

**No. 48516**

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**Japan  
and  
United States of America**

**Agreement between Japan and the United States of America on social security. Washington,  
19 February 2004**

**Entry into force:** *1 October 2005 by notification, in accordance with article 16*

**Authentic texts:** *English and Japanese*

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**Japon  
et  
États-Unis d'Amérique**

**Accord de sécurité sociale entre le Japon et les États-Unis d'Amérique. Washington,  
19 février 2004**

**Entrée en vigueur :** *1<sup>er</sup> octobre 2005 par notification, conformément à l'article 16*

**Textes authentiques :** *anglais et japonais*

**Enregistrement auprès du Secrétariat des Nations Unies :** *Japon, 1<sup>er</sup> avril 2011*

[ ENGLISH TEXT - TEXTE ANGLAIS ]

Agreement between  
Japan and the United States of America  
on Social Security

Japan and the United States of America,

Being desirous of regulating the relationship between  
them in the field of social security,

Have agreed as follows:

Article 1

1. For the purpose of this Agreement,

(a) "United States" means the United States of  
America;

(b) "territory" means,

as regards Japan,  
the territory of Japan,

as regards the United States,  
the States thereof, the District of Columbia, the  
Commonwealth of Puerto Rico, the United States  
Virgin Islands, Guam, American Samoa and the  
Commonwealth of the Northern Mariana Islands;

(c) "national" means,

as regards Japan,  
a Japanese national within the meaning of the  
national statute on nationality of Japan,

as regards the United States,  
a national of the United States as defined in  
Section 101, Immigration and Nationality Act, as  
amended;

(d) "laws" means,

as regards Japan,  
the national statutes and regulations of Japan  
concerning the Japanese pension systems and the  
Japanese health insurance systems specified in  
paragraph 1 of Article 2,

as regards the United States,  
the national statutes and regulations of the  
United States specified in paragraph 2 of Article  
2,

however, treaties or other international  
agreements on social security concluded between  
one Party and a third party, or national statutes  
and regulations promulgated for the  
implementation of such treaties or other  
international agreements shall not be included;

(e) "competent authority" means,

as regards Japan,  
any of the Governmental organizations competent  
for the Japanese pension systems and the Japanese  
health insurance systems specified in paragraph 1  
of Article 2,

as regards the United States,  
the Commissioner of Social Security;

(f) "competent institution" means,

as regards Japan,  
any of the insurance institutions, or any  
association thereof, responsible for the  
implementation of the Japanese pension systems  
and the Japanese health insurance systems  
specified in paragraph 1 of Article 2,

as regards the United States,  
the Social Security Administration;

(g) "period of coverage" means,

as regards Japan,  
a period of contributions under the laws of Japan  
concerning the Japanese pension systems specified  
in paragraph 1(a)(i) to (v) of Article 2, and any  
other period taken into account under those laws  
for establishing entitlement to benefits,

as regards the United States,  
a period credited as a quarter of coverage under  
the laws of the United States, or any equivalent  
period that may be used to establish the right to  
a benefit under the laws of the United States;

- (h) "benefit" means any benefit provided for in the laws of either Party.

2. For the purpose of this Agreement, any term not defined in this Agreement shall have the meaning assigned to it under the respective laws of either Party.

## Article 2

This Agreement shall apply,

1. as regards Japan,

(a) to the following Japanese pension systems:

- (i) the National Pension (except the National Pension Fund);
- (ii) the Employees' Pension Insurance (except the Employees' Pension Fund);
- (iii) the Mutual Aid Pension for National Public Officials;
- (iv) the Mutual Aid Pension for Local Public Officials and Personnel of Similar Status (except the pension system for members of local assemblies); and
- (v) the Mutual Aid Pension for Private School Personnel

(the Japanese pension systems specified in (ii) to (v) shall hereinafter be referred to as "Japanese pension systems for employees");

however, for the purpose of this Agreement, the National Pension shall not include the Old Age Welfare Pension or any other pensions which are granted on a transitional or complementary basis for the purpose of welfare and which are payable wholly or mainly out of national budgetary resources; and

- (b) to the Japanese health insurance systems implemented under the following national statutes, as amended:
  - (i) the Health Insurance Law (Law No.70, 1922);
  - (ii) the Seamen's Insurance Law (including the provisions on employment insurance and workers' accident compensation insurance) (Law No.73, 1939);
  - (iii) the National Health Insurance Law (Law No.192, 1958);
  - (iv) the Law Concerning Mutual Aid Association for National Public Officials (Law No.128, 1958);
  - (v) the Law Concerning Mutual Aid Association for Local Public Officials and Personnel of Similar Status (Law No.152, 1962); and
  - (vi) the Law Concerning Mutual Aid for Private School Personnel (Law No.245, 1953);

however, for the purpose of this Agreement, Articles 3, 5, 6, 8, 10, 12, 13, 15 (except for paragraph 3) and 17, paragraph 2, shall not apply to the Japanese health insurance systems; and

2. as regards the United States,

to the following national statutes and regulations, as amended, governing the Federal old-age, survivors and disability insurance program:

- (a) Title II of the Social Security Act and regulations pertaining thereto, except sections 226, 226A and 228 of that title and regulations pertaining to those sections; and