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 Rec'd: December 17, 1954
 6:20 a.m.

FROM: Tokyo
 TO: Secretary of State 408026
 NO: 1434, December 17, 5 p.m.

Reference Department telegram 1101 November 30, Bikini claim.

On December 3, Embassy informally submitted to Foreign Office draft notes, amended per reference telegram, but left blank amount of compensation proposed. Purpose this move is attempt fix agreement of texts on technical level and leave amount of compensation for determination as separate matter on higher level.

Ten days later, Nakagawa, Foreign Office, Asian Bureau Chief, indicated informally Foreign Office consider US legally liable but does not wish raise or push this issue. Consequently, he suggested deletion phrase "act of grace without reference question legal liability". Embassy officer replied since this essential point in US note unlikely it could be deleted. Nakagawa then inquired whether either phrases "act of grace" or "question of legal liability" might not be deleted since one implied other. He also proposed deletion of phrase "out of humane consideration" because it would lack appeal to Japanese public, and raised doubt as to advisability of term "relief and rehabilitation". It believed, however, suggested deletions motivated by Japanese desire avoid any phraseology consistent with "act of grace" or "question of legal liability".

Although Foreign Office not yet prepared make firm counterproposals on language in texts, Embassy would appreciate guidance points outlined above since they may be raised again.

ALLISON

MAM/8

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SPECIAL ASSISTANT TO THE SECRETARY
 S/AE

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