

INCOMING TELEGRAM

Department of State

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DEPARTMENT OF ENERGY DECLASSIFICATION STATE	
SINGLE REVIEW AUTHORIZED BY: <b>A.A. SINISGALLI</b>	DETERMINATION (CIRCLE NUMBER(S))
REVIEWER (ARC): <b>3-31-94</b>	1. CLASSIFICATION RETAINED
NAME: <b>DRK</b>	2. CLASSIFICATION CHANGED TO:
FROM: <b>Tokyo 4-1-94</b>	3. CONTAINS NO FOR CLASSIFIED INFO
	4. COORDINATE WITH: <b>502 HRA</b>
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	6. CLASSIFIED INFO BRACKETED

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TO: Secretary of State *DAS memo 4404251, 3/8/96*

NO: 762, September 29, 11 p.m.

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SPECIAL ASSISTANT TO THE SECRETARY  
S/AE

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Reference: Department's 649

1. In midst exacerbated emotionalism over death, it was not (repeat not) possible on eve Yoshida departure to carry over-all compensation settlement further. Status remains essentially as reported in my 535 and 549. Foreign Minister has not (repeat not) yet replied to my September 2 letter formally presenting US offer in writing; nor has he endorsed random press comments by Japanese officials that claim could not (repeat not) now be settled on basis negotiated prior death.

2. In interim, Toya Maru ferry boat disaster has obviously obliged Japanese press and public reconsider compensation problem (Embassy's 760). As full facts become known of what now appears to have been failure national railway corporation either to enforce regulations on load limits and crew strength or to calculate measurable weather conditions, further reasonableness may develop regarding Bikini claims.

3. In any event, with absence Yoshida and forthcoming departure Okazaki and Aichi, additional delay now appears unavoidable whether we press on original line or submit proposal for joint legal investigation.

4. I recommend that for time being we stand on established position pending further word from Japanese Government. Record will show that protracted delay in achieving or negotiating settlement was theirs. If no (repeat no) progress made prior Okazaki's arrival Washington late October, believe proposal reference telegram should be put to him.

5. Alternative would now require us to negotiate directly with Ogata, who is acting Prime and will be also acting Foreign Minister. He would probably request instructions from Yoshida or attempt temporize until latter's return. In either these events impact of joint investigation proposed to Okazaki at first hand in Washington would be lost. We would also question desirability of pressing for settlement for Ogata on further ground that we should not (repeat not) saddle him with responsibility for FUKURYU MARU compensation. However generous settlement

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-2- 762, September 29, 11 p.m. from Tokyo

settlement of \$1 million appears to us, it will be widely unpopular in Japan for reasons largely explicable by the lapses and failures in cooperation Yoshida administration has displayed. From standpoint our longer interests it would be better to have Yoshida bear this onus than one of his likely successors who will need all the popularity he can muster.

ALLISON

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