



DEPARTMENT OF THE NAVY
COMMANDER US NAVAL FORCES JAPAN
COMMANDER NAVY REGION JAPAN
PSC 473 BOX 12
FPO AP 96349-0001

COMNAVFORJAPAN/COMNAVREGJAPANINST 1752.1T
N00J
12 Jul 18

COMNAVFORJAPAN/COMNAVREGJAPAN INSTRUCTION 1752.1T

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

Subj: MARRIAGES WITHIN THE U.S. NAVAL FORCES JAPAN AREA OF
RESPONSIBILITY

Ref: (a) MILPERSMAN 5352-030
(b) COMNAVMARIANASINST 1752.1H
(c) COMNAVFORJAPAN/COMNAVREGJAPANINST 1300.1V
(d) MILPERSMAN 1300-160
(e) NAVADMIN 042/18

Encl: (1) Marriage in Japan Checklist
(2) Sample Request for Authorization to Marry from Member
(3) Sample Authorization to Marry
(4) Statement Acknowledging Possible Ineligibility for Non-Quota Immigration Visa
(5) Affidavit of Competency to Marry

1. Purpose. To amplify reference (a) and provide information, policy, and administrative procedures concerning marriage of active duty personnel to foreign nationals within the U.S. Commander, Naval Forces Japan/Navy Region Japan (CNFJ/CNRJ) Area of Responsibility, or marriage of active duty Navy personnel stationed in Japan and intending to marry a foreign national in the U.S. or one of its territories.

2. Cancellation. COMNAVFORJAPAN/COMNAVREGJAPANINST 1752.1S. This instruction is a complete revision and should be read in its entirety.

3. Scope. This instruction applies to all active duty Navy personnel who intend to marry a non-U.S. citizen in Japan or marriage of active duty Navy personnel stationed in Japan and intending to marry a foreign national in the U.S. or one of its territories. Active duty Navy personnel marrying foreign nationals in other jurisdictions must review and follow the guidance found in reference (a) to obtain guidance on marrying foreign nationals in other areas. For example, reference (a) provides that reference (b) applies to active duty Navy personnel marrying foreign nationals in the Philippines, Hong Kong, Macau, China, Singapore, Vietnam, Thailand, Cambodia, Australia, New Zealand, and India.

4. Information. Reference (a) promulgates general policies governing the marriage of active duty personnel to foreign nationals. Non-compliance with this regulation could result in the denial of command sponsorship as prescribed by references (c) and (d). Further, in light of reference (e), personnel in the paygrades of E-3 and below will be considered for command sponsorship.

5. Policy

a. It is the policy of Department of the Navy that all active duty personnel have the same right to enter into marriage as any other citizen of the United States. Per reference (a), such persons stationed in or visiting overseas commands will be required to obtain written approval from the designated representative of the overseas commander prior to marrying a foreign national.

b. Per reference (a), the authority to approve or disapprove requests to marry within Japan is delegated to CNFJ/CNRJ. It is further delegated to all Navy activity commanding officers (CO) and commissioned officers-in-charge (OIC), who have Navy personnel assigned. Appeals of delegated authority decisions and requests for decisions on unusual cases will be directed to CNFJ/CNRJ (N1).

c. The restrictions imposed by this instruction are not intended to prevent marriage, but are implemented for the education and protection of both foreign nationals and Navy personnel to help them determine the likelihood of the prospective spouse's admission to the U.S. under U.S. immigration law. Potential inadmissibility to the U.S. does not necessarily require disapproval of a marriage request. However, authorization to marry is not given in such cases until both parties to the proposed marriage confirm they have been counseled and advised that the prospective alien spouse may be ineligible for admission to the U.S.

d. If the prospective spouse is under the legal age of consent to marry in the Navy member's state of domicile, written permission from the parents or legal guardian of the prospective spouse must be included in the request for authorization to marry, as the Government of Japan looks to the law of each of the party to determine whether or not parental consent is required.

6. Action. COs and commissioned OICs with U.S. Navy personnel assigned to their units are delegated the authority to grant approvals and, on a very limited basis waivers, within the provisions of this instruction and applicable regulations. The following is a procedural outline of actions required by both individuals and COs/OICs.

a. Individual's Responsibility. A checklist, enclosure (1), is provided with amplifying information as follows:

(1) Service members contemplating marriage must attend the Fleet and Family Support Center (FFSC) Premarital Seminar. This program is designed for the service member and the prospective spouse. The prospective spouse should be encouraged to join the service member or attend on his/her own. If an applicant is unable to attend the seminar, he or she must route a

waiver request through his/her chain of command to the FFSC Director. If the FFSC Director approves the waiver, the service member must complete counseling from a designated marriage

counselor or the command must provide substantially equivalent training. Training resources can be obtained from the FFSC pre-marriage seminar program facilitator. COs/OICs are responsible for providing training for those personnel to whom they issue a waiver.

(2) U.S. Navy personnel shall submit the request for authorization to marry to his/her CO/OIC, with enclosures (1) through (4) as applicable, for approval. Enclosures (2) and (3) are a sample request and approval letter, respectively. Enclosure (4) is a sample statement to be made by both the applicant and the prospective spouse stating that they understand that approval of their proposed marriage will not necessarily result in the alien spouse being granted an immigration visa. The U.S. Citizenship and Immigration Services office has sole authority to grant/deny entry of aliens into the United States.

(3) The service member must report his/her intent to marry a foreign national to the command security manager. The Command Security Manager will advise the service member that marrying a foreign national may affect the service member's ability to keep or obtain a security clearance.

(4) After receiving approval to marry from the applicant's CO/OIC, the service member applicant must appear in person at the nearest Region Legal Service Office (RLSO) Legal Assistance Office or the installation Staff Judge Advocate (SJA) office (if no legal assistance office is nearby) to obtain an Affidavit of Competency to Marry (enclosure (5)). The prospective spouse must appear in person at his/her respective country's embassy or consular office to obtain an affidavit.

(5) The applicant must then translate the Affidavit of Competency to Marry into Japanese. A blank form of notification of marriage (called "Konin Todoke") must be obtained from the local Japanese City Hall and completed in Japanese. Applicants unable to read and write Japanese may employ a professional translation agency or obtain assistance from friends. Two witnesses over 20 years of age of any nationality must sign/witness the Japanese forms.

(6) After reviewing and accepting the marriage notification forms, the local Japanese City Hall will issue a "Certificate of Acceptance of Notification of Marriage" (marriage certificate) in Japanese. Applicants should bear in mind that the Japanese language original is the only legal marriage document. However, it will be necessary for applicants to obtain an official English translation prior to contacting their personnel office to record the marriage and apply for any additional pay, allowances, or benefits.

(7) After the civil registration of marriage, a U.S. Armed Forces chaplain or locally recognized ordained clergy may perform the religious rite of marriage if desired, but in such cases, the certificate provided and any public record of the ceremony will contain the words, "Religious rite following civil registration of marriage."

(8) Upon meeting the criteria set forth in reference (c), if desired, service members may apply for command sponsorship of locally acquired dependents.

(9) Request an Individual Tax Identification Number (ITIN) for alien spouse at next tax filing season following marriage. The application form (W-7) and instruction can be obtained at <https://www.irs.gov/individuals/general-itin-information>. Update spouse's ID card from temporary to permanent once ITIN has been received.

(10) The request for an immigrant visa for a spouse can be a lengthy process, taking 6-9 months or longer. The service member should start the process at least 12 months prior to his/her projected rotation date (PRD).

(11) The service member can submit a petition for alien relative (Form I-130) in person to the American Embassy Tokyo or Consulate General Naha, or via mail to U.S. Citizenship and Immigration Services (USCIS). The form and instructions can be obtained at <https://www.uscis.gov/i-130> and <https://jp.usembassy.gov>. Delayed submission of the Immigration and Naturalization Service paperwork for an immigrant visa is not cause for a service member to change orders or for continued logistical support (CLS) of family members after the sponsor departs Japan. (See "Support of Family Members," paragraph 9.)

b. CO/OIC Responsibilities

(1) Emphasis must be placed on each request for marriage within Japan. Failure to screen each request carefully could result in unnecessary hardship to the service member and his/her spouse.

(2) Ensure applicant submits all required documentation with sufficient number of copies to allow command retention of one complete copy of the application.

(3) Verify the applicant and prospective spouse have acknowledged in writing (enclosure (4)) that approval of their proposed marriage will not necessarily result in the alien spouse being granted an immigration visa. Even in those cases in which a visa is granted, there is no certainty that an alien spouse will be admitted to the United States at the port of entry. The U.S. Citizenship and Immigration Services office is the final decision authority regarding entry of foreign nationals into the United States.

(4) Verify the applicant's FFSC Premarital Seminar attendance. If the applicant is unable to attend the seminar, the applicant must request a waiver from the Director of FFSC, via the chain of command. The CO/OIC must verify that mission and time requirements prohibit the applicant's attendance; convenience or delay is not sufficient reason to endorse the waiver as missing the seminar means that the applicant and spouse will miss out on vital information regarding application for U.S. citizenship, tax implications, family planning, financial planning, resources available to assist new families, medical benefits/enrollment, and more. If approved, the applicant must complete counseling with a designated marriage counselor, or, with FFSC approval, complete a command-provided equivalent to the pre-marital seminar.

(5) Issue the Authorization to Marry when all requirements have been met. All approvals will be addressed to the member per enclosure (3).

(6) Ensure applicant is advised to initiate application for Petition for Alien Relative (Form I-130) 12 months prior to PRD, or within 30 days of the marriage, if already within 12 months of PRD. The Form I-130 must be filed in person with the American Embassy Tokyo or Consulate General Naha, or via mail to the USCIS.

(7) Forward a copy of all disapproved requests for marriage to CNFJ/CNRJ (N01). Advise applicants in writing that they may appeal the disapproval in writing to CNFJ/CNRJ via their CO/OIC.

(8) In unusual cases, the application may be forwarded to CNFJ/CNRJ (N01) for review and final disposition.

7. General Instructions for All Applicants Requesting Authorization to Marry in Japan

a. Extracts from military service records are not acceptable as evidence of U.S. citizenship. Valid passports substantiating the nationality of both parties are acceptable. When a U.S. citizen service member does not have a passport, he/she may use a birth certificate, naturalization certificate, or certificate of citizenship as proof of citizenship.

b. Certificates of birth and death, decrees of divorce and annulment, or similar official documents must be certified copies obtained from the proper issuing authority (usually the Bureau of Vital Statistics) and properly signed and sealed by the issuing authority. A few states require a raised embossed seal, where a special machine-printed, colored signature is used for certification. Personal documents will be returned to the applicant after examination.

c. A current physical examination is required. It must be within the previous six months and must provide written evidence that both parties have been found to be free from infectious diseases to include Human Immunodeficiency Virus and active tuberculosis. Reports of physical examination for active duty personnel will be provided by a medical officer of the U.S. Armed Forces or a U.S. Government contracted physician working in a U.S. Armed Forces medical facility. Individuals not eligible for medical care from U.S. Armed Forces or government contracted medical service providers must obtain a report of physical examination from an outside source. For instance, a prospective foreign national spouse may need to obtain the report of examination from his or her regular foreign national physician, local hospital, or local medical clinic.

d. American citizens who are minors require a notarized letter of consent from their parents or legal guardian. Japanese citizens under the age of 20 must have signed permission to marry (“doisho”) with English translation.

8. Status after Marriage

a. After marriage in compliance with this directive, the contracting parties will be governed by the same regulations and policies applicable to other married personnel of the naval service except as may be precluded by specific provisions of the Status of Forces Agreement (SOFA) between the United States and Japan. Marriage does not guarantee command sponsorship.

b. Newly married personnel should read MILPERSMAN article 1300 in its entirety and COMNAVFORJAPAN/COMNAVREGJAPANINST 1300.1[series], which promulgate policies regarding transportation of family members from an overseas area, entitlement for logistic support, and length of tours of overseas service. Reference (d) defines “Command-Sponsored Dependent,” “Acquired Dependent,” and “Non-command-Sponsored Dependent.”

c. Passport stamps should be updated to reflect entry under the SOFA.

d. Service members who are required to comply with this instruction, but choose to bypass the requirements, shall be denied command sponsorship of their family member until such time as the requirements of this instruction have been met. Such sponsorship will not be effective until such time as the CO/OIC certifies in writing that the requirements have been met or he/she waives specific requirements which are not reasonably attainable.

e. In very limited circumstances, such as service members who marry foreign nationals and do not intend to have their new spouses move to Japan, exceptions and waivers to the regular process may be appropriate. To apply for such a waiver, the service members must route a written request through their chain of command CO/OIC to the FFSC Director in accordance with paragraph 6(b)(4) above. The FFSC Director shall notify CNFJ/CNRJ (N01) of any denials.

9. Support of Family Members. In accordance with MILPERSMAN 1754-030, it is the responsibility of each Navy member to provide full financial support to his/her family members.

a. When a military sponsor married to a foreign national refuses or fails to make provisions for entry of family member(s) into the United States or territory of residence, or when family members are denied entry, such family members will not be granted continued logistic support upon departure of the sponsor from the CNFJ/CNRJ area. Sponsors will be informed of their obligation to support their family members as stated above and will be advised to execute an allotment to provide for the financial support of their family members.

b. Sponsors who, in a timely manner, have submitted a valid application(s) for an immigration visa(s) (per paragraph 6(a)(9)), and for onward travel of a family member(s) to the United States or territory of residence, may, on a case-by-case basis, be authorized CLS until eligibility for entry is established and a port call is received, or until such time as they are notified of denial from or entry into the United States or territory of residence under pertinent immigration laws. Full CLS may also be provided in those cases wherein the sponsor was

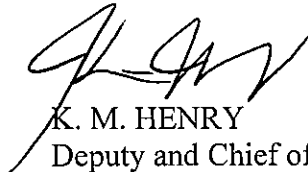
unable to submit a valid request due to being returned to the Continental U.S. for urgent reasons, e.g., medical evacuation, emergency leave, etc., prior to the time a family member(s) is eligible to travel and invitation orders are issued, or notification is received that they are debarred from entry. The service member is responsible for requesting CLS as soon as the need is identified and all such family members may still be required to vacate public quarters per applicable housing policy upon permanent change of station departure of the sponsor from the overseas area of Japan.

c. CLS will not be provided for family members in those cases wherein family members have refused to accept port calls for their onward travel to the United States or territory of residence of the sponsor.

10. Forms. Enclosures (2) through (5) are samples designed for use by applicants and COs/OICs. Form I-130 (Petition for Alien Relative) may be obtained at www.uscis.gov. Form W-7 (Application for IRS ITIN) may be obtained at <https://www.irs.gov/individuals/general-itin-information>.

11. Records Management. Records created as a result of this instruction, regardless of media and format, must be managed per Secretary of the Navy Manual 5210.1 of January 2012.

12. Review and Effective Date. Per OPNAVINST 5215.17A, Commander, U.S. Naval Forces Japan, N00J will review this instruction annually on the anniversary of its effective date to ensure applicability, currency, and consistency with Federal, DoD, SECNAV, and Navy policy and statutory authority using OPNAV 5215/40 Review of Instruction. This instruction will automatically expire 5 years after effective date unless reissued or canceled prior to the 5-year anniversary date, or an extension has been granted.


K. M. HENRY
Deputy and Chief of Staff

Releasability and Distribution:

This instruction is cleared for public release and is available Electronic only via CNIC Gateway Region Japan website
<https://g2.cnic.navy.mil/CNRJ/SitePages/Home.aspx>

MARRIAGE IN JAPAN CHECKLIST

Pre-Marriage:

	Schedule/attend FFSC Premarital Seminar.
	Submit request letter for Authorization to Marry to CO/OIC with following enclosures as appropriate:
	Proof of nationality of both parties (passport, birth certificates, naturalization certificate, or certificate of citizenship).
	Report of physical examination for each party (valid six months).
	Statement acknowledging possible ineligibility for Non-Quota Immigration Visa (enclosure (4) of this instruction).
	(If either party was previously married) Evidence of dissolution (divorce decree or death certificate).
	(Japanese citizen) Family register (<i>Koseki Tohon</i>) with English translation.
	(If either party is under legal age for marriage) Consent of both parents or the legal guardian is required by the underage person's state/country law. Age for Japanese citizens is 20; age for US citizens depends on state of residence.
	Report intent to marry a foreign national to Command Security Manager.
	Obtain approval letter for Authorization to Marry, signed by the CO/OIC.
	(US citizen with military ID card) Affidavit of Competency to Marry issued at RLSO legal assistance office. If RLSO does not have a legal assistance office nearby, obtain the affidavit from the installation SJA Office. Present approved Authorization to Marry letter at RLSO to obtain the affidavit.
	(US citizen without military ID card or other non-Japanese party) Affidavit of competency to Marry from appropriate embassy in Japan. Contact the embassy for details. For certain nationals, more documents may be required by City Hall.

Register Marriage:

<p>Register marriage at local City Hall with following items (all non-Japanese documents except passports require accompanying Japanese translation).</p> <p>In Yokosuka:</p> <p><u>If you are marrying a Japanese national</u>, submit your report of marriage to City Hall or Ward</p>

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	Office where your prospective spouse has residency or has permanent address. <u>If marrying a foreign resident of Japan</u> , submit your report of marriage to the City Hall or Ward Office where your prospective spouse has registered Foreign national residency.
	Notification of marriage form (<i>Kon'in Todoke</i>) completed in Japanese. The form is available at City Hall. Two witnesses over the age of 20 of any nationality must sign the form.
	Passport (Original or certified birth certificate, naturalization certificate, or certificate of citizenship acceptable for US citizen Service Member without passport).
	(Non-Japanese party) Affidavit of Competency to Marry.
	(Japanese party) Family register (<i>Koseki Tohon</i>) when required by City Hall.
	(If either party was previously married) Evidence of termination of previous marriage (divorce decree or death certificate).
	(If you are under the legal age for marriage) Consent of both parents or the legal guardian as required by the underage person's state/country law. Age for US citizens depends on state of residence.
	Obtain "Certificate of Acceptance of Notification of Marriage (marriage certificate)" (<i>Jyuri shomeisho</i>) at City Hall. Translate it into English.

Post-Marriage:

	Update Dependency Application/Record of Emergency Data (NAVPERS 1070/602) and DEERS/RAPIDS with supporting PSD or shipboard Personnel Office. Take all marriage-related paperwork to the office. Obtain temporary ID Card for new spouse. Obtain a permanent ID card after the spouse receives their ITIN.
	Submit request for Command Sponsorship to CO/OIC with appropriate enclosures per COMNAVFORJAPAN/COMNAVREGJAPANINST 1300.1V.
	File Petition for Alien Relative (Form I-130) 12 months prior to PRD, or within 30 days after date of marriage if already within 12 months of PRD. The form and instruction are at https://www.uscis.gov/i-130 and https://jp.usembassy.gov/ . Contact Passport/Immigration at Personnel Support Detachment or RLSO for assistance.
	When you file your tax return for the year you married (e.g., marry in Jan 2017, file in 2018), request an ITIN for your alien spouse. The application form (W-7) can be found at www.irs.gov .
	After the petition for alien relative (Form I-130) is approved, continue the visa application

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process in order to obtain an immigrant visa for the foreign spouse at least 60 days prior to the Projected Rotation Date from duty in Japan.

SAMPLE REQUEST FOR AUTHORIZATION TO MARRY

From: RP2 Able B. Seaman, USN

To: (Applicant's CO/OIC)

Subj: REQUEST FOR AUTHORIZATION TO MARRY

Ref: (a) COMNAVFORJAPAN/COMNAVREGJAPANINST 1752.1T

- Encl: (1) Document(s) substantiating nationality of applicant and prospective spouse
(Passport, birth certificate, naturalization certificate or certificate of citizenship in case
a service member does not have a passport)
- (2) Report of physical examination for both parties (valid six months)
- (3) Statement acknowledging possible ineligibility for non-quota immigration visa
- (4) Evidence of dissolution of previous marriage if applicable (applicant and prospective
spouse)
- (5) Family Register (Koseki Tohon) with English translation (for Japanese citizens)
- (6) Written statement of consent of both parents, or legal guardian (for parties under legal
age for marriage)
- (7) Copy of FFSC Premarital Seminar attendance or approved waiver from FFSC
Director.

1. Request authorization to marry within Japan. The following information is submitted:

Applicant

Full Name:

Rank/Rate:

PRD:

Approximate Date of Marriage:

Date/place of birth:

Nationality:

Previously Married: Yes/No (If yes, list date/place (city/state) and dissolution of previous
marriage (divorce/death date, place))

Dependents: (Relationship and age)

Prospective Spouse

Full Name:

Present Address/Phone:

Date/place of birth:

Nationality:

Previously Married: Yes/No (If yes, list date/place (city/state/country) and disposition of
marriage (divorce/death date, place))

Dependents: (Relationship and age)

2. FFSC Premarital Seminar was completed on DDMMYY (or, if a waiver was approved by
FFSC Director, attach the waiver documentation).

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3. Should authority to marry be granted, I understand the United States is in no way obligated to transport the spouse or dependents to the United States except as provided for in current Armed Forces directives. Further, I understand the provisions of all applicable regulations pertaining to marriage in the CNFJ/CNRJ area of responsibility.

A.B. SEAMAN

SAMPLE AUTHORIZATION TO MARRY

1752
Ser/
DD MMM YY

From: (CO/OIC)

To: RP2 Able B. Seaman, USN

Subj: AUTHORIZATION TO MARRY

Ref: (a) COMNAVFORJAPAN/COMNAVREGJAPANINST 1752.1T
(b) (fully identify member's letter request)

1. Per reference (a), your request in reference (b) to marry (name of prospective spouse) is approved.
2. This authorization to marry applies to you only as a member of (indicate command). You must comply with Japanese regulations and local laws governing the registration of marriages.
3. Visas are issued by the U.S. State Department. Military authorization of your proposed marriage does not necessarily result in your prospective spouse being granted an immigration visa. Even in those cases in which a visa is granted, there is no guarantee that an alien spouse will be admitted into the United States at the port of entry. Final jurisdiction regarding entry of aliens is within the cognizance of the Director of U.S. Citizenship and Immigration Services (USCIS).
4. In order to enhance the possibility of concurrent travel from the area, you are advised to file a Petition for Alien Relative (Form I-130) 12 months prior to your PRD or 30 days after marriage if already within 12 months of PRD in person with to the American Embassy Consular Section or Consulate, or via mail with USCIS, as applicable. The form can be obtained at <https://www.uscis.gov/i-130>. Continue the visa application process in order to obtain an immigrant visa at least 60 days prior to the expected date of departure from the area. Delayed submission of the paperwork for an immigrant visa is not cause for CLS of family member(s) after you depart Japan.

CO's/OIC's Signature
(NOT "By direction")

Enclosure (3)

**STATEMENT ACKNOWLEDGING POSSIBLE INELIGIBILITY FOR NON-QUOTA
IMMIGRATION VISA**

(Date)

As set forth in COMNAVFORJAPAN/COMNAVREGJAPANINST 1752.1T, we have been advised regarding our contemplated marriage and are aware that (name of prospective alien spouse) may not be eligible for an immigration visa to the United States in accordance with the Immigration and Nationality Act of 1952 (Public Law 414, 82nd Congress) as amended. Even in those cases in which a visa is granted, there is no guarantee that an alien spouse will be admitted into the United States at the port of entry; final jurisdiction regarding entry of aliens is within the cognizance of the Director of U.S. Citizenship and Immigration Services. Fully acknowledging this fact, we nevertheless hereby declare that we desire our contemplated marriage be authorized.

(Printed name and signature of applicant)

(Printed name and signature of prospective alien spouse)

Parent's Approval, if applicable, below:

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SERVING WITH THE UNITED STATES ARMED FORCES)
AT (insert U.S. Naval Installation name)) SS:

AFFIDAVIT OF COMPETENCY TO MARRY

_____, the _____ son / daughter of
(Affiant's name as it appears on evidence of citizenship) (1st, 2nd, etc.)

_____, a citizen of _____ and
(Father's name) (Father's citizenship at affiant's birth)

_____, a citizen of _____
(Mother's maiden name) (Mother's citizenship at affiant's birth)

U.S. Address: _____

Date of birth: _____

Place of birth: _____

Occupation: _____

Evidence of citizenship: U.S. Passport / Birth Certificate

Local address: _____

(If previously married):

I was divorced from _____ on this date _____.

My former spouse _____ passed away on this date _____.

I, the above-mentioned person being duly sworn, do declare that, according to the laws of my domicile, I am of legal marriageable age, that I have not been married before / have been married before and divorced / widowed, and that there is no hindrance, legal or otherwise, to my uniting in marriage with

_____, a citizen of _____
(Fiancé/fiancée's name as it appears on evidence of citizenship) (Country)

Signature of Affiant

Subscribed and sworn to before me this day, _____.

Rank/Rate and Name of Notary
Notary and Consul of the United States
Authority: 10 USC §1044a
Commission Expires: _____

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PSC 473 BOX 122
FPO AP 96349-0122

Seal

Enclosure (5)