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NLE Case <u>MA 88-387-115</u>
<u>bc</u> NLE Date <u>1/31/82</u>

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OPERATIONS COORDINATING BOARD  
Washington 25, D. C.



March 30, 1954

MEMORANDUM TO THE OPERATIONS COORDINATING BOARD

SUBJECT: US Position with Respect to Injury and Damages Resulting  
from Pacific Nuclear Test

At the meeting of the OCB on March 24, there was a discussion of the injuries and damages resulting from the recent nuclear test conducted in the Pacific by the U.S. The discussion recognized that the full facts in the situation had not been developed. However, a great deal of concern was expressed with respect to the reactions which have developed in Japan from the resulting injuries and damages.

In view of the fact that various U.S. officials will probably be called upon to make statements with respect to the situation and in view of the apparent exploitation by the Communists of the situation, the Board requested that the OCB at its meeting of March 31 consider a statement of the U.S. position with respect to injuries and damages resulting from the current nuclear tests in the Pacific. First, how can we prevent Communist exploitation? Second, what kind of policy guidance statement do we need for use of top officials, including the contingencies of death resulting from the injuries and possible widespread loss to the Japanese fishing industry?

The Board made it clear that there was no intention of holding up action in the meantime to deal with the situation in light of the facts as they are developed.

The recommendations below have been developed by the OCB working group on Japan, in response to the Board's request at its meeting of March 24. Attention is invited to the two annexes, which summarize technical aspects and US actions and statements to date.

The following recommendations have not been coordinated through the Board Assistants but were made available to them in preliminary form on March 26. They are being transmitted in order that the Board might have them in time for the meeting of March 31.

1. News releases, public statements, and other items relating to the incident of the Japanese fishing boat should originate in Japan.
2. The US Government should at the earliest date consistent with developments in Tokyo transmit to the Japanese Government a formal note of regret for the incident, so worded as to refer only to the unfortunate accident, and without any implication of legal responsibility on the part of the US Government, though making reference to the already announced US assurances of payment. The note need not await publication of the findings of the "US-Japan

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Coordinating Committee" if it appears that there will be delay in such publication. The note should be made public simultaneously in Tokyo and Washington through the usual pre-arrangement, and might be accompanied by a short statement by the Secretary of State at a press conference.

3. Other than 2. above, no statement is needed nor should any be made by any officer of the Executive Branch of the Government.

4. A minor exception to 3. above will be the reports by the Food and Drug Division of the Department of Health, Education and Welfare on the results of its monitoring of fish imports through West Coast ports. It is desirable that such reports not be made in Washington; instead they should be consolidated for single issuance in San Francisco.

In dealing with this incident in this manner, official actions should tend to minimize the incident and to under-cut Communist propaganda. The need for contingency planning, especially in respect to Communist exploitation, should be kept in mind.

The already announced establishment in Tokyo of a "US-Japan Coordinating Committee" consisting of Embassy and CINCPAC officers for the US and Japanese scientific and official personnel provides a valuable mechanism for news releases wherever possible. It is hoped that the final report of their investigation and research will prove to be a document of great effectiveness for this purpose.

The working group is unanimous in concluding that there should be no mention or implication of such legal aspects as use of the high seas or of the trust territory.

The incident emphasizes the need for U.S. actions to implement the President's December 8, 1953 address on the peaceful uses of atomic energy, in order to secure Japanese cooperation and to assist in realizing the climate of opinion desired by the United States.

Elnor B. Staats  
Executive Officer

Attachments:

Annex A - Official Statements re Fish, Currents and Precautions for Future Tests, 3/30/54 (Unclassified)

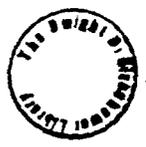
Annex B - Background Statement Relative to United States Action in Connection with the FUKURYU MARU Incident Prepared by the Department of State, 3/30/54 (Unclassified)

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ANNEX A

Official Statements re Fish, Currents and Precautions for Future Tests

March 24, 1954

Re questions fish and currents you (Ambassador Allison) may give Okazaki following statement:

"Opinion Atomic Energy Commission scientific staff based on long-term studies fish in presence radio activity is that there is negligible hazard if any in consumption fish caught in Pacific Ocean outside immediate test areas subsequent to test. Some hazard from consumption fish caught in immediate test area short time subsequent to test. Extent this latter type hazard can be determined and guard set against it by monitoring radio activity in fish catch from affected areas during period tests and short time thereafter. United States Government establishing such monitoring Pacific ports; understand Japanese Government doing same. To gather further scientific knowledge on subject United States Government making scientific analysis any data gathered by its own Pacific port checks and will assist Japanese Government and universities in similarly analyzing data resulting from Japanese port monitoring.

"As to ocean currents -- warm currents which flow from Marshall Islands area westward and northward eventually joining Japan current, move slowly (less than mile an hour). Any radio activity collected in test area would become harmless within few miles after being picked up by these currents and completely undetectable within 500 miles or less."

Test Organization has restudied entire test situation in light recent experience. On its recommendation danger area has been expanded and new limits notified to mariners and airmen in navigational publications disseminated 22 March 1954. Advance notice given Japanese Embassy Washington March 19. Test Organization has greatly increased scope and intensity of its elaborate and continuous survey danger area by air to make sure all craft approaching or inadvertently entering area are immediately warned. Additional precautions instituted are considered amply adequate provide for safety.

March 26, 1954

This statement following was prepared for issuance by Commissioner Crawford of U.S. Food and Drug Agency but was released in Tokyo:

"Our inspectors found no instance radio activity in any shipments fish from Pacific waters. Inspections undertaken as purely precautionary measure. We have since been informed arrangements made for careful inspection job in Japan before cargoes leave for U.S. There is no occasion here for public apprehension about this type contamination."

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ANNEX B

Background Statement Relative to United States Action in Connection  
with the FUKURYU MARU Incident Prepared by the  
Department of State

On March 16 the Japanese Foreign Office informed Embassy Tokyo that the Japanese fishing vessel FUKURYU MARU had arrived in Japan on March 14 from the vicinity of Binini Atoll with its 23 crew members showing signs of radiation exposure suffered during the United States March 1 atomic test in the Marshall Islands. Meanwhile, the boat's contaminated cargo had already been shipped to various wholesalers and although most of the fish were intercepted, some had been sent to markets in Tokyo, Nagoya, Kobe, Osaka and Kyoto. The Foreign Office first indicated that no warning of atomic tests or danger zones had been received by the Japanese Government. However, Foreign Minister Okazaki subsequently acknowledged to the Lower House Foreign Affairs Committee that the United States had warned Japan in September 1952 of the extent of the danger zone and that in October 1953 the Government was informed of the coming tests. Further operational warnings covering a wide area were given by the United States, and air searches were made immediately prior to the test. Investigation showed that the FUKURYU MARU was 14 miles outside the delimited danger zone at the time of the incident.

The Atomic Energy Commission, with the concurrence of the Department of State, instructed the Embassy on March 16 to utilize Dr. Morton of the ABCC in Tokyo and Col. Arthur Meeks, USAF Hq., Tokyo, as technical consultants in developing a full report on the incident. The Embassy was also instructed to try to arrange for the Maritime Safety Board to take over the boat and place it under the control of COMNAVFE in view of the need for controlling access to the vessel for United States security reasons, to undertake full responsibility for decontamination of the vessel, and to investigate the circumstances under which injuries were received by the crew. (Japanese cooperation in the transfer of the vessel has been completely withheld. Japanese scientists were given full access to and time for independent investigation of the boat prior to any scientific cooperation with the United States. Since the theoretical competence of the Japanese scientists is high, it is probable that they will make whatever informed deductions are possible.) The medical facilities of the FEC in treating the affected crewmen were offered to the Japanese Government, and in response to the invitation of Tokyo University Hospital, the ABCC sent a team of American and Japanese doctors to Tokyo to consult on treatment of the injured.

On March 17 the Department of State issued a press statement expressing concern over the incident and stating that an investigation was underway. On the same day the Embassy at Tokyo issued a statement to the effect that the United States was prepared to take the necessary steps to insure fair and just compensation if the facts warranted.

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On March 18, the Embassy was authorized to inform the Japanese Foreign Office that steps were being taken to extend the temporary danger area around Bikini and Eniwetok, and a press release to this effect was made on March 22.

Also on March 18, the Food and Drug Administration ordered checks on all incoming shipments of tuna and shark meat to the United States from the Pacific test areas as a precautionary measure.

On March 20, the Atomic Energy Commission sent Dr. Merrill Eisenbud to Tokyo to assist in the investigations.

On March 21, interim arrangements were worked out between the Embassy and Japanese Government, with the assistance of US fishing industry representatives, for shipside inspection in Japan of all frozen tuna export shipments.

Embassy Tokyo was authorized on March 23 to inform the Japanese Foreign Office that, pending the conclusion of investigation of the FUJURYU MARU incident, the United States would reimburse the Japanese Government for any assistance the United States and Japan agree is necessary for medical care of the injured crew members and for the relief of their families. The AEC has now informed the Department of State that it is prepared to transfer \$25,000 to the Department for that purpose.

On March 23, the AEC authorized the Embassy to inform the Foreign Office that the Test Organization has restudied the entire test situation, that the danger area has been expanded, and the new limits notified to mariners and airmen in navigational publications of March 22; that there has been an increase in scope and intensity of survey of the danger area by air to ensure warnings. The Embassy was also authorized to inform the Foreign Minister with regard to the possible danger from currents flowing from the Marshall Island and eventually into the Japan current, that the AEC's opinion is that any radioactivity collected in the test area would be completely undetectable within 500 miles or less and hazard from fish caught outside the danger area would be negligible; that the United States is establishing radioactivity monitoring at Pacific ports to detect any hazard and would be glad to assist the Japanese Government in its efforts along similar lines.

On March 24, a series of United States-Japan working-level meetings were held in Tokyo to try to improve joint cooperation. The Japanese Ministry of Welfare on the same day established an Atom Bomb Injury Investigating Committee which may help to resolve many of the problems presented by lack of internal Japanese coordination in the past.

On March 28, the 21 crewmen who have been hospitalized at Yaizu were flown by the FLC to Tokyo for further medical care and observation. The Japanese have thus far permitted the United States only indirect medical access to these patients, but it is hoped that Japanese Government permission to make necessary examinations will soon be forthcoming.

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