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Anatomy of a Crash: Local Reactions and Official Responses to the 2004 Futenma Helicopter Accident and its Aftermath (1)*

Robert D. ELDRIDGE**

Abstract

On August 13, 2004, a U.S. Marine Corps CH-53D helicopter crashed next to a building on the campus of Okinawa International University in Ginowan City, Okinawa Prefecture, while on a routine training flight from Marine Corps Air Station Futenma in the same city. While no local residents were injured, the crash raised an outcry locally and nationally and caused many to increase their opposition to the presence of the air station in the prefecture. This article, published in three installments, examines the crash and its aftermath.

Keywords: Okinawa, U.S. Marine Corps, CH-53D, helicopter crash, Futenma

* The draft of this article was written when the author was on sabbatical at U.S. Marine Forces Pacific's headquarters, located at Camp Smith in Hawaii as a scholar-in-residence from September 2004 to August 2005. He began this study immediately prior to the start of his sabbatical. He is indebted to those interviewed in this study for their assistance.

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1. Introduction

On the afternoon of August 13, 2004, a U.S. Marine Corps CH-53D Sea Stallion helicopter on a routine training flight from Marine Corps Air Station Futenma, in Ginowan City, Okinawa Prefecture, crashed next to a building on the campus of nearby Okinawa International University while trying to make an emergency landing.¹⁾ While no local residents or students were injured,²⁾ there was damage to the university, nearby homes, and vehicles by flying debris. In particular, the administrative building of OIU, clipped by the 72-foot long rotor blades, was partially damaged in the mishap and ensuing fire.

While crashes and mishaps have occurred in the past during flights or other related practice, this was the first time for a crash of a Marine-piloted helicopter off base into the local community.³⁾ Flights out of Futenma, often described as “an accident waiting to happen” became an accident that *did* happen. For alliance managers in recent years, it was a scenario that had been long-feared, particularly as the relocation of the functions of Futenma Air Station to the northern part of Okinawa, agreed to in 1996 and reaffirmed, with changes in 2006 as part of the realignment agreement, remains to be realized.⁴⁾ It

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- 1) Futenma Air Station lies within the city of Ginowan (population 88,000). Okinawa International University, established in April 1972, borders Futenma Air Station to the south. The runway and aircraft are visible from the classrooms and offices of the university. Faculty at the university immediately set up a web page (<http://www.okiuwebnet.com/syomaguchi/network/jhome.html>) to provide updates on the crash and the university's response to it. Parts of it are more emotional than anything, calling for the “prosecut[ing] of U.S. Forces Japan Commander Lt. Gen. Thomas C.] Waskow” and describing “Prime Minister] Koizumi [Junichiro as] brain dead” and “spineless.” Secretary of Defense Donald Rumsfeld's resignation was also called for, twice. The university was the site of the citizens rally on September 12, which saw about 30,000 protestors show up according to the organizers.
 - 2) Three crewmembers were hurt in the crash, and after being given first-aid at the scene by nearby Marines who rescued them, were then taken to the Naval Hospital on Camp Lester in U.S. and Japanese ambulances and listed in stable condition. See Brig. Gen. James F. Flock, “CH-53D Media Briefing,” August 27, 2004. It has since become known that a back injury to one of the crewmembers was more severe than initially understood.
 - 3) According to statistics gathered by the Okinawa Prefecture Government's Military Base Affairs Office, 41 crashes had occurred in the post-reversion (1972-) period, including the recent the Sea Stallion crash. Of those, there were 14 helicopter crashes, four of which involved CH-53Ds. Crashes usually occurred within a base or training area, or off-shore. For these statistics, see Kichi Taisakushitsu (Military Base Affairs Office), “Kako no Kokuki Kanren Jiko (Past Aircraft-related Accidents),” at <http://www3.pref.okinawa.jp/site/view/contview.jsp?cateid=14&id=6981&page=1>. For more on the dynamics of base-related issues in post-reversion Okinawa, see Robert D. Eldridge, *Post-Reversion Okinawa and U.S.-Japan Relations: A Preliminary Survey of Local Politics and the Bases, 1972-2002* (Osaka: Center for International Security Studies and Policy, 2004) available at: http://www2.osipp.osaka-u.ac.jp/~cissp/CISSP_En/Postreversion%20Okinawa%20study.pdf.
 - 4) In December 1996, the Special Action Committee on Okinawa (SACO), created in November 1995 with a one-year mandate to recommend ways to “reduce the burden” in Okinawa, released its final report. The highlight of the report is the recommendation to return Futenma within 5-7 years on the condition that a replacement facility be found within the prefecture. Because the return of Futenma remains unrealized 12 years after the release of the final report, observers describe SACO and the relocation as “stalled.” In fact, most of the report's recommendations have been implemented and recommendations to be implemented by the U.S. alone have been 100 percent fulfilled. While actual construction of a relocated facility has yet to begin, progress has been seen over the years, including designation of site of relocation to Henoko in Nago City in Northern Okinawa. However, progress has been slow, and opposition remains strong. In this paper, the author suggests that opposition to relocation within the prefecture has risen dramatically following the helicopter crash as well as in light of the possibility that the Marines and other forces off of Okinawa to other parts of Japan and the region.

was as close to a worst case scenario as possible, a crash just shy of injuring or killing local Okinawan residents. Fortunately, in this accident, such a outcome did not occur, but it still has generated a great deal of concern and outrage in the prefecture and tension in the bilateral relationship leading to the creation of a bilateral committee to study the handling of the crash at the national level and the passage of resolutions and the holding of rallies at the local level. It is also certain to have an impact on the future of the planned Futenma relocation and the local political scene for years to come.

This paper, published in three parts, analyzes the crash and its aftermath. Part 1 examines the accident itself, followed by a look at the handling of the crash site. Part 2 examines the local response to the crash, and then the decision to resume flights and the ensuing criticism. Part 3 looks at subsequent developments and efforts by U.S. and Japanese officials to prevent another mishap and political mishandling in the future. It is based on interviews, conducted by the author, and analysis of local and national media.⁵⁾

2. The Crash—How Did it Happen?

The CH-53D, part of the Marine Heavy Helicopter Squadron-463 (then attached to composite helicopter squadron HMM-265 as the aviation combat element of the 31st Marine Expeditionary Unit), and crewed by three Hawaii-based Marines on assignment to Okinawa as a part of a seven-month Unit Deployment Program, began experiencing problems shortly after take-off on Friday the 13th of August.⁶⁾ According to the communication record of Futenma's control tower, the Sea Stallion sent an emergency message at 2:17 p.m., to which the control tower responded that it would seek to "designate a landing spot for it" and attempted to guide the helicopter to "land on the center area of the runway." Unfortunately, by this point the CH-53D had already gone down, clipping the university's administration building and erupting in a fireball shortly after hitting the ground. It missed landing within Futenma's southern fence line, where it was seeking to make an emergency landing, by a mere 330 meters. Importantly, the pilots were able to

5) The interviews were conducted with U.S., Japanese central government, Okinawa Prefectural and local government officials, and local political figures. Officials in the U.S. and Japanese governments familiar with the crash and subsequent events are not cited by name unless similar comments by them appeared in the press.

6) According to Lt. Gen. Robert R. Blackman, Jr., then-Okinawa Area Coordinator, the type of CH-53s assigned to Futenma Air Station is generally "E (Echo) types." The "D (Delta) types" were based primarily in Marine Corps Base Hawaii, in Kaneohe Bay, but moved to Marine Corps Air Station Iwakuni in Japan in late 2001. One hundred members of the Kaneohe-based Marines and seven Sea Stallions that are part of the Marine Heavy Helicopter Squadron 463 were sent to Okinawa in April as part of the Unit Deployment Program. The 31st MEU was slated to replace the 22nd MEU, which had been in Afghanistan since February, in September 2004. For more, see "Marine Choppers Flying Again," *Honolulu Star Bulletin*, August 16, 2004.

avoid hitting buildings on campus housing classrooms that were being used for summer classes.⁷⁾ A tragedy on a grand scale was avoided by their efforts to maneuver the helicopter.⁸⁾

The helicopter's mid-air problem and subsequent crash scattered debris over the area, a heavily populated part of Ginowan City. More than 50 pieces of debris were found in the days and weeks after the crash, and several pieces were found some 370 meters from the site. Dramatic photos and footage taken immediately after show the flames and smoke rising from the scene, with subsequent photos illustrating the charred school building and the results of scattered debris that fell into local homes but fortunately injured no one.

Sgt. Richard B. Cline, section leader of the 2nd Platoon, 1st Stinger Battery, Marine Air Control Group-18, and one of the first to respond, reportedly saw the "helicopter go into a flat spin toward the ground...and took off in the direction of the falling helicopter."⁹⁾ The Marines in his group were hampered by a 300-meter dash, an 8-foot fence inside their compound, and a barbed wire 15-foot outer fence, but got to the site within moments of the crash.¹⁰⁾ Two crewmembers had managed to get out of the burning aircraft, but one was still trapped inside. Lance Cpl. Christopher A. Teague pulled him out and when they had gotten about 20 feet away, the helicopter blew up. In the meantime, Cpl. Thomas M. Joyce and others set up a perimeter to keep the growing crowd of onlookers away from the site, and evacuate the school building. "We had Marines down," Joyce told an interviewer, "but it would've been even worse if a civilian had been injured or killed." It goes without saying that the quick response of the Stinger Marines and hundred others who

7) While difficult to confirm, according to local newspaper reports based on conversations with school officials, approximately 25 people were in the administration building, and a couple hundred students were on campus at the time. During normal sessions, up to 6,000 people are on campus at any given time. See "School Fears Helo Crash Contaminated Soil," *Stars and Stripes*, September 1, 2004.

8) Using simulators (such as the one for CH-53Ds in Kaneohe Bay, Hawaii), pilots are trained how to respond in an emergency situation with the helicopter, such as when the tail rotor stops functioning (to keep the helicopter flying straight). The maneuvers are complicated even under the best circumstances. When a large section of the rear breaks off, as in the case in Okinawa, the ability to control the aircraft becomes almost impossible. (The author visited the flight simulator on August 26, 2005, prior to the end of his sabbatical. He is indebted to Capt. Jon-Claud Nix and Mr. Hank Tripp for providing the tour, and Joe Sampson, a former pilot and then-assistant branch head in the Policy and International Affairs Office of the G-5, MARFORPAC, for additional insights.) Sadly, when the efforts of the pilots to avoid crashing into more crowded parts of the campus were praised by Lt. Gen. Waskow, Commander U.S. Forces, Japan, in a speech before the Japan National Press Club on August 26, a new round of criticism erupted in Okinawa. U.S. officials were accused of being "insensitive" to Okinawa's concerns. Ginowan City Mayor Iha Yoichi went so far as to call for Waskow's dismissal. See "Join Taio 'Subarashii' Wasukoo Shireikan Jiko de Ninshiki (Waskow's Understanding of Accident: Response of Crew 'Magnificent')," *Ryukyu Shimpo*, August 27, 2004. For more on the speech, see "USFJ Commander Defense U.S. Response to, Probe of Helo Crash," *Stars and Stripes*, August 28, 2004.

9) "Stinger Marines Rush to Aid Downed Crew," September 3, 2004, at <http://www.dcmilitary.com/>, and "Marines Re-count Rescue of Helo Crew," *Stars and Stripes*, August 27, 2004.

10) According to the *Stars and Stripes* story, six Marines were injured in the rescue efforts with a foot fracture, cuts, and twisted ankles.

showed up in the first response, helped minimize the danger and protect lives.¹¹⁾ In the meantime, Marines from the Provost Marshals' Office and civilian police from the Okinawa Prefecture Police (OPP, or *Okinawaken Keisatsu*), who showed up shortly thereafter, helped escort bystanders away from the crash site, further preventing the likelihood that civilians would be injured.¹²⁾ A subsequent joint effort between local firefighters and Marine Corps and Rescue vehicles put the fire out in about 40 minutes.¹³⁾

The CH-53D is a heavy/medium lift helicopter of the Marine Corps designed to transport supplies, equipment, and personnel in support of amphibious and shore operations.¹⁴⁾ First ordered in the early 1960s as a heavy-lift aircraft, the Sea Stallion became operational in 1966. It has a range of 578 nautical miles, or 665 statute miles. Containing a crew of three, including two pilots, it carries 37 troops normally, or up to 55 if seats are installed in the center. It is able to lift 7 tons. Its fuselage measures 67.5 feet in length, and with the rotors turning, measures 88 feet. The main rotor diameter is 72 feet. The CH-53D was replaced by the CH-53E as the Marine Corps' heavy lift helicopter, but remains in use as a medium-lift helicopter. It, along with the CH-46E, are scheduled for replacement by the MV-22 *Osprey*. The helicopter that crashed in Okinawa similarly was built and deployed in the 1960s, although all of the parts have been generally replaced.

This crash was not related to its being "old," however, or any known flaws with the Sea Stallion.¹⁵⁾ According to a press release announced on Sunday, August 22, some nine days after the crash, a preliminary investigation found that the problem was "solely unique" to the specific helicopter involved due to the lack of a "small retaining device in a subcomponent of the tail rotor assembly."¹⁶⁾ In other words, the crash was the result of improper maintenance rather than improper handling or a more general mechanical failure. The handling of the preliminary investigation and the more comprehensive one—which began on August 14 and took about 30 days—is discussed below.¹⁷⁾

11) When the *Stars and Stripes* did a story in its August 27 edition on their actions and those of the crew to avoid as best as possible crashing into other parts of the campus, the *Ryukyu Shimpo* wrote an article highlighting the outcry critical of that story. According to even the university's version of events, no efforts were made, in contrast, by university officials to help the injured crewmembers. See the chronology of events created by the university at <http://www.okiu.ac.jp/info18.html>.

12) Flock, "CH-53D Media Briefing."

13) "U.S. Chopper Crash Okinawa Police, Officials Left Out of the Loop," *International Herald Tribune/Asahi Shimbun*, September 9, 2004. Normally, the Marines Crash Fire Rescue team is able to respond within two minutes, but due to the fact that the crash took place outside of the fence, it was difficult to get to the crash site in such a short amount of time.

14) United States Navy Fact File, available at <http://chinfo.navy.mil/navpalib/factfile/aircraft/air-ch53d.html>.

15) Engines and parts are continually rebuilt and replaced and thus while the shell of the helicopter may be dated, its internal workings usually are not. According to pilots familiar with the CH-53D, it is generally a good, all-around helicopter to fly and easier to maneuver in an emergency than the larger and heavier CH-53Es.

16) "6 Futenma CH-53Ds Set Off for Iraq," *Stars and Stripes*, August 24, 2004.

17) According to Waskow, who spoke at the Japan National Press Club on August 26, the investigation would take a minimum of 30 days: "We do not normally release the cause of accidents until the end of the 30-day period, because as we

3. Initial Handling of the Crash Site and Subsequent Investigations

Ironically, it was the handling of the crash site and subsequent investigations that would generate the most friction and actually overshadow the crash itself. Criticism grew intense over the U.S. decision not to grant access initially to the crash site, which appeared to residents in Okinawa and their fellow countrymen as an infringement on Japan's sovereignty resulting in calls among not only local public and officials but also among members of the central government, that the U.S. military continued to possess "an occupation mentality." In fact, the Okinawa Prefectural Police were involved in securing much of the area known as the "outer perimeter," but because the police were not "given access to inner perimeter [due to] safety procedures,"¹⁸⁾ the U.S. side was exposed to blame. Misreporting, purposeful or otherwise, imprecise terminology, and heated emotions fueled the atmosphere on the Okinawan side, while a slow public affairs response and a lack of detailed and precise information on the Marines/U.S. Forces Japan-side (by both the public affairs team and the respective commanders at the press conferences and speeches) created room for speculation and incorrect reporting.¹⁹⁾ This section attempts to retrace the chronology of events in the hours and days after the accident and provide a balanced assessment of what took place.

do the investigation, it is not just the physical cause of the accident. We look at a multitude of factors. We look at weather, training, maintenance practices and any other factors we feel we can learn a lesson from with the objective of trying to prevent future accidents. So by law and by process, this investigation takes around 30 days to complete. Now this board is chaired by a trained and qualified president. And it is only after the president signs the final written report will that report be released. But when that report is finished, we will release it to the government of Japan for your analysis." See "Question and Answer Session—Corrected Copy, August 26, 2004," available at: http://usfi.mil/newsreleases/transcripts/2004/waskow_040826_qa_c.rtf.

18) *Ibid.*

19) On the issue of the less-than-robust public affairs efforts, many problems can be cited. First, press releases lacked detail, regularity, and timeliness (often being so far after the fact that speculation was allowed to develop in the press and it was too late to correct the misperceptions created). Despite the seriousness of the accident, only six were released in the one month following the accident by the Media Section, Consolidated Public Affairs Office, USMC Japan, and only four by U.S. Forces Japan. Several of these, moreover, introduced on the Internet, were linked incorrectly or not at all and thus not accessible. They were released well after the fact, thus permitting a long period for speculation. Second, the statements prepared for the press conference by senior military representatives in Okinawa and mainland Japan — both given some two weeks after the accident—lack detail, and to this writer, actually begged more questions than they answered. Third, the Japanese language version homepage US Marines in Japan (*Zainichi Beikoku Kaiheitai*, available at <http://www.kanji.okinawa.usmc.mil/>), while an important (and belated!) addition to the public affairs efforts of U.S. forces in Japan, did not include any reference to the crash, nor did it show any effort to present the U.S. side's version of events in Japanese for the benefit of local readers regarding the crash. The combination of these three factors allowed, by default, for incorrect stories to appear in the press and local readers to be led by those versions. Fourth, this was the first incident in which almost all actors (with the exception of the OPP) involved have used or created Internet websites to report on the crash and their versions of events. Despite this, the U.S. side seemed to devote little attention or energy to winning the public affairs/relations contest on the Internet. (The most detailed and regularly updated homepages were those by Okinawa International University and Ginowan City Hall, which were co-linked as well. The least robust were, as alluded to above, those by the respective organizations and agencies of the U.S. military and government, and that of the Japanese government such as the DFAA and MOFA. That of the OPG, which has never been as engaged in information campaigns during the years of the Inamine administration as during those of the Ota Masahide administration, falls in between the two extremes.)

Following the evacuation of the injured crewmembers, the Marines coordinated with the OPP to secure the area, according to a media briefing some two weeks after the crash by Brig. Gen. James Flock, Deputy Commander of U.S. Marine Bases Japan, to protect local residents from possible exposure to flammable materials at the crash site.²⁰⁾ An outer perimeter was established, according to the same August 27 evening briefing, to re-direct traffic and an inner perimeter was established to prevent bystanders from entering the crash site, which was guarded by U.S. personnel. As additional security needs were identified, the OPP provided the necessary personnel, including a riot control unit for the majority of the first day.²¹⁾ Flock and his superior, Lt. Gen. Robert R. Blackman, who also served as the Okinawa Area Coordinator, credit the unit's presence with "help[ing] to ease and calm the situation."²²⁾

In reality, the situation was not always calm especially in the first moments after the crash. An initial cordoning off of the area, alluded to earlier, was done, however, as a safety precaution by the group of Stinger Marines and the others who had arrived on the scene immediately after the crash. When challenged by a Prefecture Assembly member from nearby Nishihara-cho, Kina Masaharu, as to what "authority" they had in blocking his path to the site, the Marines replied "because it is dangerous."²³⁾ This careful precaution, ironically, would lead to a wave of anti-base sentiment and criticism that the U.S. military had an "occupation-mindset."

By three p.m. that day, according to the U.S. version of events, USMC officials had officially notified the Ministry of Foreign Affairs, the Defense Facilities Administration Bu-

20) Flock, "CH-53D Media Briefing."

21) A week before Flock's press conference, a different version of events began to appear, attributed to Flock. A fighter aircraft pilot by training, Flock reportedly told Diet member Ohata Akihiro, slated at the time to be the next minister for Okinawan affairs in the Japan Democratic Party (*Nihon Minshuto*)'s shadow cabinet, and other party officials looking into the crash that the U.S. side had asked the Prefectural Police to participate in securing the area but was told the U.S. should go it alone. (See "Bei Fukushimaireikan 'Godo Sosa Moshireta' Kenkai ni Kenkei Zenmen Hitei (Prefecture Police Completely Deny U.S. Deputy Commander's [Assertion that U.S.] Requested Joint Investigation)," *Ryukyu Shimpo*, August 18, 2004. For more on the Ohata-led *Minshuto Okinawa Beigun Herikoputaa Tsuiraku Genchi Chosadan* (Democratic Party Study Group Investigating Crash of Okinawa U.S. Military Helicopter Crash), see the commentary by Representative Ohata "Nihon ha Honto ni Dokuritsu Kuni na no Ka (Is Japan Really an Independent Country?)," at his homepage: <http://www.oohata.com>. A final report has not been submitted to the U.S. side it seems.) According to a U.S. official familiar with events, the Marines had verbally invited the police in Ginowan to join them in co-securing the innermost cordon around the crash site. The police verbally accepted the offer, but very soon afterward, told the Marines that the police did not have the personnel to do so. As a result, no police from the Okinawa side deployed alongside Marines in securing the innermost cordon. (E-mail correspondence with U.S. official in Okinawa, September 11, 2004.)

22) Flock, "CH-53D Media Briefing."

23) "U.S. Chopper Crash Okinawa Police." About 10 days after the crash, Kina was named Chairman of the Social Masses Party (*Shakai Taishuto*) to replace longtime veteran and former Upper House member Shimabukuro Soko. A former local government employee of the Nishihara town office, Kina was also actively involved in the Okinawa Prefectural Branch of the All-Japan Prefectural and Municipal Workers Union (*Zen Nihon Jichitai Rodo Kumiai*) labor union. He was first elected to the Prefectural Assembly in 1988, a year in which the leftists made gains leading to their taking the governorship in 1990. For more on local politics, see Eldridge, *Post-Reversion Okinawa and U.S.-Japan Relations*.

reau, and the Okinawa Prefecture Government of the crash, and formally asked the Okinawa Prefectural Police to “assist with security at the site of incident...in the spirit of cooperation.”²⁴⁾ In the meantime, Blackman ordered the return of all helicopters to Futenna and upon the return of the last aircraft at approximately 4:00 p.m., suspended all further helicopter operations until “a thorough and complete safety inspection could be conducted on all helicopters.”

Over the next six days, until August 19, the Marines and the OPP, “per longstanding U.S. and GOJ agreements,” jointly secured the area until the wreckage was removed and a thorough investigation could be conducted.²⁵⁾ “Protecting and maintaining the integrity of the site so that an extensive and thorough investigation can be completed,” an August 15 press release stated, “is essential.”²⁶⁾ While the press release did not mention it, securing the site is also important, commander of U.S. Forces Japan Lt. Gen. Thomas C. Waskow pointed out in an August 26 speech at the Japan National Press Club, “for ensuring the safety of civilian and military personnel.”²⁷⁾

According to Waskow, moreover, when an accident of this nature occurs, the U.S. mili-

24) Flock, “CH-53D Media Briefing,” and Press Release No. 04-019, “Helicopter Accident in Ginowan City,” August 15, 2004, Media Section, Consolidated Public Affairs Office, Marine Camp S.D. Butler.

25) Namely, this agreement is Article 23 of the 1960 Status of Forces Agreement, which states that both countries “will cooperate in taking such steps as may from time to time be necessary to ensure the security of the United States armed forces, the members thereof, the civilian component, their dependents, and their property,” and a related provision which says that the Japanese government “will normally not exercise its right to search, seizure, or inspection” of U.S. military property. According to the Agreed minutes of the SOFA, paragraphs 10 (a) and 10 (b) of Article 17 were interpreted as follows:

- 1) The United States military authorities will normally make all arrests within facilities and areas in use and guarded under the authority of the United States armed forces. This shall not preclude the Japanese authorities from making arrests within facilities and areas in cases where the competent authorities of the United States armed forces have given consent, or in cases of pursuit of a flagrant offender who has committed a serious crime. Where persons whose arrest is desired by the Japanese authorities and who are not subject to the jurisdiction of the United States armed forces are within facilities and areas in use by the United States armed forces, the United States military authorities will undertake, upon request, to arrest such persons. All persons arrested by the United States military authorities, who are not subject to the jurisdiction of the United States armed forces, shall immediately be turned over to the Japanese authorities. The United States military authorities may, under due process of law, arrest in the vicinity of a facility or area any person in the commission or attempted commission of an offense against the security of that facility or area. Any such person not subject to the jurisdiction of the United States armed forces shall immediately be turned over to the Japanese authorities.
- 2) The Japanese authorities will normally not exercise the right to search, seizure, or inspection with respect to any persons or property within facilities and areas in use by and guarded under the authority of the United States armed forces or with respect to property of the United States armed forces wherever situated, except in cases where the competent authorities of the United States armed forces consent to such search, seizure, or inspection by the Japanese authorities of such persons or property. Where search, seizure, or inspection with respect to persons or property within facilities and areas in use by the United States armed forces or with respect to property of the United States armed forces in Japan is desired by the Japanese authorities, the United States military authorities will undertake, upon request, to make such search, seizure, or inspection. In the event of judgment concerning such property, except property owned or utilized by the United States Government or its instrumentalities, the United States will turn over such property to the Japanese authorities for disposition in accordance with the judgment.

26) Press Release No. 04-019.

27) Lt. Gen. Thomas C. Waskow, “Speech to the Japan National Press Club on The Japan-U.S. Security Relationship,” August 26, 2004, available at: http://usfi.mil/newsreleases/transcripts/2004/waskow_040826.rtf.

tary has

comprehensive and thorough investigative processes already established...[which] are used around the world, including when there are mishaps within the United States... The procedures call initially for an aircraft safety investigation...[that is] intended to determine the cause of the incident and to learn as much as possible in order to prevent it from reoccurring. When an aircraft mishap results in death or serious, extensive damage to property, an accident or as the USMC calls it 'JAGMAN' [Manual of the Judge Advocate General] investigation is conducted to determine the cause and responsibility, the nature and extent of injuries, a description of damage to property and any other pertinent circumstances. The JAGMAN is conducted in addition to, and separate from, the aircraft accident safety investigation.²⁸⁾

On the same day of the crash, the OPP received a warrant to undertake a criminal investigation of the crash site suspecting the pilots of unsafe flying, with Takasaki Kiyotaka, Chief of the OPP's Crash Site Response Working Group, being transferred to the Ginowan Police Station to handle the investigation on the Japanese side.²⁹⁾ Because permission was necessary to access the "accident site and surrounding areas," Ishigaki Eiichi, Chief of the First Investigation Division of the OPP, visited the Marine Corps Judge Advocate General's Office at Camp Zukeran, which was in charge of the JAGMAN, shortly after 10:00 a.m. the next morning to request "consent of inspection."³⁰⁾ Ishigaki was told that the "Marines would remain in charge of the site in accordance with a long standing agreement between the U.S. government and the Government of Japan under SOFA" and that the JAG would have to consult with the headquarters of U.S. Forces Japan, located at Yokota Air Base near Tokyo on how to respond.³¹⁾ Ishigaki requested that an early response be forthcoming. According to an interview with a high-ranking OPP official, "we might have been able to get near the helicopter had we made a fuss, but we decided to follow formal procedures."³²⁾

Over the next few days the police continued to request permission to inspect the site, but were told only that it was under consideration. During this time, the OPP began searching for debris from the crash and interviewing witnesses. The DFAB also began

28) *Ibid.*

29) "Heri Tsuiraku Genba Beigun ga Fusa Godo Kensho Medo Tazazu (U.S. Military Closes Off Helicopter Crash Site, Prospect for Joint Investigation not Seen)," *Ryukyu Shimpo*, August 14, 2004.

30) *Ibid.* Also see Flock, "CH-53D Media Briefing," and Press Release No. 04-020, "Marine Corps Response to Okinawa Prefectural Authorities (sic)," August 19, 2004, Media Section, Consolidated Public Affairs Office, Marine Camp S.D. Butler.

31) Flock, "CH-53D Media Briefing."

32) *Ibid.*

surveys to determine monetary settlements for personal property damage. On the 17th, a written notice was provided by the Marines to Okinawan police giving access to the accident site and surrounding areas “for the exclusive purpose of recording and observing any and all property damage.”³³⁾ In order “to maintain the integrity of the crash site and ensure personnel safety,” a related press release continued, it was explained to the OPP that they would be accompanied by officials from the Defense Facilities Administration Bureau and U.S. military police during the course of their inspections.³⁴⁾

In the meantime, on the morning of August 14, the 1st Marine Aircraft Wing convened an investigation to look into the cause of the accident.³⁵⁾ 1st MAW, in turn, immediately requested outside technical assistance from the U.S. Naval Safety Center, established in 1951 to collect and evaluate information on aviation safety, and the U.S. Naval Systems Air Command, otherwise known as NAVAIR, and directed all units to conduct a safety stand-down to complete helicopter safety procedures and to review all safety related operating procedures.

As part of this investigation, military personnel began cutting down trees in the area early in the morning of the 16th to be able to remove the downed helicopter.³⁶⁾ Removal of the aircraft debris, necessary to “facilitate the on-going aircraft mishap investigation and to expedite soil restoration efforts,” was completed on the 19th, having been interrupted in the afternoon of the 17th by an approaching typhoon.³⁷⁾ On the 19th, the yellow tape cordoning off the area finally came off.

On the next day, August 20, the Ginowan Police Department requested the results of the investigation of the cause of the mishap, completed that day, from the Marines Staff Judge Advocate General’s office.³⁸⁾ An answer came on the 23rd, when the SJA responded with the proper procedure for requesting the investigation from the U.S.-Japan Joint Committee, as well as with assurances that the request would be supported and expedited as much as possible by USMC and USFJ.

33) *Ibid.* According to newspaper reports, the OPP was unhappy with the limited access they were given. No longer able to contain their anger, one unidentified senior official from the OPP told reporters that “we can not believe the way in which the U.S. military, which caused this huge accident, is handling the situation.” See “Bei Fukushimaireikan ‘Godo Sosa Moshiiireta.’”

34) Press Release No. 04-020.

35) Flock, “CH-53D Media Briefing.”

36) “‘Kenmin Mushi’ Ikari no Koe Kenkei, Mimamoru Dake (Anger at ‘Ignoring of Prefectural People’ Prefectural Police Just Stand and Watch),” *Ryukyu Shimpo*, August 16, 2004, and “Kenkei Kensho Naku Kitai Tekkyo Beigun Heri Okikokudai Tsuiraku (U.S. Military Helicopter that Crashed into Okinawa International University Taken Away without Prefectural Police Given a Chance to Investigate),” *Ryukyu Shimpo*, August 16, 2004.

37) Press Release No. 04-021, “Accident Site Cleared, Thorough Investigation Continues,” August 20, 2004, Media Section, Consolidated Public Affairs Office, Marine Camp S.D. Butler.

38) Flock, “CH-53D Media Briefing.”

With the debris removed, Okinawa Prefectural authorities conducted a separate property damage inspection at the accident site on the 19th. At the request Okinawa Prefecture authorities, the site was then fenced off to prevent pedestrians from inadvertently walking over it until the topsoil, removed to check for contamination, had been remediated and the site restored to its original condition. According to a Marine spokesperson, the purpose of removing the soil was “to conduct a soil survey” to check if there was soil contamination at the site, including “JP-5, hydraulic fluid, and various motor and gear oils. In order to determine the contamination, a detailed environment assessment.”³⁹⁾ Initially, the Marines planned to conduct a joint assessment with the Japanese government and Okinawa Prefectural authorities and Ginowan City, but after learning about the requirements of the Japanese Soil and Contamination Countermeasures Law (*Dojo Osen Taisakuho*), it began contracting for an environmental study by a certified local company on August 24 (with an assessment meeting held with officials from the Marines, DFAB, OPG, and university on the 26th). After completion of the assessment, the Marines, according to their spokesman, would work with Japanese and OPG authorities in “soil remediation, site restoration, and compensation for property damages as a result of the accident.” In any compensation for damages, the U.S. would be obligated to pay 75% of the costs with 25% to be paid by the Japanese government.⁴⁰⁾

39) “School Fears Helo Crash.”

40) Payment of *owabi*, literally “apology [money]” began on August 24 when Marine G-5 officials accompanied by DFAB personnel, began visits to Ginowan residents who suffered property damage as a result of the accident.