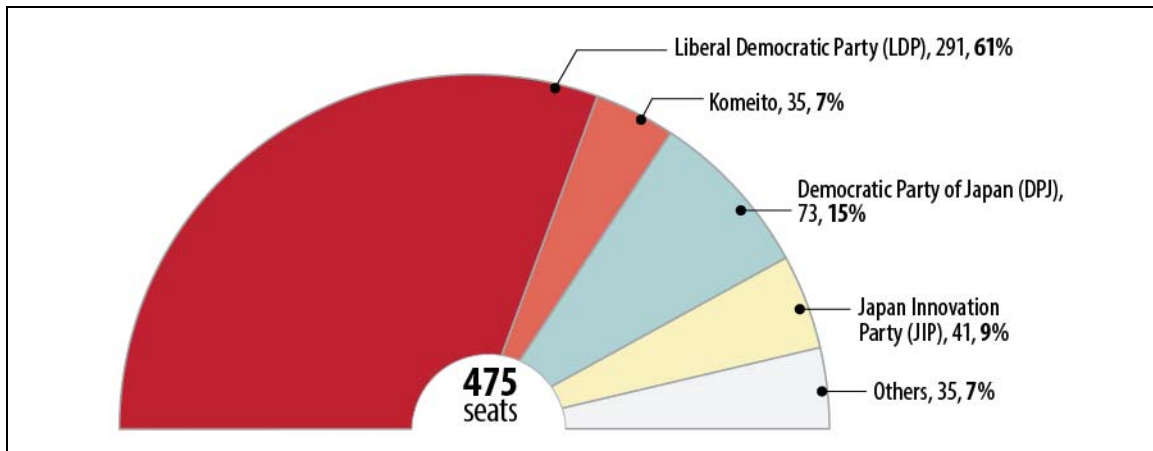
## Japanese Politics

### The Stabilization of Japanese Politics Around the LDP

From 2007 to 2012, Japanese politics was plagued by instability. The premiership changed hands six times in those six years, and no party controlled both the Lower and Upper Houses of the parliament for more than a few months. The LDP coalition's dominant victories in three parliamentary elections, in December 2012, July 2013, and December 2014, appear to have ended this period of turmoil. The first event, the 2012 elections for Japan's Lower House, returned the LDP and its coalition partner, the New Komeito party, into power after three years in the minority. The 2013 election consolidated the LDP coalition's hold by giving it a majority in the Upper House. The aforementioned December 2014 Lower House elections appear to have cemented the LDP's dominance. Although the vote, which was held two years earlier than required by law, changed little in Japan's political balance, it preserved the "supermajority" of more than two-thirds of Lower House seats held by the LDP and its coalition partner, Komeito. (See **Figure 4** and **Figure 5** for a display of major parties' strength in Japan's parliament, which is called the Diet.) The fact that Lower House elections do not have to be held until 2018 presumably gives Abe and the LDP a relatively prolonged period in which to promote their agenda. Since 1955, the LDP has ruled Japan for all but about four years.

**Figure 4. Party Affiliation in Japan's Lower House of Parliament**

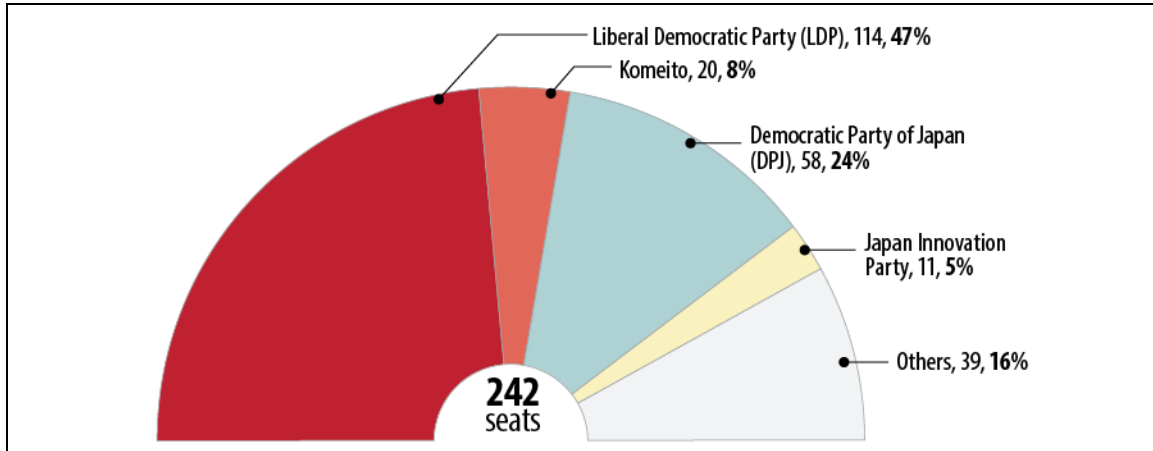
(The LDP and its partner, New Komeito, control the Lower House, which elects the prime minister)



**Source:** Open Source Center, "Breakdown of Lower House Election Results," December 15, 2014.

**Notes:** The Lower House's official name is the "House of Representatives." The Lower House must be dissolved, and elections held for all Members' seats, at least once every four years. The last such elections were held in December 2014.

**Figure 5. Party Affiliation in Japan's Upper House of Parliament**  
(The LDP-New Komeito coalition controls the Upper House)



**Source:** Website of the Upper House of the Japanese Diet, December 14, 2014.

**Notes:** The Upper House's official name is the "House of Councillors." Upper House members serve for six-year terms, with elections for half the Members occurring every three years. The last Upper House elections were held in July 2013.

## The DPJ and Alternative Political Forces

The December 2012 parliamentary elections drastically reduced the size of Japan's largest opposition party, the Democratic Party of Japan (DPJ), which was the ruling party from 2009 to 2012. The DPJ's party support numbers have remained in the single digits since it lost its hold on power. Although the party gained nearly 20 seats in the 2014 Lower House election, it holds less than a third of the 230 seats when it was the ruling party in 2012. Formed in the late 1990s by an amalgamation of former conservative and progressive politicians, the party continues to be riven by divisions among its more hawkish and dovish factions, as well as among its market-oriented and socialist factions, that are likely to manifest themselves in 2015 in debates over collective self-defense legislation and the TPP (if an agreement is reached). On January 18, 2015, the DPJ chose its former head Katsuya Okada as party president.

Over the past 20 years, growing frustration with Japan's political status quo has periodically given rise to small-to-moderate protest movements. One party that has emerged in recent years is the Japan Innovation Party (JIP), led by Osaka mayor Toru Hashimoto, who among other programs champions economic deregulation and decentralization of political power to Japan's regional governments. Hashimoto is known to support nationalist positions on matters of security and history, and thus could perhaps be a natural ad hoc ally for Abe on these matters, as well as on some economic issues. However, some in the DPJ have talked openly about joining forces with the JIP to form a bigger opposition bloc.

## Structural Rigidities in Japan's Political System

Compared to most industrialized democracies, the Japanese parliament is structurally weak, as is the office of the prime minister and his cabinet. Though former Prime Minister Koizumi and his immediate predecessors increased politicians' influence relative to bureaucrats', with important

exceptions Japan's policymaking process tends to be compartmentalized and bureaucratized, making it difficult to make trade-offs among competing constituencies on divisive issues. The result is often paralysis or incremental changes at the margins of policy, particularly during periods of weak premierships such as the one Japan experienced from 2006 to 2013. These difficulties were a major reason Abe took the unprecedented decision in early 2013 to house Japan's TPP negotiating team in the prime minister's office, in the hopes that this would help overcome the bureaucratic obstacles to making the trade-offs that are likely to be necessary to enable Japan's joining a final agreement, if one is reached.

## Japan's Demographic Challenge

Japan's combination of a low birth rate, strict immigration practices, and a shrinking and rapidly aging population presents policymakers with a significant challenge. Polls suggest that Japanese women are avoiding marriage and child-bearing because of the difficulty of combining career and family in Japan; the fertility rate has fallen to 1.25, far below the 2.1 rate necessary to sustain population size. Japan's population growth rate is -0.1%, and its current population of 127 million is projected to fall to about 95 million by mid-century. Concerns about a huge shortfall in the labor force have grown, particularly as the elderly demand more care. The ratio of working age persons to retirees is projected to fall from 5:2 around 2010 to 3:2 in 2040, reducing the resources available to pay for the government social safety net.<sup>56</sup> Japan's immigration policies have traditionally been strictly limited, closing one potential source of new workers.

## Selected Legislation

### 113<sup>th</sup> Congress

**P.L. 113-291.** Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for FY2015. Section 2821 removes prior restrictions on DOD spending to implement the realignment of the Marine Corps from Okinawa to Guam, including DOD expenditure of Japanese government funds transferred for that purpose. Section 1251 requires DOD to develop a strategy to prioritize U.S. defense interests in the Asia-Pacific region. Section 1255 encourages greater cooperation among the United States and its partners in Northeast Asia on ballistic missile defense. Section 1258 reaffirms Congress's support for the U.S.-Japan alliance, including Japan's initiative to engage in collective self-defense. Became law on December 19, 2014.

**P.L. 113-66.** National Defense Authorization Act for FY2014. Section 2822 prohibits DOD spending (including expenditure of funds provided by the Japanese government) to implement the realignment of the Marine Corps from Okinawa to Guam, with certain exceptions, until DOD provides reports to Congress. The bill requests a report on U.S. force posture strategy in the Asia-Pacific region, a master plan for military construction on Guam and Hawaii, and a plan for upgrades to the civilian infrastructure on Guam. Became law on December 26, 2013.

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<sup>56</sup> Lynann Butkiewicz, "Implications of Japan's Changing Demographics," National Bureau of Asian Research, Washington, DC, October 2012.

**P.L. 113-150.** Sean and David Goldman International Child Abduction Prevention and Return Act of 2014; expresses the sense of Congress that the United States should set a strong example for other countries under the Hague Convention on the Civil Aspects of International Child Abduction in the resolution of cases involving children abducted abroad and brought to the United States. The law directs the U.S. government, especially the State Department, to devote additional resources to assisting “left-behind” parents and to preventing child abduction with existing authorities. P.L. 113-150 also instructs the Secretary of State to identify and take actions against consistently noncompliant countries, including the suspension of U.S. development and security assistance funding. Became law on August 8, 2014.

**H.R. 44 (Bordallo).** Recognizes the suffering and the loyalty of the residents of Guam during the Japanese occupation of Guam in World War II. Directs the Secretary of the Treasury to establish a fund for the payment of claims submitted by compensable Guam victims and survivors of compensable Guam decedents. Directs the Secretary to make specified payments to (1) living Guam residents who were raped, injured, interned, or subjected to forced labor or marches, or internment resulting from, or incident to, such occupation and subsequent liberation; and (2) survivors of compensable residents who died in the war (such payments to be made after payments have been made to surviving Guam residents). Referred to House Subcommittee on Fisheries, Wildlife, Oceans, and Insular Affairs on January 31, 2013.

**S. 192 (Barrasso).** Expedited LNG for American Allies Act of 2013; “the exportation of natural gas to Japan shall be deemed to be consistent with the public interest ... during only such period as the Treaty of Mutual Cooperation and Security, signed at Washington January 19, 1960, and entered into force June 23, 1960, between the United States and Japan, remains in effect.” Referred to Senate committee on January 31, 2013.

**S.Res. 412 (Menendez).** States that the Senate (1) condemns coercive actions or the use of force to impede freedom of operations in international airspace to alter the status quo or to destabilize the Asia-Pacific region; (2) urges China to refrain from implementing the declared East China Sea Air Defense Identification Zone; (3) commends Japan and the Republic of Korea for their restraint; and (4) calls on China to refrain from risky maritime maneuvers. Sets forth U.S. policy regarding (1) supporting allies and partners in the Asia-Pacific region; (2) opposing claims that impinge on the rights, freedoms, and lawful use of the sea; (3) managing disputes without intimidation or force; (4) supporting development of regional institutions to build cooperation and reinforce the role of international law; and (5) assuring continuity of operations by the United States in the Asia-Pacific region. Passed/agreed to in the Senate on July 10, 2014.

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