

琉球大学学術リポジトリ

米国管理下の南西諸島状況雑件 沖縄関係 財産関係（講和条約発効前の米軍による財産損害補償問題）（第二巻）

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アメリ力前長

参事官

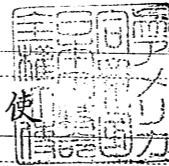
北米課長

政第1693号

昭和40年3月23日

外務大臣殿

在 武内大使



神龍の請和穿筋等の損失補償に付

半日外公提出決定等 下付以迄付

往電才246号の5.(4).B1=同じ.

標記に因り下付下付のた方 別添付送付

す。右方事件の経緯に付て 追送す。

記

S.J. Res. 32 (上院、井上^元体送提出)

H.J. Res. 251 (下院、松永^元体送提出)

参考: H.J. Res. 74 (下院、同上、但し 追加後送付)

要処理要連絡	
要研究至急	
課長上村	
坂河内	
六藤吉田	
有馬山田	
平山	
大崎吉津	
中田藤田	
後藤	



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付属物空便(行)

外務省

北米課

89TH CONGRESS
1ST SESSION

S. J. RES. 32

IN THE SENATE OF THE UNITED STATES

JANUARY 22, 1965

Mr. FULBRIGHT (for himself and Mr. INOUYE) (by request) introduced the following joint resolution; which was read twice and referred to the Committee on Foreign Relations:

JOINT RESOLUTION

To authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury to persons, and for use of and damage to private property, arising from acts and omissions of the United States Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952.

Whereas certain persons of the Ryukyu Islands suffered damages incident to the activities of the Armed Forces of the United States, or members thereof, after the surrender of Japanese forces in the Ryukyus on August 15, 1945, and before the effective date of the Treaty of Peace with Japan on April 28, 1952;

Whereas article 19 of the Treaty of Peace with Japan extinguished the legal liability of the United States for any claims of Japanese nationals, including Ryukyuans, with the result

that the United States has made no compensation for the above-mentioned damages (except for use of and damage to land during the period from July 1, 1950, to April 28, 1952);

Whereas it is particularly consonant with the concern of the United States, as the sole administering authority in the Ryukyu Islands, for the welfare of the Ryukyuan people, that those Ryukyuan who suffered damages incident to the activities of the United States Armed Forces, or members thereof, should be compensated therefor;

Whereas payment of ex gratia compensation, by advancing the welfare of the Ryukyuan people, will promote the security interest, foreign policy, and foreign relations of the United States; and

Whereas the High Commissioner of the Ryukyu Islands has considered the evidence regarding these claims, and has determined, in an equitable manner, those claims which are meritorious, and the amounts thereof: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

That the United States should make an ex gratia contribution to the persons determined by the High Commissioner of the Ryukyu Islands to be meritorious claimants, in the amounts determined by him, and that the Secretary of the Army or his designee should, under regulations prescribed by the Secretary of Defense, pay such amounts to the claimants or their legal heirs, as a civil function of the Department of the Army; and be it further

Resolved, That no funds appropriated under this joint resolution shall be disbursed to satisfy claims, or portions thereof, which have been satisfied by contributions made by the Government of Japan.

SEC. 2. There is authorized to be appropriated not to exceed \$22,000,000 to carry out the provisions of this joint resolution, which funds are authorized to remain available for two years from the effective date of their appropriation. Any funds unobligated by the end of that period shall be covered into the Treasury of the United States.

SEC. 3. No remuneration on account of services rendered on behalf of any claimant in connection with any claim shall exceed 5 per centum of the total amount paid, pursuant to the provisions of this joint resolution, on such claim. Fees already paid for such services shall be deducted from the amounts authorized under this joint resolution. Any agreement to the contrary shall be unlawful and void. Whoever, in the United States or elsewhere, demands or receives, on account of services so rendered, any remuneration in excess of the maximum permitted by this section, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not more than \$5,000 or imprisoned not more than twelve months, or both.

1 Whereas, that no funds appropriated under this joint
 2 resolution shall be disbursed to satisfy claims or portions
 3 thereof which have been satisfied by contributions made by
 4 the Government of Japan.
 5 Sec. 2. There is authorized to be appropriated not to
 6 exceed \$25,000,000 to carry out the provisions of this joint
 7 resolution which funds are authorized to remain available for
 8 two years from the effective date of their appropriation.
 9 To authorize a contribution to certain inhabit-
 10 ants of the Ryukyu Islands for death and
 11 injury of persons, and for use of and dam-
 12 age to private property, arising from acts
 13 and omissions of the United States Armed
 14 Forces or members thereof, after August 15,
 15 1945, and before April 28, 1952.
 16 By Mr. FURBERGER and Mr. INOUÉ
 17 JANUARY 22, 1965
 18 Read twice, and referred to the Committee on
 19 Foreign Relations

JOINT RESOLUTION

S. J. RES. 32

99TH CONGRESS
1ST SESSION

By Mr. FURBERGER and Mr. INOUÉ
JANUARY 22, 1965
Read twice, and referred to the Committee on
Foreign Relations

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all the inhabitants of the Ryukyu Islands for death and injury to persons, and for use of and damage to private property, arising from acts and omissions of the United States Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952.

89TH CONGRESS
1ST SESSION

S. J. RES. 32

IN THE SENATE OF THE UNITED STATES

JANUARY 22, 1965

Mr. FULBRIGHT (for himself and Mr. INOUYE) (by request) introduced the following joint resolution; which was read twice and referred to the Committee on Foreign Relations;

JOINT RESOLUTION

To authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury to persons, and for use of and damage to private property, arising from acts and omissions of the United States Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952.

Whereas certain persons of the Ryukyu Islands suffered damages incident to the activities of the Armed Forces of the United States, or members thereof, after the surrender of Japanese forces in the Ryukyus on August 15, 1945, and before the effective date of the Treaty of Peace with Japan on April 28, 1952;

Whereas article 19 of the Treaty of Peace with Japan extinguished the legal liability of the United States for any claims of Japanese nationals, including Ryukyuans, with the result

that the United States has made no compensation for the above-mentioned damages (except for use of and damage to land during the period from July 1, 1950, to April 28, 1952) ;

Whereas it is particularly consonant with the concern of the United States, as the sole administering authority in the Ryukyu Islands, for the welfare of the Ryukyuan people, that those Ryukyuan who suffered damages incident to the activities of the United States Armed Forces, or members thereof, should be compensated therefor ;

Whereas payment of ex gratia compensation, by advancing the welfare of the Ryukyuan people, will promote the security interest, foreign policy, and foreign relations of the United States; and

Whereas the High Commissioner of the Ryukyu Islands has considered the evidence regarding these claims, and has determined, in an equitable manner, those claims which are meritorious, and the amounts thereof: Therefore be it

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress. assembled,*
3 That the United States should make an ex gratia contribu-
4 tion to the persons determined by the High Commissioner of
5 the Ryukyu Islands to be meritorious claimants, in the
6 amounts determined by him, and that the Secretary of the
7 Army or his designee should, under regulations prescribed
8 by the Secretary of Defense, pay such amounts to the claim-
9 ants or their legal heirs, as a civil function of the Department
10 of the Army; and be it further

1 *Resolved,* That no funds appropriated under this joint
2 resolution shall be disbursed to satisfy claims, or portions
3 thereof, which have been satisfied by contributions made by
4 the Government of Japan.

5 SEC. 2. There is authorized to be appropriated not to
6 exceed \$22,000,000 to carry out the provisions of this joint
7 resolution, which funds are authorized to remain available for
8 two years from the effective date of their appropriation.
9 Any funds unobligated by the end of that period shall be
10 covered into the Treasury of the United States.

11 SEC. 3. No remuneration on account of services rendered
12 on behalf of any claimant in connection with any claim shall
13 exceed 5 per centum of the total amount paid, pursuant to
14 the provisions of this joint resolution, on such claim. Fees
15 already paid for such services shall be deducted from the
16 amounts authorized under this joint resolution. Any agree-
17 ment to the contrary shall be unlawful and void. Whoever,
18 in the United States or elsewhere, demands or receives, on
19 account of services so rendered, any remuneration in excess
20 of the maximum permitted by this section, shall be guilty of
21 a misdemeanor, and, upon conviction thereof, shall be fined
22 not more than \$5,000 or imprisoned not more than twelve
23 months, or both.

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80TH CONGRESS
1st Session
S. J. RES. 32

JOINT RESOLUTION

To authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury of persons, and for use of and damage to private property, arising from acts and omissions of the United States Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952.

By Mr. FURNBERG and Mr. INOUÉ

JANUARY 22, 1965
Read twice, and referred to the Committee on Foreign Relations

89TH CONGRESS
1ST SESSION

H. J. RES. 251

IN THE HOUSE OF REPRESENTATIVES

JANUARY 28, 1965

Mr. MATSUNAGA introduced the following joint resolution; which was referred to the Committee on Foreign Affairs

JOINT RESOLUTION

To authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury to persons, and for use of and damage to private property, arising from acts and omissions of the United States Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952.

Whereas certain persons of the Ryukyu Islands suffered damages incident to the activities of the Armed Forces of the United States, or members thereof, after the surrender of Japanese forces in the Ryukyus on August 15, 1945, and before the effective date of the Treaty of Peace with Japan on April 28, 1952;

Whereas article 19 of the Treaty of Peace with Japan extinguished the legal liability of the United States for any claims of Japanese nationals, including Ryukyans, with the result that the United States has made no compensation for the

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above-mentioned damages (except for use of and damage to land during the period from July 1, 1950, to April 28, 1952);

Whereas it is particularly consonant with the concern of the United States, as the sole administering authority in the Ryukyu Islands, for the welfare of the Ryukyuan people, that those Ryukyans who suffered damages incident to the activities of the United States Armed Forces, or members thereof, should be compensated therefor;

Whereas payment of ex gratia compensation, by advancing the welfare of the Ryukyuan people, will promote the security interest, foreign policy, and foreign relations of the United States; and

Whereas the High Commissioner of the Ryukyu Islands has considered the evidence regarding these claims, and has determined, in an equitable manner, those claims which are meritorious, and the amounts thereof: Therefore be it

- 1 *Resolved by the Senate and House of Representatives*
- 2 *of the United States of America in Congress assembled,*
- 3 That the United States should make an ex gratia contribu-
- 4 tion to the persons determined by the High Commissioner of
- 5 the Ryukyu Islands to be meritorious claimants, in the
- 6 amounts determined by him, and that the Secretary of the
- 7 Army or his designee should, under regulations prescribed
- 8 by the Secretary of Defense, pay such amounts to the claim-
- 9 ants or their legal heirs, as a civil function of the Department
- 10 of the Army; and be it further

1 *Resolved*, That no funds appropriated under this joint
2 resolution shall be disbursed to satisfy claims, or portions
3 thereof, which have been satisfied by contributions made by
4 the Government of Japan.

5 SEC. 2. There is authorized to be appropriated not to
6 exceed \$22,000,000 to carry out the provisions of this joint
7 resolution, which funds are authorized to remain available for
8 two years from the effective date of their appropriation.
9 Any funds unobligated by the end of that period shall be
10 covered into the Treasury of the United States.

11 SEC. 3. No remuneration on account of services rendered
12 on behalf of any claimant in connection with any claim shall
13 exceed 5 per centum of the total amount paid, pursuant to
14 the provisions of this joint resolution, on such claim. Fees
15 already paid for such services shall be deducted from the
16 amounts authorized under this joint resolution. Any agree-
17 ment to the contrary shall be unlawful and void. Whoever,
18 in the United States or elsewhere, demands or receives, on
19 account of services so rendered, any remuneration in excess
20 of the maximum permitted by this section, shall be guilty of
21 a misdemeanor, and, upon conviction thereof, shall be fined
22 not more than \$5,000 or imprisoned not more than twelve
23 months, or both.

89TH CONGRESS
1ST SESSION

H. J. RES. 251

JOINT RESOLUTION

To authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury to persons, and for use of and damage to private property, arising from acts and omissions of the United States Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952.

By Mr. MATSUNAGA

JANUARY 28, 1965

Referred to the Committee on Foreign Affairs

89TH CONGRESS
1ST SESSION

H. J. RES. 74

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 1965

Mr. MATSUNAGA introduced the following joint resolution; which was referred to the Committee on Foreign Affairs

JOINT RESOLUTION

To authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury of persons and for use of and damage to private property, arising from acts and omissions of the United States Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952.

Whereas certain persons of the Ryukyu Islands suffered damages incident to the activities of the Armed Forces of the United States, or members thereof, after the surrender of Japanese forces in the Ryukyus on August 15, 1945, and before the effective date of the Treaty of Peace with Japan on April 28, 1952;

Whereas the United States has made no compensation for the above-mentioned damages (except for use of and damage to land during the period from July 1, 1950 to April 28, 1952);

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Whereas it is particularly consonant with the concern of the United States, as the sole administering authority in the Ryukyu Islands, for the welfare of the Ryukyuan people, that those Ryukyuan who suffered damages incident to the activities of the United States Armed Forces, or members thereof, should be compensated therefor;

Whereas payment of ex gratia compensation by advancing the welfare of the Ryukyuan people will promote the security interest, foreign policy, and foreign relations of the United States; and

Whereas the High Commissioner of the Ryukyu Islands has considered the evidence regarding these claims, and has determined, in an equitable manner, those claims which are meritorious, and the amounts thereof: Therefore be it

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*
3 That the United States should make an ex gratia contribu-
4 tion to the persons determined by the High Commissioner of
5 the Ryukyu Islands to be meritorious claimants, in the
6 amounts determined by him, and that the Secretary of the
7 Army or his designee should, under regulations prescribed by
8 the Secretary of Defense, pay such amounts to the claimants
9 or their legal heirs, as a civil function of the Department of
10 the Army; and be it further

11 *Resolved, That no funds appropriated under this author-*
12 *ization shall be disbursed to satisfy claims, or portions thereof,*

1 which have been satisfied by contributions made by the Gov-
2 ernment of Japan.

3 SEC. 2. There is authorized to be appropriated not to
4 exceed \$22,000,000 to carry out this joint resolution, which
5 funds are authorized to remain available until expended.

6 SEC. 3. No remuneration on account of services rendered
7 on behalf of any claimant in connection with any claim filed
8 with the Commission under this subchapter shall exceed 5
9 per centum of the total amount paid pursuant to any award
10 certified under the provisions of this subchapter on account
11 of such claims. Fees already paid for services performed in
12 submitting a claim to the Joint American-Ryukyuan Com-
13 mission shall be deducted from the amounts authorized under
14 this legislation. Any agreement to the contrary shall be
15 unlawful and void. Whoever, in the United States or else-
16 where, demands or receives, on account of services so
17 rendered, any remuneration in excess of the maximum per-
18 mitted by this section, shall be guilty of a misdemeanor, and,
19 upon conviction thereof, shall be fined not more than \$5,000
20 or imprisoned not more than twelve months, or both.

80TH CONGRESS
1ST SESSION

H. J. RES. 74

JOINT RESOLUTION

To authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury of persons, and for use of and damage to private property, arising from acts and omissions of the United States Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952.

By Mr. MATSUNAGA

JANUARY 4, 1965

Referred to the Committee on Foreign Affairs

アメリカ局長

参事官

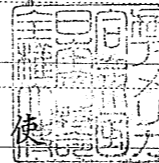
北米課長

政第1829号

昭和40年3月29日

外務大臣殿

在米内大使



神龍の備和帝勅命の授受補償に
関する上院提出決議案(5.7.13)下付

3月23日付 経信政 第1693号に付し

標記に付し、FONG 上院提出案(196日)

上院提出案(5.7.13)下付

2部新添送付す。

別紙添付

要処理	要連絡
要	急
課	在米
枝村	河内
齊藤	吉田
有馬	山田
渡辺	平川
大崎	吉津
中田	
後藤	



89TH CONGRESS
1ST SESSION

S. J. RES. 13

IN THE SENATE OF THE UNITED STATES

JANUARY 6, 1965

Mr. FONG introduced the following joint resolution; which was read twice and referred to the Committee on Foreign Relations

JOINT RESOLUTION

To authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury of persons, and for use of and damage to private property, arising from acts and omissions of the United States Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952.

Whereas certain persons of the Ryukyu Islands suffered damages incident to the activities of the Armed Forces of the United States, or members thereof, after the surrender of Japanese forces in the Ryukyus on August 15, 1945, and before the effective date of the Treaty of Peace with Japan on April 28, 1952; and

Whereas article 19 of the Treaty of Peace with Japan extinguished the legal liability of the United States for any claims of Japanese nationals, including Ryukyuans, with the result

that the United States has made no compensation for the above-mentioned damages (except for use of and damage to land during the period from July 1, 1950, to April 28, 1952) ; and

Whereas the High Commissioner of the Ryukyu Islands has considered the evidence regarding these claims, and has determined, in an equitable manner, those claims which are meritorious, and the amounts thereof: Therefore be it

1 *Resolved by the Senate and House of Representatives*

2 *of the United States of America in Congress assembled,*

3 That the United States should make an ex gratia contribu-
4 tion to the persons determined by the High Commissioner
5 of the Ryukyu Islands to be meritorious claimants, in the
6 amounts determined by him, and that the Secretary of the
7 Army or his designee should, under regulations prescribed
8 by the Secretary of Defense, pay such amounts to the claim-
9 ants or their legal heirs, as a civil function of the Department
10 of the Army; and be it further

11 *Resolved, That no funds appropriated under this author-*
12 *ization shall be disbursed to satisfy claims, or portions*
13 *thereof, which have been satisfied by contributions made*
14 *by the Government of Japan.*

15 **SEC. 2.** There is authorized to be appropriated not to
16 exceed \$22,000,000 to carry out this joint resolution, which
17 funds are authorized to remain available until expended.

1 **SEC. 3.** No remuneration on account of services rendered
2 on behalf of any claimant in connection with any claim filed
3 with the Commission under this subchapter shall exceed 5
4 per centum of the total amount paid pursuant to any award
5 certified under the provisions of this subchapter on account
6 of such claim. Fees already paid for services performed in
7 submitting a claim to the Joint American-Ryukyuan Com-
8 mission shall be deducted from the amounts authorized
9 under this legislation. Any agreement to the contrary shall
10 be unlawful and void. Whoever, in the United States or
11 elsewhere, demands or receives, on account of services so
12 rendered, any remuneration in excess of the maximum per-
13 mitted by this section, shall be guilty of a misdemeanor, and,
14 upon conviction thereof, shall be fined not more than \$5,000
15 or imprisoned not more than twelve months, or both.

80TH CONGRESS
1ST SESSION

S. J. RES. 13

JOINT RESOLUTION

To authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury of persons, and for use of and damage to private property, arising from acts and omissions of the United States Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952.

By Mr. Forre

JANUARY 6, 1965
Read twice and referred to the Committee on Foreign Relations

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89TH CONGRESS
1ST SESSION

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2 *of the United States of America, in Congress assembled,*

3 That the United States should make an ex gratia contribu-
4 tion to the persons determined by the High Commissioner

5 of the Ryukyu Islands to be meritorious claimants, in the
6 amounts determined by him, and that the Secretary of the

7 Army or his designee should, under regulations prescribed
8 by the Secretary of Defense, pay such amounts to the claim-

9 ants or their legal heirs, as a civil function of the Department
10 of the Army; and be it further

11 *Resolved, That no funds appropriated under this author-*
12 *ization shall be disbursed to satisfy claims, or portions*

13 *thereof, which have been satisfied by contributions made*
14 *by the Government of Japan.*

15 SEC. 2. There is authorized to be appropriated not to

16 exceed \$22,000,000 to carry out this joint resolution, which

17 funds are authorized to remain available until expended.

1 SEC. 3. No remuneration on account of services rendered
2 on behalf of any claimant in connection with any claim filed
3 with the Commission under this subchapter shall exceed 5
4 per centum of the total amount paid pursuant to any award
5 certified under the provisions of this subchapter on account
6 of such claim. Fees already paid for services performed in
7 submitting a claim to the Joint American-Ryukyuan Com-
8 mission shall be deducted from the amounts authorized
9 under this legislation. Any agreement to the contrary shall
10 be unlawful and void. Whoever, in the United States or
11 elsewhere, demands or receives, on account of services so
12 rendered, any remuneration in excess of the maximum per-
13 mitted by this section, shall be guilty of a misdemeanor, and,
14 upon conviction thereof, shall be fined not more than \$5,000
15 or imprisoned not more than twelve months, or both.

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89TH CONGRESS
1ST SESSION

S. J. RES. 13

JOINT RESOLUTION

To authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury of persons and for use of and damage to private property, arising from acts and omissions of the United States Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952.

By Mr. FONG

JANUARY 6, 1965
Read twice and referred to the Committee on Foreign Relations

アメリカ局長
参事官
北米課長

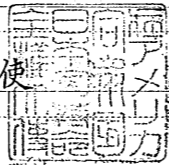
秘

政第1943号

昭和40年4月2日

外務大臣殿

在 米 武内大使



沖縄の講和発効前の損失補償
問題の現状について

3月23日付社信政中1693号及び同29日付中1829号

を以て、米国防公提出決議案ヲ送付(右記)

標記問題について 館員(干渉)が國務省、国防省、

米国防公方面担当者有るに、ハルピンに弁償士等が

取寄せると、概ね下記の通りの趣旨に何等

御参考を以て報告する。

要処理	要連絡
要研究	至急
課長	村
枝村	河内
有馬	吉田
渡辺	山田
大崎	平川
中田	吉津
後藤	



記

1. 経緯

米国防軍が本件を空襲に取上げたるの昨年に
右記からであるが、これにも随意に命ずる、件公
への立法要請を長期間 陸軍長官の承諾とあつた
のを漸く提出せられ、右記に於て時村を失したの事及び
大銃砲懸拳戦ともいふが、陽の目を見せられた
ことと同知のとおりである。(此事務当局は昨年
秋に本腰をいれ、予算要求にも補償額2200
万を以て計上せられたる計33万と稍々程程はと
なつた。米側当局の態度は工化が陸軍長官の^上に
臨時中長官の1月8日付書簡(字新添 1)
のとおりである。尤も本件は PRIORITY LEGIS-
LATION ^に ~~に~~ 要請者が国防長官である
陸軍長官であることに反映せられたりする。

2. 現状

(1) 現在上院に2件、下院に1件の決议案が
出されているが、上院の35件は決议案の
S.J. Res. 13は昨年^{決案}の~~案~~と同様のもの、
(昨年の案と同様の案、以下同)
陸軍長官の要請は今年のものでワテソクも異なり
かつ同件は171件あり政治上立場上とも異な
るもの、111件は^案、74件は^案も異な
るもの、他方ワテソク・井上
^{上院}同件を提出の S.J. Res. 32 及び 松永下院案
提出の H.J. Res. 251 は全く同文でありかつ陸軍の
要請ばかりのもので、實際上単一の決议案とみられる
(三つは夫々外務省委員会に付託、^{下院}松永案は小委員会に付託)
である。なお松永案は1月4日国会早々 H.J. Res
74 を提出した^{と云}、右はハモンティンガー弁論士が^案
(昨年10月22日の案件は北米1188号)
発言に111件 平和条約 19条 1の言をとり止め、その他
昨年の決案のワテソクを踏襲し^案の^案

^{同件を以て}
陸軍より 19条云々の趣意ありと 外交通達かむつた
こと(先弁論士もその後意見は表之右に同旨)も
政治的な新しい陸軍案のワテソクの方がよいと
(具体的には Sec. 3 第1項 第2文)を優先した
ことを取下げ、H.J. Res. 251 とは出しなしたもので
(同件 1月28日下院に於ける陸軍演説別添 2.)
(2) 各件は本件に於ける態度は、上述のワテソク
除くと、次のとおり。
(A) 上院
(a) ワテソク案。極めて不利な態度あり。提出され
ない提出した^{と云}、^案・^案・^案と云った。
(1月22日上院に於ける演説別添 3.)
(b) 井上案。171件提出する立場上二は推進せざる
をえり、立場上あり、内心余り日本側の均致
に引掛りをせざることを好まず。(かし懸念は
その印象をせざるは^案に^案した。

(3) 公転会 以後の事件に予想どおしな内容
 はやはり上述の対比補償との比較がどの
 地、日本本土で^{同様の}~~被害者~~被害者に対し日本政府は
 如何なる補償をなしたか、ということであり、また
 社会の通有性として、NATO紛争に対する日本の
 態度と、日本の左翼の解決態度との飛躍的
 可能性も否^{なり}否^{なり}ない。リトルにはよ 決断また自決
 に相乗手が入り、悪(対)と上下両院が意(決)言の
 中決(正)の調整と時間がかかるとも覚悟が
 要がある。

(4) 日本政府の10億円の見舞金^{送替}に^{対し}は、決(決)意
^{(中)明(文)の(形)}方針として(これはまだ補償工場の^一の至りに^は限
 り)い^はず^はか^らず、2200万ドルという予算^{要(求)}上^の額^も。
 上記10億円を^{な(ら)ぬ}に^おか^そう^のに^ある^補償^は、日本側が
 社会(中)の^治理^分野^には、^必ず^して^要す^る。心(理)分(野)野
 での返還を^求め^られ^る。

正(正)義(義)に^よる^もの^と思^われ^られ^る。^(補償)~~(送替)~~は^まじ^に
 NATO紛争の^身見。右(右)方(方)向(向)弁(弁)償(償)は^対比(比)補(補)償(償)の
 先(先)例(例)加(加)算(算)と^ある^ので、つ(つ)ま(ま)り(り)自(自)立(立)左(左)右(右)に^おか^から^ずに^はと
 館(館)を^求め^られ^る由(由)。

JAN 22, 1965

JANUARY 8, 1965.

Hon. CARL HAYDEN,
President pro tempore of the Senate.

DEAR SENATOR HAYDEN: A draft of legislation to authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury of persons, and for use of and damage to private property, arising from acts and omissions of the U.S. Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952, is enclosed.

This proposal is part of the Department of Defense legislative program for the 89th Congress, and the Bureau of the Budget advises that, from the standpoint of the administration's program, there is no objection to the presentation of this proposal for the consideration of the Congress. The Department of the Army has been designated the executive agency of the Department of Defense for the civil administration of the Ryukyu Islands, and is therefore the representative of the

Department of Defense for this legislation. The Department of State concurs in this proposal, from the viewpoint of foreign policy. It is recommended that the proposal be enacted by the Congress.

PURPOSE OF THE LEGISLATION

The purpose of the proposed legislation is stated in the title. The following background information will be useful in considering this bill.

A. Historical background

The Ryukyu Islands became an integral part of Japan in 1879. This area was regarded as enemy territory by the U.S. Armed Forces during World War II, and was invaded by them on March 26, 1945. Hostilities ended in the Ryukyus on June 21, 1945, and Japanese forces there formally surrendered on August 15, 1945. Full military government was established in the islands on September 21, 1945. For purposes of control and administration, the Ryukyus were severed from Japan, and Japanese postwar legislation was not, of itself, extended to this area.

The Treaty of Peace with Japan, which was signed by the United States and other nations at San Francisco on September 8, 1951, entered into force on April 28, 1952. By article 3 thereof, Japan agreed to concur in any proposal of the United States to place the Ryukyu Islands under the United Nations trusteeship system, with the United States as the sole administering authority. Pending the making of such a proposal, Japan gave to the United States the right to exercise all and any powers of administration, legislation, and jurisdiction over the territory and inhabitants of the Ryukyu Islands. The northernmost group of these islands, known as the Amami Oshima group, was returned to Japanese jurisdiction on December 25, 1953, and is no longer considered a part of the Ryukyu Islands, as they are known today.

The President has asserted, in the budget of the U.S. Government for fiscal year 1965, that "to protect the security of the United States and of the free world, the United States will continue responsibility for the administration of the Ryukyu Islands as long as conditions of threat and tension in the Far East require the maintenance of military bases in these islands."

B. Governmental arrangements

Under the provisions of Executive Order No. 10713, dated June 5, 1957, as amended by Executive Order No. 11010, dated March 19, 1962, the President delegated to the Secretary of Defense the responsibility of exercising the above-mentioned powers of administration, legislation, and jurisdiction over the Ryukyus, subject to the direction and control of the President. The basic order established a civil administration of the Ryukyu Islands (USCAR), headed by a High Commissioner appointed from among the active-duty members of the U.S. Armed Forces. The 1962 amendment to the basic order also provided for a civilian official,

under the High Commissioner, called the Civil Administrator; his powers and duties are such as may be assigned to him by the High Commissioner. The basic order charged the Secretary of State with the responsibility for conducting Ryukyuan relations with foreign countries and international organizations. It also established the Government of the Ryukyu Islands (GRI), which, under the High Commissioner, had extensive powers in the legislative, executive, and judicial fields.

C. Nature of claims

The presence of U.S. Armed Forces in the Ryukyu Islands constituted a military occupation from June 21, 1945 until April 28, 1952. Certain damages were caused during this period to residents of the Ryukyu Islands by various acts and omissions of the U.S. Armed Forces or of their members.

These damages ranged from the uncompensated use of real and personal property, taken over for the legitimate requirements of the occupying forces, to tortious acts by members of the forces.

It is a generally recognized principle of international law, particularly as reflected in the provisions of the Hague Convention No. IV of 1907 (which has been ratified by both the United States and Japan), that individuals whose personal or real property is used or taken by occupation forces are entitled to fair compensation for such use.

In other occupations of enemy territory by U.S. Armed Forces during and after World War II, such compensation was normally provided, on behalf of the United States, by the existing local governments. This principle applied also to claims arising from death or personal injury suffered by residents of the occupied territory due to acts or omissions of the Armed Forces or of their members.

However, the absence of any financially responsible local government in the Ryukyus in the immediate postwar years unfortunately resulted in the nonpayment of any compensation to individual Ryukyus for the use of or damage to their property by the U.S. occupation forces during the pre-treaty period (with one exception, as will be explained below), or for any pretreaty tort claims for death or personal injury caused by such forces or members thereof.

In any event, U.S. liability for Ryukyuan claims arising during that period was formally extinguished by the Treaty of Peace with Japan, which entered into force on April 28, 1952. In article 10a of this treaty, Japan waived all its claims, and those of its nationals (including Ryukyus), against the Allied Powers and their nationals, arising from the war and occupation of Japanese territory prior to the coming into force of the treaty. (Unlike other agreements with former enemy states, this treaty did not require Japan to settle and pay the claims of its nationals against the other contracting parties.) Accordingly, the United States, on the basis that it has thus been absolved from legal responsibility for payment of these claims, denies legal liability for such claims and therefore has not paid them—except for certain claims relating to rental of land and damages thereto during the last 2 years of the occupation period, as will be explained herewith.

Beginning with the effective date of July 1, 1950, the principle of uncompensated requisitioning of Ryukyuan private property was abandoned in favor of leasehold arrangements, with rentals paid by the U.S. Government; payments have also been made to cover the cost of restoring lands damaged during that period. These arrangements were undertaken on the basis of implied leases, executed by virtue of the retroactive provisions of Civil Administration Proclamation No. 26, dated December 5, 1953. These particular pretreaty claims may thus be regarded as covered by article 10b of the treaty, which specifically exempts from the waiver

provision of article 10a those claims which are "specifically recognized in the laws of any Allied Power enacted since September 2, 1945." These already satisfied pretreaty claims, of course, are not included among the claims covered by the attached draft legislation.

As a matter of related interest, the Government of Japan denies legal liability for pretreaty claims in the home islands of Japan, but has provided some compensation to such Japanese claimants. Although the Government of Japan similarly denies legal liability for pretreaty claims in the Ryukyu Islands, in 1957 it made solatia payments to Ryukyuan pretreaty claimants in the amount of 1 billion yen (approximately \$2.8 million). The amount of these solatia has been deducted from the amount of the claims

covered by the proposed legislation, and a specific stipulation has been included therein, precluding disbursement of funds appropriated thereunder for claims already satisfied by the Government of Japan. Although the Government of Japan, when paying these solatia, stipulated that the amount thereof would be repaid to it, should the Ryukyuan claimants succeed in obtaining compensation from the U.S. Government for these claims, this stipulation was a unilateral action on the part of the Government of Japan, and has never been agreed to by the U.S. Government.

D. U.S. policy regarding these claims

The claims to be compensated by this bill have been presented by Ryukyus to the high commissioner and to his predecessors during the years since the treaty entered into effect. Numerous petitions in this matter have also been submitted to him and to other officials of the U.S. Government. Most recently, in 1960, the Ryukyuan members of the High Commissioner's Land Advisory Committee submitted to him a comprehensive petition, requesting compensation for these claims. Although recognizing that the United States had no legal liability for such claims, the high commissioner forwarded this petition to the Department of the Army, recommending that the United States review this entire problem with a view toward modifying its past policy of relying solely on the legal merits of the case, and that it now give due emphasis to related considerations of equity and moral responsibility.

The high commissioner's recommendation for a review of this problem was favorably received by the Department of the Army, and, with the approval of the Department of Defense and the concurrence of both the Department of State and the Bureau of the Budget, the high commissioner was directed to undertake a review of the entire subject of Ryukyuan pretreaty claims, to include discussions with the Ryukyuan claimants, their representatives, and the Government of the Ryukyu Islands. An announcement to this effect was released by the high commissioner on April 6, 1961. In his announcement, the high commissioner noted that he thereby assumed no legal responsibility or commitment to settle these claims, and stated that they were being reviewed because of the concern of the United States, as the administering authority in the Ryukyus, for the well-being of the Ryukyuan people. Advance copies of this announcement had previously been distributed to the President of the Senate, the Speaker of the House, the members of the concerned committees of both the Senate and House, and to selected Senators and Congressmen.

The High Commissioner subsequently established a joint Ryukyuan-American group to conduct the review, the American members of which were appointed by himself and the Ryukyuan members by the Chief Executive of the Government of the Ryukyu Islands. The committee examined all of the evidence in this matter and reviewed it in accordance with equitable standards that had

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previously been developed, and applied with considerable success, in reviewing claims submitted to the U.S. Government by residents of other areas in the Far East. The committee completed its study and submitted a unanimous report to the High Commissioner on March 23, 1962. After reviewing the committee's report, the High Commissioner transmitted it to the Department of the Army on October 16, 1962. The High Commissioner supported the committee's conclusions and recommended that appropriate action be taken to seek approval by the Congress for authorization of the proposed payments. This legislative proposal is a direct result of the committee's study and of the High Commissioner's recommendation thereon.

Bills seeking the same objective as this proposal were introduced in the 86th, 87th, and 88th Congresses, but were not enacted.

The proposed payments are considered warranted because of the concern of the United States, as the administering authority in the Ryukyus, for the well-being of the Ryukyuan people. Payment of these claims will also provide effective redress for an acknowledged inequity, which has caused these claimants to throw themselves on the mercy of the U.S. Government, which has full jurisdiction over them. It would also promote the security interests of the United States, by fostering an atmosphere of respect on the part of the Ryukyuan people for the spirit of fairplay and equity evidenced by the U.S. Government, in keeping with the image and record of American practices throughout the world.

While the legal position of the U.S. Government is quite clear, in view of the above-mentioned extinguishment of our liability for these claims by article 10 of the treaty, the fact that the individual claimants were, through no fault of their own, left uncompensated during the 7 years of the occupation, contrary to the practice followed in other occupied areas, does constitute a situation calling for equitable adjustment at this time. In referring this matter to the Congress, the executive branch believes that the problem should be regarded in this light. This question is basically keyed to the moral imperative of living up to the demands of equity, even where no legal liability exists. It is respectfully suggested that this be the framework for legislative consideration of the attached proposal.

E. Cost and budget data

The total of all claims which have been submitted in this matter was originally \$43 million, as tabulated in the above-mentioned petition submitted by the claimants to the High Commissioner. However, in the course of the review conducted by the Joint Committee, as approved by the High Commissioner, the total of the meritorious claims has been reduced to approximately \$22 million, broken down as follows:

Personal injury and death.....	\$800,000
Land rentals (1945-50).....	15,000,000
Restoration of released lands.....	2,500,000
Water rights.....	50,000
Property damage, growing crops, etc.....	3,650,000

If this legislative proposal is enacted, it is estimated that the bulk of this sum would be expended within 1 year. This amount has not been included in any estimate of appropriations submitted through budget channels by either the Department of Defense or the Department of the Army.

It is proposed that distribution of the requested payments would be made by the Government of the Ryukyu Islands, under controls established by the High Commissioner, and would not require additional civilian employment or expenditures for personnel services. The anticipated negligible increase in general administrative expenses in the office of the High Commissioner will be absorbed within other appropriations for the Department of Defense.

In connection with the operative clause of the attached joint resolution, it is proposed that a tabulation of the claims determined by the High Commissioner to be meritorious will be submitted to the respective committees of the Congress in the course of their consideration of this proposal.

Sincerely,

STEPHEN AILES,
Secretary of the Army.

the latter unexpectedly become involved in administrative proceedings. Sometimes the necessity of obtaining admission to practice before an agency means a delay, perhaps of several months while the attorney goes through the rigamarole required for admission.

For persons of moderate means, this can mean serious hardship. Matters of critical importance to them may not be of sufficient monetary value to compensate a strange lawyer for the time and effort required to familiarize himself with the case.

Inasmuch as every State requires lawyers to demonstrate their educational and moral fitness before admission to the bar, there is no need for individual agencies to impose additional requirements. It is absurd to suggest that a lawyer who is qualified to try cases in State and Federal courts is not competent to represent clients before administrative agencies.

An important additional benefit of this legislation is that it will help to arrest the drift toward centralism in government. As we are all aware, the growth of Federal power, now touching nearly every facet of life in this country, is producing a tremendous concentration of power here in Washington.

The fact that a citizen often cannot even use his own lawyer to plead his case before a Federal agency compounds centralization further. A breed of specialists far removed from the average American is being created. These specialists, of course, delight as the rules and regulations in their respective enclaves become more and more complicated, restrictive and exclusive.

It will do these agencies a great deal of good if they are exposed to lawyers from Main Street, U.S.A., where common sense is still important and where the client's legitimate interest is the most important consideration.

LEGISLATION TO AUTHORIZE BENEFITS TO INHABITANTS OF THE RYUKYU ISLANDS

(Mr. MATSUNAGA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MATSUNAGA. Mr. Speaker, I have today introduced a joint resolution to authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury to persons, and for use or damage to private property, arising from acts and omissions of the U.S. Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952.

This is the identical joint resolution that was recommended by the Secretary of the Army in a letter to the Speaker of this House dated January 8, 1965, and which has been referred to the Foreign Affairs Committee. The resolution is the same, with minor differences, as was introduced by me in the last Congress as House Joint Resolution 1175 and reintroduced by me in the opening days of the present Congress as House Joint Resolution 74. In order to make this a joint effort of the executive and legisla-

tive branches, I am withdrawing my proposal and accepting verbatim the proposal which has been made by the Secretary of the Army.

The purpose of this resolution is to rectify a serious omission in the U.S. administration of the Ryukyu Islands and to do justice to hundreds of thousands of the inhabitants whose relatives were killed, or who were injured, or who suffered deprivation of property through the acts of our Armed Forces during the period following the termination of hostilities and prior to the Treaty of Peace with Japan. The United States exercised direct and exclusive governmental authority at that time, and we had substantial forces in Okinawa in the strategic interest of the United States, not only as a consequence of the war against Japan.

The claims of the people affected have been analyzed and reviewed by a joint committee established by our High Commissioner in the Ryukyus in consequence of which they were scaled down from \$43 million, as originally submitted, to approximately \$22 million. This includes claims for personal injury and death, for land rentals for the years 1947-50, for restoration of lands released to their owners in damaged condition, for appropriation of water rights, and for damage to buildings and growing crops and trees. Land-use claims are not included for the year 1946 because this was a period of postwar adjustment in which owners had generally not yet returned to their lands and produced crops. No interest is included, although the claims have gone uncompensated for 13 years and more.

As a matter of international law, it is unquestioned that the people of Okinawa are entitled to be compensated for these various acts on the part of the U.S. forces. In the main islands, this was done by the Japanese Government under the supervision of the Supreme Commander for the Allied Powers. In the Ryukyu Islands, there was no financially responsible local government that was able to do this, and the Japanese Government was cut off from all participation. The people of Okinawa have repeatedly presented their claims to the U.S. Government as the administering authority. Since the United States exercised direct and exclusive control during the entire period, there can be no doubt of U.S. responsibility to assure that compensation is effected.

Action on the part of the U.S. Government was delayed by a question with respect to U.S. responsibility in international law to pay the claims, in view of the fact that in the Japanese Peace Treaty, Japan waived all claims of Japanese nationals against the United States arising from the war and the occupation of Japanese territory. The executive branch has recommended that without accepting legal responsibility, compensation nevertheless be made by the United States in the recognition of the facts that the individual claimants were, through no fault of their own, left uncompensated during the 7 years of the occupation, contrary to the practice fol-

lowed in other occupied areas; that the United States, as the administering authority for the Ryukyus is concerned with the well-being of the people; that such payment would promote the security interests of the United States; and that it would foster respect for the spirit of fair-play and equity of the U.S. Government.

In introducing this bill, I should like to stress just two facts: that these sums have been due to the individual claimants now for many years, and that payment by the United States is an act of simple justice in view of our complete responsibility for what occurred in the Ryukyu Islands since 1945.

I hope that this matter can be acted upon promptly by the Congress with a view to effectuation of payments to the individuals concerned before many more months have elapsed.

(Mr. BRADEMAS (at the request of Mr. RONCALIO) was granted permission to extend his remarks at this point in the Record and to include extraneous matter.)

(Mr. BRADEMAS' remarks will appear hereafter in the Appendix.)

PROPOSED CLOSURE OF VETERANS' ADMINISTRATION HOSPITALS

(Mr. GRAY (at the request of Mr. RONCALIO) was granted permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. GRAY. Mr. Speaker, I was distressed when the announcement came from the Veterans' Administration proposing to close a number of Veterans' Administration hospitals, domiciliary homes and Veterans' Administration regional offices. As a past officer of the American Legion, Veterans of Foreign Wars, and a member of other veterans organizations, I strongly protest this move, both as an individual and as a Representative of the people. The alleged savings of \$23 million per year is not in my opinion a real saving. When a veteran, his family and friends are required to travel great distances to other Veterans' Administration hospitals the overall cost to the American people will be far more. In addition, the Veterans' Administration will be required to pay ambulance fees and other costs connected with transportation of veterans great distances.

Mr. Speaker, far more important than dollars is the welfare of these deserving veterans. The Marion, Ill., Veterans' Administration Hospital is in my district and I can cite examples where veterans have died because in the past there was no bed space. Turning a veteran away without proper medical attention or requiring him to travel such a great distance that he decides to go without proper medical attention is cruel, to say the least. This so-called economic move is aimed at eliminating rural facilities and concentrating our Veterans' Administration facilities in the urban areas of the country. This is contrary to the President's policy of trying to aid sparse-

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mentioned damages (except for use of land damage to land during the period from July 1, 1950, to April 28, 1952);

Whereas it is particularly consonant with the concern of the United States, as the sole administering authority in the Ryukyu Islands, for the welfare of the Ryukyuan people, that those Ryukyuan who suffered damages incident to the activities of the United States Armed Forces, or members thereof, should be compensated therefor;

Whereas payment of ex gratia compensation, by advancing the welfare of the Ryukyuan people, will promote the security interest, foreign policy, and foreign relations of the United States; and

Whereas the High Commissioner of the Ryukyu Islands has considered the evidence regarding these claims, and has determined, in an equitable manner, those claims which are meritorious, and the amounts thereof; therefore, be it

Resolved by the Senate and the House of Representatives in Congress assembled, That the United States should make an ex gratia contribution to the persons determined by the High Commissioner of the Ryukyu Islands to be meritorious claimants, in the amounts determined by him, and that the Secretary of the Army or his designee should, under regulations prescribed by the Secretary of Defense, pay such amounts to the claimants or their legal heirs, as a civil function of the Department of the Army; and be it further

Resolved, That no funds appropriated under this joint resolution shall be disbursed to satisfy claims, or portions thereof, which have been satisfied by contributions made by the Government of Japan.

Sec. 2. There is authorized to be appropriated not to exceed \$22,000,000 to carry out the provisions of this joint resolution, which funds are authorized to remain available for two years from the effective date of their appropriation. Any funds unobligated by the end of that period shall be covered into the Treasury of the United States.

Sec. 3. No remuneration on account of services rendered on behalf of any claimant in connection with any claim shall exceed 5 per centum of the total amount paid, pursuant to the provisions of this joint resolution, on such claim. Fees already paid for such services shall be deducted from the amounts authorized under this joint resolution. Any agreement to the contrary shall be unlawful and void. Whoever, in the United States or elsewhere, demands or receives, on account of services so rendered, any remuneration in excess of the maximum permitted by this section, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not more than \$5,000 or imprisoned not more than twelve months, or both.

CONTRIBUTION TO CERTAIN INHABITANTS OF THE RYUKYU ISLANDS FOR DEATH AND INJURY OF PERSONS, AND FOR USE OF AND DAMAGE TO PRIVATE PROPERTY

Mr. FULBRIGHT. Mr. President, by request, for myself and the Senator from Hawaii [Mr. INOUYE], I introduce, for appropriate reference, a joint resolution to authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury of persons, and for use of and damage to private property, arising from acts and omissions of the U.S. Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952.

The proposed legislation has been requested by the Secretary of the Army and I am introducing it in order that there may be a specific resolution to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this resolution, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the joint resolution may be printed in the Record at this point, together with the letter from the Secretary of the Army dated January 8, 1952, to the President pro tempore of the Senate in regard to it.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution and letter will be printed in the Record.

The joint resolution (S.J. Res. 32) to authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury of persons, and for use of and damage to private property, arising from acts and omissions of the U.S. Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952, introduced by Mr. FULBRIGHT (for himself and Mr. INOUYE), by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the Record, as follows:

S.J. Res. 32

Whereas certain persons of the Ryukyu Islands suffered damages incident to the activities of the Armed Forces of the United States, or members thereof, after the surrender of Japanese forces in the Ryukyus on August 15, 1945, and before the effective date of the Treaty of Peace with Japan on April 28, 1952;

Whereas article 10 of the Treaty of Peace with Japan extinguished the legal liability of the United States for any claims of Japanese nationals, including Ryukyuan, with the result that the United States has made no compensation for the above-

89TH CONGRESS
1ST SESSION

H. J. RES. 74

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IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 1965

Mr. MATSUNAGA introduced the following joint resolution; which was referred to the Committee on Foreign Affairs

JOINT RESOLUTION

To authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury of persons and for use of and damage to private property, arising from acts and omissions of the United States Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952.

Whereas certain persons of the Ryukyu Islands suffered damages incident to the activities of the Armed Forces of the United States, or members thereof, after the surrender of Japanese forces in the Ryukyus on August 15, 1945, and before the effective date of the Treaty of Peace with Japan on April 28, 1952;

Whereas the United States has made no compensation for the above-mentioned damages (except for use of and damage to land during the period from July 1, 1950 to April 28, 1952);

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Whereas it is particularly consonant with the concern of the United States, as the sole administering authority in the Ryukyu Islands, for the welfare of the Ryukyuan people, that those Ryukyuan who suffered damages incident to the activities of the United States Armed Forces, or members thereof, should be compensated therefor;

Whereas payment of ex gratia compensation by advancing the welfare of the Ryukyuan people will promote the security interest, foreign policy, and foreign relations of the United States; and

Whereas the High Commissioner of the Ryukyu Islands has considered the evidence regarding these claims, and has determined, in an equitable manner, those claims which are meritorious, and the amounts thereof: Therefore be it

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*
3 That the United States should make an ex gratia contribu-
4 tion to the persons determined by the High Commissioner of
5 the Ryukyu Islands to be meritorious claimants, in the
6 amounts determined by him, and that the Secretary of the
7 Army or his designee should, under regulations prescribed by
8 the Secretary of Defense, pay such amounts to the claimants
9 or their legal heirs, as a civil function of the Department of
10 the Army; and be it further

11 *Resolved, That no funds appropriated under this author-*
12 *ization shall be disbursed to satisfy claims, or portions thereof,*

1 which have been satisfied by contributions made by the Gov-
2 ernment of Japan.

3 SEC. 2. There is authorized to be appropriated not to
4 exceed \$22,000,000 to carry out this joint resolution, which
5 funds are authorized to remain available until expended.

6 SEC. 3. No remuneration on account of services rendered
7 on behalf of any claimant in connection with any claim filed
8 with the Commission under this subchapter shall exceed 5
9 per centum of the total amount paid pursuant to any award
10 certified under the provisions of this subchapter on account
11 of such claims. Fees already paid for services performed in
12 submitting a claim to the Joint American-Ryukyuan Com-
13 mission shall be deducted from the amounts authorized under
14 this legislation. Any agreement to the contrary shall be
15 unlawful and void. Whoever, in the United States or else-
16 where, demands or receives, on account of services so
17 rendered, any remuneration in excess of the maximum per-
18 mitted by this section, shall be guilty of a misdemeanor, and,
19 upon conviction thereof, shall be fined not more than \$5,000
20 or imprisoned not more than twelve months, or both.

89TH CONGRESS
1st Session

H. J. RES. 74

JOINT RESOLUTION

To authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury of persons, and for use of and damage to private property, arising from acts and omissions of the United States Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952.

By Mr. MATSUNAGA

JANUARY 4, 1965

Referred to the Committee on Foreign Affairs

極 秘
未 済

My personal comments on the last paragraph of the draft statement are as follows:

1. The description of the provision in question as "a provision against the use of funds appropriated thereunder to satisfy Japan's claims for reimbursement" does not ~~correctly~~ represent its contents.

I may suggest to rephrase along the following line the sentence which starts with "and it has been necessary--."

"However, by virtue of the provision against disbursement of the funds appropriated thereunder to satisfy claims, or portions thereof, which have already been satisfied by contributions made by the Japanese Government, we would be able to explain to the Japanese Government that Ryukyuan recipients of the proposed U.S. compensation would not receive any funds to replace the ex-gratia contributions previously paid to them by the Japanese Government, which in the view of the Japanese Government should be reimbursed to it."

2. The statement that the provision in question has been made with the full and sympathetic understanding of the Japanese Government is contrary to the fact. The Japanese Government has never been approached by the

- 2 -

U.S. Government concerning the ~~in~~^{ser}vention of this provision in the bill and therefore has had no chance to express "the full and sympathetic understanding" on the matter.

In any event, it would be difficult for the Japanese Government to give its official blessing to a provision which might have the effect of undermining the claims which it now officially entertains.

I may suggest therefore that the last sentence of the draft statement may be read as follows:

"I should like to emphasize, that, as the Japanese Government is in sympathy with the objectives of this draft joint resolution and as the provision in question does not directly deny the validity of the Japanese claims, we anticipate no reaction --"

秘

マイブ指示	発信用	執務用	計
主 信	/	/	2
付	外務省米信元 1943号	3部	
属	1774条 別紙1	作成	
	84142	名(部)添付	
発送	昭和40年4月13日		
発信	マイブ	校	11000

文書課長 (分領) 公 信 案

公 信 第 482 号 公 信 昭和40年4月10日 日付

大 臣 主管 アメリカ局長

政 務 次 官 参 事 官

事 務 次 官 主任 北米課長

外務審議官 局長 上林

官 房 長 電話番号

受 信 者 総 理 社 特別地域連絡局長

発 信 者 アメリカ局長

写 送 付 先 (希望発送日) 月 日

件 名 沖縄の講和発効前の損失補償
問題の現状について

GA-2 10 外務省 回覧番号

沖縄の講和発効前の損失補償
問題の現状について

本件について今般在米武内大使から
別添字の通り報告がありましたから
御参考までに戻件します。

付属物添付

GA-4 外務省

外務省



米北第482号

昭和40年4月10日

総理府特別地域連絡局長 殿

外務省アメリカ局長

沖縄の講和発効前の損失補償
問題の現状について

本件について今般在米武内大使から別添写の
とおり報告がありましたから御参考まで送付し
ます。

付属物添付

外務省



政第1943号公信写(昭和40.4.2付)

外務大臣あて 任米武内大使宛

沖縄の講和発効前の損失補償問題
の現状について

3月23日付在信政第1693号及び同29
日付第1829号をもつて、米国議会提出決議
案テキストを送付したが、標記問題について館
員(千葉)が国務省、国防省及び議会方面担当
者ならびにヘメンディンガー弁護士等より聴取
せるところ概ね下記のとおり趣につき何等御
参考までに報告する。

記

1. 経緯

米国陸軍が本件を真剣に取り上げたのは昨
年になつてからであるが、それでも熱意は余
りなく、議会への立法要請も長い間陸軍長官
の手許におかれたのち漸く提出され、ただで
さえ時機を失したのみならず大統領選挙戦と
もぶつかり陽の目を見なかつたことは周知の

とおりである。しかし事務当局は昨年秋から本腰を入れ出し、予算要求にも補償額2200万ドルを計上するよう取計ろうなど少々積極的となつた。米側当局の公式態度はエイルズ陸軍長官より上院臨時議長あての1月8日付書簡(写別添1)のおりである。尤も本件が PRIORITY LEGISLATION でないことは、要請者が国防長官でなく陸軍長官であることに反映されているとみられる。

2 現状

(1) 現在上院に2件、下院に1件の決議案が出されているが、上院分のうちフョング議員提出の S.J.Res.13 (テキストは冒頭往信にて送付、以下同)は昨年の決議案と同様のもので、陸軍長官の要請した今回のものとはリーディングも異つており、かつ同議員がハワイにおける政治的立場上とも角出しておいたもので、いわば「本命」ではなく、「フョ」議員もこれに固執するとはみられていない。他方フルブライト・井上両

上院議員提出の S.J.Res.32 及び松永下院議員提出の H.J.Res.251 は全く同文でありかつ陸軍の要請どおりのもので、實際上単一の決議案とみてよいものである。これらはそれぞれ外務委員会に付託された。(下院ではさらにサブロッキー議員の小委員会に廻付。)なお松永議員は1月4日開会早々 H.J.Res.74 を提出したところ、右はヘメンディンガー弁護士がかねて進言していた平和条約19条への言及を取り止めた(客年10月29日付貴信米北第1188号参照)

他は昨年の決議案のリーディングを踏襲したものであつたが、陸軍より同議員に対し19条云々は離れないと議会通過がむずかしいこと(「ヘ」弁護士もその後意見を変え右に同調)及び法的には新しい陸軍案のリーディングの方がすぐれていること(具体的にはSec.3 第1及び第2文)を説得したもので、これを取下げ、H.J.Res.251 として出し直したものである。(同議員1月

南方面の抱負が念より送らなかつた
ハナレインが1月より来信

28日下院における説明演説別添2)

(2) 各議員の本件に対する態度は、上述のフオン議員を除くと、次のとおり。

(1) 上院

(a) フルブライト議員。極めてコレクティブな態度のみ。頼まれたから提出したままで、賛成、反対は留保すると述べている。(1月22日上院における演説別添3)

(b) 井上議員。ハワイ選出たる立場上これを推進せざるをえない立場にあるが、内心余り日本関係の問題に引掛りを生ずることを好まず。しかし熱心でないとの印象を与えないよう注意している。

(2) 下院

(a) 松永議員。極めて熱心なるも、院内での地歩が固つておらず、兎角思う通りに行かない模様。

(b) サブロッキー議員。昨年関係者より

決議案提出方再三依頼されたが、対比補償法案に絡み政治的に苦い経験をなめたのに懲りて固辞し、今年も態度をかえておらず、本件に対しても極めて慎重。小委員会の委員長であるだけに今後の審議への影響力大。

(c) モーガン外務委員長。ペンシルバニアの医師出身で外交問題の経験乏しく SENIORITY によつて委員長となつたとされているが、本件に対する関心少し。

3. 見通し

(1) 上下両院双方において本件は全く動いておらず、次の取扱いたる公聴会開催も、いつとなるか全く不明。本年中に、即ち今議会において決議案を成立せしめるためには4月中、おそくとも5月前半に開催しないと間に合わぬ惧あり、ヘメンディンが弁護士は福当憂慮している趣。但し陸軍省は比較的楽観的で、年内成立、1966会計年度中の支出可能とみている模様。これに対し「へ」弁護士は皆く行つて年内成立、1967会計年度内に支出、一寸つまずくと成立も明年ないしそれ以後となる予想。

(2) かくの如く本件が動かない理由は優先的立法でないこと、対比補償の悪例（サブロッキ一議員のみならずフルブライト議員もこの点に警戒的な由）あること、一般的に沖縄問題について議会における認識が薄いこと等である。

もつとも米国議会のこととて、いつ急に本件が動き出すか予想がつかず、皆く公聴会が開かれさえすれば公聴会そのものは1日で終了するであろうと関係者はみており、陸軍側は沖縄の土地法廷（当録注：LAND COURT の仮訳）判事ジョンP・キング陸軍大佐（退役）が病氣療養のため来華したのをそのまま滞在させ公聴会の証人として出席すべく待機せしめている。

(3) 公聴会以後の審議で予想される主たる問題はやはり上述の対比補償との比較などの他、日本本土で同様の被害者に対し日本政府は如何なる補償をなしたかという事であり、また議会の通有性として、ベトナム動乱に対する日本の態度とか、日本の左翼の対米態度などに飛火する可能性も否定できない。いずれにせよ決議案文自体に相手が入り、悪くすると上下両院が違う文言の議決をしその調整に時間がかかること

外務省

も覚悟する要がある。

(4) 日本政府の10億円の見舞金立替については、決議案文テキスト中の明文によりこれによつて補償されたクレームへの支払が禁じられており、2200万ドルという予算要求額も上記10億円をさつびいたものであるだけに、もし日本側が議案審議中にその返還を求めた場合は必ず悪い心理的影響を議員に与えるものと思われる。(本項は主としてヘメンディングの意見。なお、同弁護士は対比補償の先例が顕にあるので、つとめて目立たないようにしていると館員に述べた由。)



北米局長
北米課長

総特第386号
昭和40年5月6日

外務省アメリカ局長 殿

総理府特別地域連絡局長



沖縄の講和発効前損失補償要請関係資料について
標記について、別添のとおり南方同胞援護会会長から資料の送付があつたので、ご参考までにお送りする。



総理府

要処理	要連絡
要研究	至急
課長	村上
技村	河内
齊藤	吉田
有馬	山田
渡辺	平川
太崎	吉津
中田	
後藤	

昭和40年4月26日

総理府特別地域連絡局
局長 山野 幸吉 殿

南方同胞援護会
会長 大浜 信 泉

講和前補償要請関係資料送付の件

標記の件下記のとおり御送付申上げますから御
査取下さい。

記

1. 1965年4月9日付 桑江期成会会長宛へメンディングー
氏書簡 (和英各4通)

以上



南方同胞援護会

1965年4月9日

講和発効前損失補償獲得期成会
会長 桑江 朝 幸 殿

拝啓

昨日、次のような電報を打ちました。即ち(キング大佐は沖
縄へ発つ。今月末ワシントンに再び帰。彼は、やがてあなたに
会い答。)

この手紙が着く頃までには、あなたの方では、既にキング大
佐とお会いし、彼からワシントンでの事情について、見たま
のことをお聞きになつたと思います。状態は、基本的には、全
く好ましいものと言えましよう。と言いますのは、この立法事
項は、行政府によつて要請されていること、そして又、諸般の
事情からみまして、この法案が、適宜、議会を通過するものと
考えても差支えなさそうだからです。然し、早急に、審議を突
現させようとした我々の努力はこれまでのところ効が有りませ
んでした。議会の委員会は、こゝずつと、援助計画とかベトナム
状態などという優先的取扱事項で手一杯のようです。

今月の末あたりまでは、審議(聴聞会)が開かれる気配はあ
りません。というのは、国防省の最も重要な証人となるエイル
ズ陸軍長官が、26日頃まで国を離れるからです。そのために
キング大佐は、継続中の裁判関係仕事処理のため沖縄に帰る暇
があるとみたわけです。彼は、今月中にワシントンに帰つて来
る旨はつきり言明していました。

講和発効前損失補償獲得期成会

キング大佐は、この法案を達成させるにつき、深い関心を示されました。彼は、上院外交委員会の事務局職員の一とも会い、この問題について説明してくれました。下院では、彼は、(私の紹介で)松永議員と会いました。彼は又、フオン上院議員とも会いました。フオン氏の事務局職員の一である西村氏は沖縄問題に非常に関心をもっています。更に又、キング大佐は数年前ハワイで、フオン氏と個人的に知己を得ていたそうです。

下院外務委員会では、委員長モーガン博士は、本件法案を小委員会にかけるか、又は、本委員会で審議するかという基本的な問題を未だ決めてありません。彼は、今まで何度も、この法案を極東小委員会のサブロッキー氏に付託すると言つてはいますが、実際はまだそうしていません。

フルブライト上院議員の提案した外国人代理人登録法の一部改正即ち、議院に審議中の案件について外国人本人の代理人がその業務に関し成功報酬を定めることを禁じる趣旨の改正が、4月5日上院で可決されました。これは、昨年上院が可決し、下院で票決に至らなかつた法案と殆んど同じものです。この法案に関係している下院の委員会ではまだ審議を開いていませんし又、そう、急な処理がなされるとは考えられません。この法案が立法化されるのがはつきりしましたら、私の方から、もう一度お知らせし、その際、私達の関係にどのような影響があるか検討することにしましょう。然し、いずれにしてもこの法案は(講和前)請求権の、議会における審議については全然関係な

いように見受けられます。

敬 具

ノーエル・ヘメンディングー

April 9, 1965

Mr. Choko Kuwae, President
Association to Acquire Compensation
for Damages Prior to Peace Treaty
3-3 Kamizumi-cho
Naha, Okinawa

Dear Mr. Kuwae:

This will confirm my cable of yesterday, as follows:

KING DEPARTING FOR OKINAWA STOP
WILL RETURN WASHINGTON LATER
THIS MONTH STOP HE WILL SEE YOU
SOON

You probably will by this time have met with Colonel King, who can explain the situation in Washington at first hand. The basic situation remains entirely favorable, in that this legislation has been requested by the Executive Branch, and there is every reason to suppose that in due course it will be acted upon by the Congress. However, our efforts to obtain quick consideration have so far not been effective. The Congressional Committees have been preoccupied with priority matters such as the Aid Program and the situation in Viet Nam.

There is no prospect of hearings until late this month because Secretary Ailes, who is to be the leading witness for the Defense Department, will be out of the country until about the 26th. For this reason, Colonel King has felt free to return to Okinawa to take care of pending judicial business, and he told me flatly that he intends to return to Washington this month.

Colonel King has displayed a great interest in seeing this legislation accomplished. He has conferred with a member of the staff of the Senate Foreign Relations Committee to brief him on the matter. In the House of Representatives, he has met (through my good offices) with Congressman Matsunaga. He has also met with Senator Fong. A member of his staff, Mr. Nishimura, is extremely interested in Okinawan matters. In addition, Colonel King was personally acquainted with Fong some years ago in Hawaii.

Mr. Choko Kuwae

Page 2

In the House Foreign Affairs Committee, the basic decision has not yet been taken by the Chairman, Dr. Morgan, whether to refer the bill to the Subcommittee or to hold hearings himself. He has several times said he would refer it to Mr. Zablocki of the Far East Subcommittee but has not in fact done so. Colonel King and Congressman Matsunaga discussed this situation yesterday, and I am sure he can explain it to you.

The amendments to the Foreign Agents Registration Act sponsored by Senator Fulbright that would forbid contingent fees for services of agents of foreign principals in matters pending before the Congress were passed on April 5 by the Senate. This is essentially the same bill that was passed by the Senate last year but not acted upon by the House of Representatives. The House Committee concerned with this bill has not yet held hearings, and I do not think that there will be any quick action. If it becomes apparent that the bill is going to become law, I will bring it to your attention again so that its implications for our relationship can be reviewed. In the meantime, however, it does not appear to have any bearing upon the Congressional consideration of the claims.

Yours sincerely,

Noel Hemmendinger

北洋局長

上村 正
政治課長

国際連合局長

参事官

政治課長

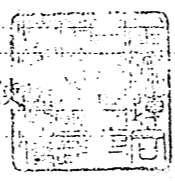
第1463号

昭和40年5月20日

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外務大臣殿

国連代表部
松井 六 使



太平洋信託統治地域に関する事務局
作業ペーパー(講本権関係)送付

5月17日付往信第1419号に關し、
第32回信託統治理事会の文書として目下
事務局において起草中の太平洋信託統治地
域に関する作業ペーパーの中「War claims」
の部分につき事務局より入手せるもの、二巻折
本にて別添送のとおりに送付する。



GA 4

別紙添付

1370 外務省

War damage claims

6. The question of compensation for damage suffered during the Second World War by the inhabitants of the Trust Territory has been the subject of recommendations by the Trusteeship Council since 1950, when it was first raised in petitions. At its thirty-first session, the Council again expressed its concern for the continued delay in achieving a settlement of Micronesian claims against Japan for compensation for war damage. Recalling its previous recommendations for a prompt settlement of the war damage claims, the Council endorsed the 1964 Visiting Mission's recommendations that the Administering Authority should renew its representations to the Japanese Government with increased vigour. The Council supported the Mission's suggestion that the Administering Authority might enlist the help of the United Nations in the person of the Secretary-General or a representative to be chosen by him. Reiterating his Government's previous statements that negotiations were being continued with the Government of Japan for an equitable solution to the problem of war damage claims, the representative of the United States assured the Council that the Administering Authority was giving high priority to this long-standing and perplexing problem. Taking note of the statement of the Administering Authority that no legitimate claims existed against the Government of the United States for losses sustained as a result of United States actions committed in violation of the laws of war, the Council recommended that the Administering Authority draw to the attention of the people of Micronesia its position on the subject in order to clear up any misunderstanding regarding the issue.

秘

子

要字部

発電係(小川) 総第 17775 号

昭和 年 月 日 時 分 発

電信案 (第 5-28 19-27)

暗 第 915 号

大 臣 政務次官 事務次官 外務審議官 官 房 長	主 管 北米局長 参 事 北米課長	起 案 昭和40年5月28日 上村綱彦 書 津田 正 起案者 津田 電話番号 443
---------------------------------------	----------------------------	--

法規課長付

在 米 武 岡 臨時代理 大 公 使 宛 推 名 大臣 務 総 領 事

電 報 在 大 公 使 宛 総 領 事

件 名 沖繩の満和船敷前損失補償 (通報)

貴信第1943号に附し。

28日在京米大使館より書記官に北米課に

来訪し、沖繩の満和船敷前損失補償法案(S.J.

Res. 52)につき6月2日開催される外交委員会

GB-1 外務省 回覧番号 2916

28 98

享 濟

の聽問會においしグリーン次官補代理が行な
う予定の証言のテキストを提示し、担当官限りの非
公式なコメントを求めたので、担当官より、とくに
問題ありと思われる末尾のパラグラフ(全文別電)に
つき(1) a provision against the use of funds
appropriated thereunder to satisfy Japan's
claims for reimbursement の表現は不正確
である、(2) 日本政府が問題の規定につき
full and sympathetic understanding を与え
たことについては、この点を指摘しおいた趣きで
あり。

GB-3 外務省

秘		要字 部		発電係 (V) 総第 17831号
電信課長代 17		昭和 年 月 日 時 分 発		
電信案 (分類)				
略	第 917 号	起案 昭和40年5月28日		
本 局 政務次官 事務次官 外務審議官 官 房 長	主管 北米局長 参事官 北米課長 主任	起案者 程 程 電話番号 443		
法規課長				
在 米 武 内	臨時代理 大 公 使 宛 總 領 事	推 名 大臣 發		
電 報 在	大 公 使 宛 總 領 事			
件 名	沖繩口議和務效前損失補償(通報)			
	往電生 915 号 別電			
↓				
GB-1	外務省			回覧番号

28 99

字 齊

Accordingly, the GOJ continues technically to consider its 1957 payment as reimbursable, and it has been necessary to include in the proposed legislation a provision against the use of funds appropriated thereunder to satisfy Japan's claims for reimbursement. I should like to emphasize, however, that this provision has been made with the full and sympathetic understanding of the Japanese Government, and that we anticipate no reaction as a result of its inclusion which would adversely affect the close, amicable relation which exist between our countries.

7744

主管課長へ

本電主管、配付先等に関し御意見あれば直ちに電信課検閲班に連絡こう

電信写

(配布先〇印)

大政房	〇
政務次官	〇
官	〇
長	〇
人電管	〇
文会厚	〇
参資	〇
参長	〇
参北東	〇
参中西	〇
参北	〇
参南旅	〇
参近	〇
参次	〇
参高統	〇
参総	〇
参経賠	〇
参政技	〇
参経科	〇
参政社	〇
参道外	〇
参文二	〇
参文三	〇

総番号(TA) 25747 北米

65年07月28日22時00分 ワシントン 発

65年07月29日12時50分 本省 着

外務大臣殿 武内大使 総領事・領事

沖繩の講和条約損失補償(通報)

第2109号 平 至急

往電第1985号に関し

1. 下院外交委極東太平洋小委員会のオキナワ講和発効前損失補償決議(HJRE 825/1)に関する公ちよう会は28日午前ザブロッキー委員長司会の下に公開開催され、マツナガ下院議員、レゾー陸軍長官、ワトソン・オキナワ高等弁務官、パーカー國務次官補代理が夫々証言し、委員より若干質問の後、休けい。同日午後秘密会を行なつて閉会した。(関係資料入手の上空送する)なお上院では外交委の臨時補償問題小委員会(スパークスマン議員が委員長)がHJRE 832につき8月4日に公ちよう会を行なうこととなつた。

2. 証言は概ね本件の経緯。米政府が道義上補償を行なうべき理由を中心として行なわれ。(イ)マツナガ議員は

外務省

主管課長へ

本電主管、配付先等に関し御意見あれば直ちに電信課検閲班に連絡こう

電信写

若干の補償請求者の実例をあげてその同情に値する所以を訴えらるとともに来るべきオキナワ総選挙をひかえ本決議案成立の必要性を述べ。(ロ)レゾー長官は補償請求額の査定経緯。ワトソン弁務官は補償のカテゴリー別について夫々詳説したが。(ハ)パーカー次官補代理はわが国の前貸金に触れ、「米側は日本政府に対し債権の放棄を要請したところ。日本側は右要請のはい景をなす目的に措置なくしては閣議決定をくつがえしえず。またかかる立法措置はリニウキニウ以外の地域での補償問題についての日本政府の立場を害することとなる旨回答した。なお、同政府は決議案本文第1項の前貸金でカバーされた分の差引き支払い条項には日米関係に悪影響を及ぼすものとして異議をとなえるようなことはないと思う。旨述べた。(関係部分別電の通り。)

3. 委員長その他より(イ)フィリピン補償法案の先例もありとして弁護士等が本件につき補償金受領者より総額の5%以上の謝れいを受けられないとの決議案第3項が如何にして確実に守られるかに関し、詳細な質問があり。また(ロ)補償金額査定方法。実際の支払いはいかなる機構で行なわれるかについても質疑あり。陸軍省より答弁を行な

外務省

主管課長へ

電信写

本電主管、配付先等に関し御意見あれば直ちに電信課検閲班に連絡こう

つた。(午後の秘密会でもこの点が相当詳しく取上げられ、オキナワの米國ならびに自由世界防衛上の重要性及びわが國の前貸金については簡単に触れたのみであつた趣。)

4. 関係者の見解を総合すれば、(イ)公ちよう会は予想以上にスムーズに行き、サブロッキー小委員長は好意的のようだが、(ロ)フィリピン補償の悪例の印象が議員の間に意外に根強く生きており、他方ヴィエトナム関係支出激増により一般に議會は緊急経費以外の支出は引締め気分となりつつあるので、兩院とも外交委引いては本會議における形勢は予断を許さない。(ハ)他方オキナワ総選挙の意義については、ぜん次関係議員間に認識されつつあるように見受けられる趣である。

(丁)

(3)

外務省

主管課長へ

電信写

本電主管、配付先等に関し御意見あれば直ちに電信課検閲班に連絡こう

(印) 布先
 大政務外信
 参務長
 臣官官容長
 (総)人文管
 俵会電厚
 (調)参調
 資・資
 長・長
 参北東
 長・總中西
 (参)参
 長北村
 参参
 長西東
 近参
 長ア
 参次統商歐
 参参調通
 (参)参
 長参故贈贈
 協政贈贈
 長経贈贈
 (参)参
 長参参
 國参経科
 長政社専
 (情)参内才
 長参外
 文文
 長文二
 移参振
 長参旅

TA 26725 時 北
 65 0728 2110 発
 年 月 日 時
 65 0729 1045 発

外務大臣殿

ワシントン

武水

大 使
總 領 事
領 事

件名 沖縄の講和発効前損失補償(通報)
トフヒ乙

第 2110 号 (平) 略 暗

往電才 2109 号 別電



平 (1)

外務省

BOTH THE UNITED STATES AND JAPAN ARE NOW CONTRIBUTING TO ECONOMIC DEVELOPMENT AND SOCIAL WELFARE IN THE RYUKYUS, AND WE EXPECT THAT THE SETTLEMENT BY THE UNITED STATES OF THESE PRE-TREATY CLAIMS WILL CONTRIBUTE SUBSTANTIALLY TO OUR COMMON OBJECTIVES. UTILIZATION OF A PART OF SUCH SETTLEMENT TO REIMBURSE THE JAPANESE GOVERNMENT FOR ITS EARLIER EX GRATIA PAYMENT WOULD REDUCE BY THAT MUCH THE EFFECTIVENESS OF THE U.S. PAYMENT IN STIMULATING ECONOMIC GROWTH IN THE ISLANDS. IN CONNECTION WITH THE PREPARATION OF THE ADMINISTRATION'S PROPOSAL ON THE SETTLEMENT OF THESE CLAIMS, THE DEPARTMENT OF STATE HAS BROUGHT THESE CONSIDERATIONS TO THE ATTENTION OF THE JAPANESE GOVERNMENT, REQUESTING THAT IT NOW WAIVE ITS CLAIM TO REIMBURSEMENT FOR ITS 1957 PAYMENT. ALTHOUGH THE JAPANESE GOVERNMENT IS IN SYMPATHY AND AGREEMENT WITH THE OBJECTIVES UNDERLYING THE U.S. REQUEST THAT IT WAIVE THESE CLAIMS, IT INFORMS US THAT IT CAN REVERSE ITS EARLIER CABINET DECISION ONLY THROUGH CERTAIN LEGISLATIVE ACTION WHICH WOULD ADVERSELY AFFECT ITS LEGAL POSITION WITH REGARD TO OUTSTANDING CLAIMS IN AREAS OTHER THAN THE RYUKYUS.

BECAUSE THE GOVERNMENT OF JAPAN CONSIDERS IT SHOULD BE REIMBURSED IF FULL PAYMENT IS MADE BY US, A PROVISION HAS BEEN INSERTED TO PROVIDE THAT UNITED STATES PAYMENT NOT COVER PAYMENT ALREADY MADE BY JAPAN. WE ANTICIPATE NO REACTION FROM THE GOVERNMENT OF JAPAN AS A RESULT OF ITS INCLUSION WHICH WOULD ADVERSELY AFFECT THE CLOSE, AMICABLE RELATIONS WHICH EXIST BETWEEN OUR COUNTRIES.

(END)

北米局長
参事官

北米課長
総南連第1984号

昭和40年7月30日

総理府特別地域連絡局長 殿

那覇日本政府南方連絡事務所長

昭和40年7月30日

ワトソン高等弁務官の記者会見テキスト送付について

往電第148号に関し、ワトソン高等弁務官の7月25日嘉手納空港発帰国の際の記者会見テキスト参考までに1部別添送付する。

本信写送付先 外務省北米局長(付属物1部)

総理府

UNITED STATES CIVIL ADMINISTRATION OF THE RYUKYU ISLANDS
Naha, Okinawa
July 26, 1965

MEMORANDUM TO NEWS MEDIA: 65-78

Public Affairs Department
Tel: 72153
72941 ext 32

NEWS CONFERENCE AT KADENA AIR BASE BY
HIGH COMMISSIONER ALBERT WATSON, II,
UPON HIS DEPARTURE FROM OKINAWA FOR
WASHINGTON, JULY 25, 1965

High Commissioner: I want to thank you for coming up here to tell me good-by. I don't take these trips with great joy because it's a long one and no sooner there than back again. As you have been told, I'm going to go to testify before committees of the Congress, both the House and the Senate. Before the House I will speak on just the one subject, which is the Pre-Peace Treaty Claims Bill; and before the Senate committee I will defend the aid program budget request for the Ryukyu Islands for this coming year and also I will testify before the Senate for the -- on behalf of the -- Pre-Peace Treaty Claims Bill.

As you know, we have done this before. I want back earlier this year to testify, aiding Secretary Ailes, then Secretary of the Army, for the House hearings on the aid budget request; and now Secretary Resor has sent for me to come to assist him. So, we're really doing the same things now that we have done before and there's no crisis about it at all it's simply a matter of assisting in the Congressional hearings, because I have been here in my position about one year and our new Secretary wants me to come and assist him.

Do you have any questions?

QUESTION: How long will you be gone, Sir?

HIGH COMMISSIONER: I don't know for sure. I estimate I will be back here around the tenth of August, but the dates of the Congressional hearings are subject to postponement when they conflict with other dates which also have importance in the hearings before the Congress.

QUESTION: (Interpreted) Are you going to make a stop in Tokyo on your way back?

HIGH COMMISSIONER: As far as I plan now, no, I will not. Perhaps just to change planes or to refuel.

QUESTION: Will your family accompany you, sir, on this trip to Washington?

HIGH COMMISSIONER: Yes, my family is. Here is my wife. She's going at her expense it is not at the expense of the United States Government.

QUESTION: Do you plan to do any visiting while in Washington, Sir? Any sightseeing or visiting or anything like this besides the official duties that you'll be there for?

HIGH COMMISSIONER: No, I have no special plans to do anything beyond my official duties while I'm there, except that my mother does live in Washington and I hope to be able to see her a number of times.

QUESTION: (Interpreted) In addition to your involvement on aid matters as well as on compensation matters, do you anticipate a discussion on the proposed visit of Prime Minister Sato here taking place while you're there?

HIGH COMMISSIONER: I think it quite likely that it would take place. That's a very important event in the near future and I feel it's almost certain that I will have a large number of subjects to discuss both with my military superiors and with my civilian superiors in Washington.

QUESTION: Excuse me, Sir. What is the extent of the aid program on which you are going to be testifying?

HIGH COMMISSIONER: The aid program proper is \$12 million and there are some administrative expenses in addition to that.

QUESTION: (Interpreted) Are you taking new data with you in order to assist you in your testimony?

HIGH COMMISSIONER: Yes; your question, of course, deals with the testimony I will give in support of the aid bill and I am taking new data. As you know, the fiscal year has ended -- on the 30th of June it ended -- so now I have some further statistics which I can give before these--in these--hearings which were not available at the time that I appeared in the House hearings at the end of March this year.

QUESTION: General, what is your prediction for passage of the bill -- the budget program, Sir?

HIGH COMMISSIONER: I always hesitate to give a prediction on such a matter because it's the same as trying to predict when this typhoon is going to pass by Okinawa. It's just not an exact science. I am reasonably optimistic on the aid bill. On the compensation bill -- as you call it, I really have no way at all to predict whether it will be successful or not.

I will say that in each case our preparation has been extremely thorough and we have a very strong position and I do hope that we can succeed in achieving success -- I mean in achieving an approval -- of both of these because they mean a great deal to the Ryukyuan people.

Incidentally, at this point, I'd like to just take a moment to pay tribute to a person who has done a great deal toward preparing this compensation request so that it would go before the Congress in the best possible state and I refer specifically to Judge King who, in his work as co-chairman of the Joint Ryukyus Pre-Peace Treaty Claims Review Committee, has really done an outstanding job. It was expected that he would be the principal USCAR witness assisting the Secretary of the Army in Congressional hearings on the claims in Washington. However, he is unable to travel to Washington for the hearings because of physical ailments which have forced him to apply for a disability retirement. I know I speak not only for the civil administration here, but also for the Ryukyuan people when I pay tribute to the effectiveness of his work. His accomplishments on the Claims Committee, as well as his many years of service, are the best testimony of his devotion to the Ryukyuan people and the United States. We all wish him the best of luck and good health in his forthcoming retirement.

We have time for another question, I'm getting the signal now.

QUESTION: Sir, I wonder if you could tell us if these treaty claims are voted -- how will the funds be administered, -- will they be given out through the foreign aid program or turned over directly to the Ryukyuan Government?

HIGH COMMISSIONER: I understand the plan is for the Government of the Ryukyus to make the disbursements, is that not correct?

(ASIDE): I think so.

HIGH COMMISSIONER: We have proposed plans for this disbursement, but my first problem is to get the money. I want to take one problem at a time.

Have a nice trip, Sir.

HIGH COMMISSIONER: Thank you. Thank you for your good wishes. I hope when I come back that we have another good year. As you know, we're now ending my first year here, and as I told you when I first came I hoped that your confidence in me would be justified and you would feel this confidence after I had been here a year. I'm looking forward to what you have to say about it.

(END)

送付公

北米局長

参事官

信
北米課長

政为 5800 号

昭和 40 年 8 月 25 日

外務大臣殿

在米武内大使

引用公・電信番号

任電 22335

送付資料

沖縄講和締結前損失補償地域等
上の資料(外交季報告)

89th Congress 1st Session

August 10, 1965

Senate Calendar No. 547, Report No. 564

"AUTHORIZING A CONTRIBUTION TO CERTAIN INHABITANTS OF THE RYUKYU ISLANDS FOR DEATH AND INJURY OF PERSONS, AND FOR USE OF AND DAMAGE TO PRIVATE PROPERTY, ARISING FROM ACTS AND OMISSIONS OF THE U.S. ARMED FORCES, OR MEMBERS THEREOF, AFTER AUGUST 15, 1945, AND BEFORE APRIL 28, 1952

備考

9/1
大杉
持込
CJ

要連絡	
要研究至急	
課長	村
枝上	河内
斎藤	吉田
有馬	山口
渡辺	平川
大崎	吉津
中田	
後藤	

本信写送付先:

(別添省略)



別紙添付

付属物空便(行)

付属物空便(貨)

Calendar No. 547

89TH CONGRESS } SENATE REPORT
1st Session } No. 564

AUTHORIZING A CONTRIBUTION TO CERTAIN INHABITANTS OF THE RYUKYU ISLANDS FOR DEATH AND INJURY OF PERSONS, AND FOR USE OF AND DAMAGE TO PRIVATE PROPERTY, ARISING FROM ACTS AND OMISSIONS OF THE U.S. ARMED FORCES, OR MEMBERS THEREOF, AFTER AUGUST 15, 1945, AND BEFORE APRIL 28, 1952

August 10, 1965.—Ordered to be printed

Mr. SPARKMAN, from the Committee on Foreign Relations, submitted the following

REPORT

[To accompany S.J. Res. 32]

The Committee on Foreign Relations, to which was referred the joint resolution (S.J. Res. 32) to authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury of persons, and for use of and damage to private property, arising from acts and omissions of the U.S. Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952, having considered the same, reports favorably thereon without amendment and recommends that the joint resolution do pass.

PURPOSE OF RESOLUTION

The main purpose of Senate Joint Resolution 32 is to authorize a contribution of not to exceed \$22 million to certain inhabitants of the Ryukyu Islands for claims based on death or injury, and for use of and damage to private property, arising from acts and omissions of members of the U.S. Armed Forces after August 15, 1945 (the date of the Japanese surrender), and before April 28, 1952 (the date of the Treaty of Peace with Japan).

In addition, the resolution provides that the funds are to remain available for 2 years from the date of their appropriation for distribution to the claimants or their legal heirs by the Department of the Army. None of the funds may be used to pay claims which have been satisfied by contributions made by the Government of Japan. The resolution also limits attorneys' fees to 5 percent of the amount paid on each claim, and any such fees which have already been paid are to be deducted from the amount authorized under the joint resolution.

Violators of this latter provision are subject to a fine of not more than \$5,000 or imprisonment of not more than 12 months, or both.

BACKGROUND

The presence of U.S. Armed Forces in the Ryukyu Islands constituted a military occupation from June 21, 1945, until April 28, 1952. During this period, certain damages were caused to residents of the Ryukyus by various acts and omissions of the U.S. Armed Forces or their members. These damages ranged from the uncompensated use of real and personal property, taken over for the use of the occupying forces, to tortious acts by members of the forces.

It should be noted, however, that the United States has no legal liability for the payment of these claims. American liability for claims arising during the period in question was formally extinguished by article 19(a) of the Treaty of Peace with Japan which provides as follows:

Japan waives all claims of Japan and its nationals against the Allied Powers and their nationals arising out of the war or out of actions taken because of the existence of a state of war, and waives all claims arising from the presence, operations or actions of forces or authorities of any of the Allied Powers in Japanese territory prior to the coming into force of the present Treaty.

On the other hand, no provision was made in the treaty to compensate Japanese nationals for such actions in territory occupied by the United States during the pretreaty period. In this connection, although the Government of Japan denies legal liability for pretreaty claims in the Ryukyu Islands, in 1957 it made solatia payments to some of these claimants in the amount of approximately \$2.8 million. This amount has been deducted from the amount of the claims covered by Senate Joint Resolution 32.

In 1961, after receiving numerous petitions regarding Ryukyuan pretreaty claims, the U.S. Government agreed to review the entire problem. In order to carry out the review, the High Commissioner of the Ryukyu Islands established a joint Ryukyuan-American Committee which completed its study and submitted a unanimous report on March 23, 1962. The High Commissioner reviewed the Joint Committee's report, supported its conclusions, and recommended that appropriate action be taken to obtain congressional approval for the payment of the pretreaty claims.

Senate Joint Resolution 32, which has the approval of the Departments of State and Defense, and the Bureau of the Budget, is a direct result of the Joint Committee's review and the High Commissioner's recommendation.

COMMITTEE ACTION

The Subcommittee on Claims Legislation of the Committee on Foreign Relations held a public hearing on August 4, 1965, to receive testimony on Senate Joint Resolution 13, introduced by Senator Fong, and Senate Joint Resolution 32, which was introduced by Senator Fulbright (by request) for himself and Senator Inouye. Both resolutions are substantially the same, but since Senate Joint Resolution 32 (the executive branch proposal) had the support of all

interested parties, the committee decided to report it favorably to the Senate.

At the time of the hearing, testimony in support of Senate Joint Resolution 32 was received from Senators Inouye and Fong, as well as Mr. Stanley R. Resor, the Secretary of the Army; Lt. Gen. Albert Watson II, the High Commissioner of the Ryukyu Islands; and Mr. Samuel D. Berger, Deputy Assistant Secretary of State for Far Eastern Affairs. Full background information is contained in their statements which are printed as an appendix to this report. No witnesses appeared in opposition to Senate Joint Resolution 32.

CONCLUSIONS AND RECOMMENDATIONS

The eight-member Joint Ryukyuan-American Committee (established in 1961) examined very carefully all of the evidence which was submitted in connection with the claims covered by Senate Joint Resolution 32 and concluded that they were meritorious (see Joint Committee's report in appendix). The committee agrees. Certainly the individuals who suffered damages as a result of the activities of the U.S. Armed Forces are entitled to adequate compensation. In the opinion of the committee, the payment of the claims in question will not only advance the welfare of the people involved, but will promote the security and foreign policy interests of the United States. Accordingly, the committee recommends that the Senate approve Senate Joint Resolution 32 without delay.

STATEMENT OF SENATOR DANIEL K. INOUYE
BEFORE THE SUBCOMMITTEE ON CLAIMS
LEGISLATION, COMMITTEE ON FOREIGN RELATIONS,
U.S. SENATE

Mr. Chairman, I appear before this committee in support of Senate Joint Resolution 13 and Senate Joint Resolution 32, which would authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury to persons, and for use of and damage to private property, arising from acts and omissions of the U.S. Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952.

I am gratified to have this opportunity to speak on behalf of this resolution, the purpose of which I have supported since I was a Representative and which I am happy to see is finally receiving the close attention which it merits. I hope that with the matter before you, the committee will act on these Department of Defense recommendations and fulfill an obligation to the people of the Ryukyu Islands.

I am happy to support the Defense Department's proposal to secure compensation for the inhabitants of Okinawa who have suffered from acts arising from the presence of U.S. armed services there in the pretreaty period. The efforts of the Department are necessary, thoughtful, and timely.

The distinguished members of this committee are quite familiar with the main issues involved, I am sure, and it will not be necessary to speak at length on the work of the Joint United States-Ryukyuan Committee. At this particular time I would like to discuss the major points of the Defense Department's case and to place the entire matter in historical perspective, emphasizing again the need for this Government to effect compensation.

The years following the battle of Okinawa were ones of extreme hardship for the people of the Ryukyu Islands. Like many other areas in the world, their economy was badly dislocated. The ravages of war leveled most of the island's buildings, and the lives of these people were changed considerably. The social, economic, and political disruption meant a profound transformation in their lives, and it required many years for the situation to assume a normal state.

APPENDIX

STATEMENT ON SENATE JOINT RESOLUTION 13 AND SENATE JOINT RESOLUTION 32 BEFORE THE SUBCOMMITTEE ON CLAIMS LEGISLATION, COMMITTEE ON FOREIGN RELATIONS, BY SENATOR DANIEL K. INOUYE

Mr. Chairman, I appear before this committee in support of Senate Joint Resolution 13 and Senate Joint Resolution 32, which would authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury to persons, and for use of and damage to private property, arising from acts and omissions of the U.S. Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952.

I am gratified to have this opportunity to speak on behalf of this resolution, the purpose of which I have supported since I was a Representative and which I am happy to see is finally receiving the close attention which it merits. I hope that with the matter before you, the committee will act on these Department of Defense recommendations and fulfill an obligation to the people of the Ryukyu Islands.

I am happy to support the Defense Department's proposal to secure compensation for the inhabitants of Okinawa who have suffered from acts arising from the presence of U.S. armed services there in the pretreaty period. The efforts of the Department are necessary, thoughtful, and timely.

The distinguished members of this committee are quite familiar with the main issues involved, I am sure, and it will not be necessary to speak at length on the work of the Joint United States-Ryukyuan Committee. At this particular time I would like to discuss the major points of the Defense Department's case and to place the entire matter in historical perspective, emphasizing again the need for this Government to effect compensation.

The years following the battle of Okinawa were ones of extreme hardship for the people of the Ryukyu Islands. Like many other areas in the world, their economy was badly dislocated. The ravages of war leveled most of the island's buildings, and the lives of these people were changed considerably. The social, economic, and political disruption meant a profound transformation in their lives, and it required many years for the situation to assume a normal state.

Beyond the suffering caused by war, Okinawa was permanently altered by the necessity to retain our bases there to deter totalitarian aggression. Japanese administration was removed, and control passed to the United States which had early recognized the strategic significance of the area and which continues to do so. The 1952 Peace Treaty with Japan gave to the United States the right to continue exercising control over Okinawa, thus retaining the status quo which had existed since 1945.

During the period between the cessation of hostilities and the signing of the peace treaty, i.e., 1945-52, there existed a situation which no provision was made to cover any accidents which naturally arise anywhere when armed forces are stationed in great numbers and assigned numerous functions under trying circumstances. Although the United States adheres to the provisions of the Hague Convention No. IV of 1907, which requires occupation forces to compensate individuals or municipalities for property taken or used, this provision was unfortunately ignored in the military buildup. Since there was no authorized local government which could be held responsible for the claims for the use of land by the military, thus increasing the scarcity of land available for agriculture, these claims have remained unsettled until the present day.

I would like to cite two cases which I hope will suffice to demonstrate the hardships created by the lack of a provision to enable the settlement of claims.

Saburo Nagamine heads a family of six persons, only two of whom work to contribute to the family's income. After the war, all of his land was seized for military purposes. In June 1952, some 60 percent of the relatively small amount of land was returned to him and the remainder is under lease by the United States.

Mr. Nagamine's claim for pretreaty rental is \$593.44. In addition, he seeks an additional \$960.32 in restoration compensation to make his land fit again for other purposes. He has had to clear concrete a stone from the land, and the work is still incomplete. Because his claim belongs to the pretreaty category, he has had to borrow against his military rent to finance the operation.

Shunko Nakamura owns a grocery shop but was formerly engaged in agriculture until the military appropriated his land. His wife works as a housekeeper, and of his six children, only one, his oldest daughter, is engaged in gainful employment. His older son goes to college and the others go to high school or primary school; this education requires some \$700 per year.

Mr. Nakamura has had to rent the land on which his present house stands and pays \$144 for the lot. Their house is old and decrepit and is in danger of collapse in a typhoon. If the claim is paid, the Nakamuras will finally be able to repair their home.

These cases are fairly representative of many others. The claims are essentially relatively small but affect families whose livelihood depends on every available resource.

It is unfortunate that nothing was done to effect compensation at the time of the signing of the Japanese Peace Treaty in 1952, or even before. Such an oversight is particularly distressing since no one has ever denied the justice of these claims or the moral obligation for someone to pay. Perhaps it was Okinawa's unique status as a nominal Japanese possession under American administration which resulted in the unfortunate situation. However, at last the U.S. Government has, under a plan submitted by the Defense Department, proposed to right a very old wrong.

Thirteen years have passed since the signing of the peace treaty. That some of these claims will be almost 20 years old is a sorry reflection of the initial confusion which surrounded the original claims issue. The passing of the years, however, has allowed us to see this matter in clearer perspective. The removal of Japanese authority and the concomitant creation of Okinawa as the major

cornerstone in our Far East Military Establishment has meant that the United States is fully responsible to the inhabitants of Okinawa to see that their interests are protected.

It is, of course, true that the United States is bound by no legal convention that requires us to settle these claims. Japanese sovereignty ceased to exist with the signing of the peace treaty. Any responsibility to effect compensation also ceased at that time. Such fine points of international law should not, however, obscure the fact that the United States did in 1945 assume full responsibility for the protection and administration of the islands. In the process we, as the occupying force, were clearly answerable to a number of accidents and unfortunate incidents. Justice and simple morality demands redress for the Okinawan people.

I am not here to describe the settlement process. I understand that the representatives from the Department of Defense are fully prepared to do so. The sum is not a large one, but its payment will nevertheless have a great impact on future American-Okinawan relations. Affecting almost half the people of Okinawa directly or indirectly, the settlement of the claims issue will provide ample proof that the United States is indeed morally responsible and concerned with their welfare. It is no secret that our relations with the Okinawans have at times been strained, and I believe it is imperative that this measure be approved as further demonstration of our good will. Just compensation requires no defense, and I believe that we shall benefit enormously from the renewed faith in America among the Okinawan people.

STATEMENT OF U.S. SENATOR HIRAM L. FONG BEFORE FOREIGN RELATIONS SUBCOMMITTEE ON SENATE JOINT RESOLUTION 13, AND SENATE JOINT RESOLUTION 32, RYUKYU ISLANDS CLAIMS

Mr. Chairman, I appreciate the opportunity to appear before your distinguished committee today to testify in behalf of Senate Joint Resolution 13, which I introduced on January 6, 1965, and Senate Joint Resolution 32, introduced by the chairman and my colleague, Senator Inouye, on January 22. Both resolutions provide for payment to inhabitants of Okinawa for deaths, injuries, property damage, and land use that occurred after the termination of hostilities with Japan and before the effective date of the Japanese Peace Treaty in 1952. Both resolutions are substantially the same. Both resolutions request authorization for \$22 million. The only difference is that Senate Joint Resolution 13 has been revised in Senate Joint Resolution 32 by the Secretary of the Army. As the changes are of a technical nature, I request to be a cosponsor of the Fullbright resolution, Senate Joint Resolution 32.

The legislative proposal of the Department of Defense, Senate Joint Resolution 32, is based on an extensive study and review in the field by the Joint Ryukyuan-American Committee. The Committee consisted of representatives of the U.S. civil administration of the Ryukyu Islands and of the Government of the Ryukyu Islands working together. This Committee reported its findings to the High Commissioner of the Ryukyu Islands. He, in supporting the report, recommended that the Department of the Army take appropriate steps to

obtain congressional authority to pay the claims which were adjudged meritorious.

The joint resolution seeking \$22 million would authorize the payment of about 180,000 claims submitted by the people of Okinawa, primarily for deaths and injuries to persons, for use of land, for destruction of personal and real property, for damage to agricultural crops, and for loss of fishing rights during the period subsequent to actual war hostilities.

Briefly, these claims may be classified as follows:

1. Land rentals comprising about 141,600 claims, totaling about \$15 million.
2. Restoration of lands for any damage done to property, amounting to about \$2.5 million.
3. Fruit trees, timber, bamboo, etc., totaling about \$1,030,000.
4. Personal injuries and death caused by personnel of the U.S. Armed Forces, involving about \$830,000.
5. Destruction of buildings valued at about \$610,000.
6. Loss of inshore fishing rights, amounting to about \$560,000.

In addition, there are 14 or 15 other classes of meritorious claims making up the balance of the \$22 million.

Out of the 180,000 claims covered by the proposed resolution, about 80,000 individual claims are for smaller amounts. Each of these may average about \$275 (\$22 million divided by 80,000). But each claim may represent an average family of five persons, or about 400,000 ultimate beneficiaries. This is about half of the total population of the Ryukyu Islands.

This proposed legislation, therefore, directly affects the well-being of many people. These are people, as I know very well from those whom I have known in Hawaii, and those I have contacted during my trip to Okinawa in 1959, whose life for many generations has been attached to the soil and for whom their farm, however small, represents not only their livelihood but a settled, stable, traditional way of life. Despite the changes wrought by war and the existence of our bases there, Okinawa remains essentially an agrarian society. Despite the improved conditions of recent years, it remains comparatively poor in rural villages. The several hundred dollars (on an average) that these payments will help per family will mean a great deal in terms of the necessities of a household, for the improvement of their home, for the education of their children. Among the payments that are provided are claims for loss of life and for personal injuries to their loved ones. These are small in total but they are big in terms of maintaining our good will and understanding with these most gracious, cultured, and friendly people.

In view of the fact that Okinawa is of great strategic importance to the United States, this continued friendly relation with the local people is vital and significant. The main island of Okinawa is a bastion of our strength in the Far East where we can move with freedom of action. In these moments of airstrikes in Vietnam, the importance of that establishment should need no further emphasis.

In the Japanese Peace Treaty of 1952, Japan waived all claims against the United States of Japanese nationals, and this has been regarded as removing any legal liability of the United States to the inhabitants of the Ryukyu Islands who suffered injury or death, or whose property was damaged by the U.S. Armed Forces during the occupation of Okinawa. The treaty also granted the United States

administrative, legislative, and judicial powers over the inhabitants of the islands, leaving Japan with residual sovereignty.

For all intents and purposes, the United States has exercised exclusive powers of administration since the Japanese surrendered in 1945.

In paying claims arising from death or personal injury suffered by residents of occupied countries, due to acts or omissions of occupation forces, the U.S. policy in both World Wars has been to transfer the burden to the local governments to make such payment. But in the case of Okinawa, pursuant to the Potsdam Declaration, the Japanese Government was stripped of its power over the islands. The U.S. Government then did not have any government to arrange for payment. There was no local sovereign power in Okinawa which could be financially responsible. Had Japan retained administrative jurisdiction over these island inhabitants, the Japanese Government would have effected payments under the supervision of the Supreme Command. But this was not the situation. The United States, as the administering authority in Okinawa, has the responsibility of seeing that these claims are paid direct.

I urge the committee to act quickly and favorably on the joint resolutions pending before you.

STATEMENT PREPARED FOR DELIVERY BY HON. STANLEY R. RESOR,
SECRETARY OF THE ARMY, BEFORE THE SUBCOMMITTEE ON CLAIMS
LEGISLATION OF THE COMMITTEE ON FOREIGN RELATIONS

Mr. Chairman and members of the committee, I welcome this opportunity of appearing in support of Senate Joint Resolution 32. This is an administration proposal; it is part of the program of the President, and it is supported by the Secretary of Defense and the Secretary of State. Since the Department of the Army has been designated as the executive agency of the Department of Defense for the civil administration of the Ryukyu Islands, I am representing the Department of Defense at this hearing.

The joint resolution before you would authorize the payment of approximately 180,000 claims, submitted by the inhabitants of Okinawa for damages arising from acts or omissions of the U.S. Armed Forces during the 7-year period following the armistice and prior to the Treaty of Peace with Japan. This is not a war-claims bill. It does not involve payment for damages which occurred during the war nor for the postwar rehabilitation of war-damaged areas. On the contrary, these claims fall into two familiar peacetime categories: first, claims for torts committed by U.S. military personnel, resulting in injury to or the death of Okinawans or damage to their private property. Second, claims for the requisitioning of their property—mostly agricultural land—for use by the military.

Normally, under international law and practice, just compensation in such circumstances would be required, by or on behalf of the occupation forces. Surprising though it may seem, not a single cent of compensation (other than a few rental payments made by us at the end of the occupation, and a relatively small Japanese gratuitous payment made in 1957) has been received by any of the approximately 80,000 Okinawans who suffered injury or death or whose

property was, in effect, confiscated by U.S. Armed Forces during the occupation of Okinawa. The failure of the United States to pay these claims stems from the fact that all such claims were waived in the Japanese Peace Treaty of 1952. In the administration's judgment, however, the equitable and moral obligation of the United States continues unsatisfied. The purpose of the bill before you is to correct this injustice.

Certain background information will place this matter in proper focus. The Ryukyu Islands extend southwesterly from Japan to Taiwan. Okinawa is the largest of these islands. It has about 85 percent of the total Ryukyuan population of almost a million persons. All the claims covered by the proposed resolution relate to Okinawa.

The U.S. forces seized Okinawa in the last battle of World War II. Following up the policy first expressed in the Cairo Declaration, on July 26, 1945, the Potsdam Declaration announced that Japan would be stripped of its former imperial holdings, and that its sovereignty would be limited to the four main islands of the Japanese mainland, including such minor offshore islands as the Allied Powers should determine. The Ryukyus were not among these islands. They were therefore administered by the United States—separately from Japan itself.

Although consideration was given, during the late forties, to retaining U.S. bases in the Ryukyus, the future status of these islands remained in limbo until January 1950. At that time, Secretary of State Acheson stated that the United States would continue to hold important defense positions in the Ryukyus, as part of the defense perimeter running along the Aleutians to Japan and thence to the Ryukyus. The outbreak of the Korean war in June 1950 underscored the importance of our Ryukyuan base for the defense of the free world, and confirmed our determination that Okinawa should be retained under U.S. control for an indefinite period. The value of this base has been vindicated by the important role which it played in the Korean war and is now playing in support of the free world's commitments in southeast Asia.

Because of such strategic considerations, the Treaty of Peace with Japan provided that the United States would retain full jurisdiction over the Ryukyu Islands for an indefinite period. The Government of Japan has stated its desire for the reversion of administrative control over Okinawa, and the U.S. Government has repeatedly stated that it looks forward to the day when the security interests of the free world in the Far East will permit their restoration to full Japanese sovereignty. Meanwhile, however, Presidents Eisenhower, Kennedy, and Johnson have all given public notice that, in order to protect the security of the free world, the political status of this area will remain unchanged, as long as conditions of threat and tension continue to exist in the Far East.

Thus, for the last 20 years, the United States has held and exercised all powers of administration, legislation, and jurisdiction over the territory and inhabitants of these islands. Our announced policy is that the United States intends to continue to retain these powers as long as our military bases are needed there.

I turn now to the specific matter covered by the resolution which is before your committee. The surrender of all Japanese forces and the resultant general armistice took place on August 14, 1945, and the military occupation period encompassed by this resolution starts from

that date. Certain damages were caused to residents of the Ryukyu Islands during the almost 7 years between the armistice and the Peace Treaty of 1952. These damages were caused by various acts and omissions of the U.S. forces. They ranged from the uncompensated use of real and personal property (taken over for occupation requirements) to tortious acts committed by members of the U.S. forces.

It is a generally recognized principle of international law, particularly as reflected in the provisions of Hague Convention No. IV of 1907 (which has been ratified by both Japan and the United States), that individuals or municipalities whose property is used or taken by occupation forces should be fairly compensated for such use. In practice, occupation authorities have usually transferred to the local governments the burden for making such payments, either at the time of requisition or in the peace settlement. This was U.S. policy in both World Wars. Even though the precise obligation in international law for paying claims arising from death or personal injury suffered by residents of occupied territories, due to acts or omissions of occupation forces or their members, is less clear than that concerning requisitioned property, U.S. policy has also been to transfer this obligation to the local governments in both World Wars.

Why were these policies not followed in Okinawa? It was due to a unique combination of circumstances, resulting largely from the fact that, pursuant to the Potsdam Declaration, Okinawa was removed from Japanese control at the end of the war and administered directly by the United States during the entire period of the occupation. Thus, the Japanese Central Government was stripped of its powers in Okinawa and could not logically be held responsible for paying claims. On the other hand, there was no financially responsible indigenous governmental authority on Okinawa which could conceivably have paid them.

It was not possible to use funds authorized by the Foreign Claims Act, because this statute specifically precludes making any payments to enemy nationals, which the Ryukyans were during the entire period of the occupation.

International custom provides that any deferred obligations incurred by an occupying power should be ultimately resolved in the peace settlement. Nevertheless, the Treaty of Peace with Japan did not provide for such a settlement. Article 19a of the treaty waived the claims of Japanese nationals (which include Ryukyans) against the United States, but failed to make any provision for how these claims should be honored. The United States has taken the position that article 19a absolved us from legal liability with regard to these claims. We therefore denied payment for them, except for certain claims relating to rentals for land and payments for damages caused thereto during the last part of the occupation period, as I should now like to explain.

A number of factors converging in early 1950 (including our decision to maintain a worldwide defense perimeter, as reflected by the above-noted remark of Secretary Acheson) resulted in the U.S. decision that, beginning with fiscal year 1951, we would pay our own way in the Ryukyus. Thus, as of July 1, 1950, the principle of uncompensated requisitioning of Ryukyuan private property was abandoned in favor of leasehold arrangements, with rentals to be paid by the U.S. Government, and with correlative provisions for compensating landowners

for damages caused to their property during that period. From that date on, we paid rentals from appropriated funds for all real estate held by U.S. forces in the Ryukyus.¹

Some of these rentals were paid before the treaty entered into force; the remainder have been paid subsequently.²

The Government of Japan similarly has denied any legal liability on its part for pretreaty claims in Okinawa. Nevertheless, in 1957 it made gratuitous payments of about \$2.8 million to these claimants. These payments have been deducted from the claims covered by the proposed legislation, and a specific provision has been included, precluding disbursement of funds appropriated thereunder for claims already satisfied by the Government of Japan.

Some 180,000 claims are covered by the proposed legislation, involving a total of about 80,000 individual Okinawan claimants representing, with an average of 5 persons to a family, about 400,000 ultimate beneficiaries. The fact that almost half of the population of the Ryukyus is involved in this matter reveals the widespread interest in the proposed joint resolution, throughout the entire archipelago. The vast majority of the claims are for small amounts. The average amount to be received by an individual claimant is \$275 (\$22 million divided by 80,000). However, compared with the yearly per capita income of \$319 in Okinawa, this is a significant amount.

The bulk of the claims were submitted to the U.S. High Commissioner during the early years after the peace treaty. The claimants were reminded of article 19a of the treaty, and told that the claims could not be honored because the U.S. Government had no legal liability for them. These consistent turndowns resulted in the presentation of numerous petitions, requesting the U.S. Government to modify its position.

In 1960, acting on the High Commissioner's continued recommendations, the Department of the Army, with the approval of the Secretary of Defense and the concurrence of both the Secretary of State and the Director of the Bureau of the Budget, directed the High Commissioner to review the entire subject and to hold discussions with the Ryukyuan claimants, their representatives, and the Government of the Ryukyu Islands. In his public announcement to this effect in April 1961, General Caraway, the High Commissioner, noted that the United States thereby assumed no legal responsibility to settle these claims, and stated that they were being reviewed because of the concern of the United States, as the administering authority in Okinawa, for the well-being of the Okinawan people. Advance copies of this announcement were distributed to the President of the Senate, Speaker of the House, members of the concerned committees in both the Senate and House, including the Senate Foreign Relations Committee.

The High Commissioner subsequently established a Joint Ryukyuan-American Committee which reviewed the evidence in accordance with standards that had previously been developed with regard to claims submitted to the U.S. Government by residents of other areas in the Far East. The Committee submitted a unanimous report to the

¹ These rental arrangements were undertaken on the basis of implied leases, ultimately executed in the post-treaty period by virtue of the retroactive provisions of Civil Administration Proclamation No. 28, dated Dec. 5, 1953.

² The above-mentioned proclamation qualifies, under art. 19b of the treaty, as exempting these particular pretreaty claims from the waiver provision of art. 19a thereof. The already satisfied pretreaty claims, of course, are not included among the claims covered by the proposed joint resolution, which covers land claims for only the 3½-year period from Jan. 1, 1947, through June 30, 1950.

High Commissioner. He transmitted it to the Department of the Army, fully supporting the Committee's conclusions and recommending that appropriate action be taken to seek congressional authorization to pay those claims which were adjudged meritorious. The legislative proposal now before you is a direct result of the Committee's study and of the High Commissioner's approval.

Although amounts totaling about \$53 million were originally claimed, the total amount of meritorious claims was adjudged, in the course of the Joint Committee's review, to be slightly under \$22 million—a reduction of about 60 percent.

In summary, during the 7-year military occupation of the Ryukyus by the U.S. Armed Forces, approximately 80,000 Ryukyuan suffered damages arising from the acts or omissions of the U.S. Armed Forces. To date, with minor exceptions, these individuals have received no compensation. It is clear that under international law and practice, these persons would normally be entitled to just compensation by or on behalf of the occupying forces. It has been the general practice of the United States to transfer this obligation to the local government. But, in the Ryukyus, from the beginning of the occupation to the present day, the United States has had the sole jurisdictional authority and continues to have. Accordingly, it is the view of the administration that the United States has an equitable and moral obligation, although not a legal obligation, in this case, to pay for the damages caused by its Armed Forces. This committee's favorable consideration of the resolution now before you and its ultimate passage by the Congress would satisfy this equitable and moral obligation.

To assist in this presentation, Lt. Gen. Albert Watson II has come from his assigned post in Okinawa. General Watson has been High Commissioner of the Ryukyu Islands (as well as Commanding General of the Army forces in that area) since August 1 of last year. He is thus thoroughly familiar with the feelings and needs of the Ryukyuan people, as well as of the military importance of these islands to our national security and to the security of the free world. General Watson is accompanied by two members of his staff, who served on the Joint Committee which reviewed these claims. Mr. Eugene V. Slattery is an attorney of the Legal Affairs Department of the U.S. civil administration of the Ryukyus. The other is Mr. Felipe T. Santos, a supervisor in the real estate division of the U.S. Army Engineer District on Okinawa.

Because this proposal may involve questions relating to foreign-policy considerations and to the interpretation of relevant provisions of the Treaty of Peace with Japan, the Department of State is represented here by the Honorable Samuel D. Berger. He is formerly U.S. Ambassador to Korea and now Deputy Assistant Secretary of State for Far Eastern Affairs.

Subject to your desires, Mr. Chairman, I should like to ask General Watson to speak next, to describe how the Joint Committee conducted its review and what were its principal findings. Ambassador Berger would then cover the peace treaty and foreign-policy implications. Mr. Chairman, I thank you and the members of the committee for the privilege of appearing before you. This, sir, completes my statement.

STATEMENT PREPARED FOR DELIVERY BY LT. GEN. ALBERT WATSON II, HIGH COMMISSIONER OF THE RYUKYU ISLANDS, BEFORE THE SUBCOMMITTEE ON CLAIMS LEGISLATION OF THE COMMITTEE ON FOREIGN RELATIONS

Mr. Chairman and members of the Committee, I appreciate this opportunity to appear before this committee. My purpose is to provide you with additional background information regarding the Joint United States-Ryukyuan Committee and its deliberations, together with some detailed information regarding the categories of pretreaty claims.

My service as High Commissioner of the Ryukyu Islands dates back to the first day of August, 1964. Nevertheless, the present legislative proposal began to take shape back in 1961.

As stated by Secretary Resor, this matter came about because of the fact that all claims against the United States, arising out of actions of the U.S. forces in the Ryukyus during the occupation, were waived in the Treaty of Peace with Japan (signed at San Francisco), which entered into force on April 28, 1952. On April 6, 1961, the then High Commissioner (General Caraway) announced that the U.S. Government was prepared to review this matter in detail. He announced that he would establish a joint committee, whose mission would be to conduct this review, to assemble and evaluate all pertinent information, and to make recommendations to the High Commissioner.

Pursuant to this announcement, as Secretary Resor mentioned, the High Commissioner appointed four U.S. members, while the Chief Executive of the Government of the Ryukyu Islands appointed four Ryukyuan members. The U.S. members included Mr. John P. King, then President of the U.S. Land Tribunal in USCAR; Mr. Eugene Slattery, an attorney of USCAR's Legal Affairs Department (here present); Mr. Felipe T. Santos, a supervisor in the real estate division of the U.S. Army Engineer District on Okinawa (here present); and Mr. Richard Rose, then Chief of the Land Section in USCAR's Legal Affairs Department. Heading the Ryukyuan membership was Mr. Ryojun Kugai, Director of the Legal Affairs Department of the Government of the Ryukyu Islands. The other three Ryukyuan members were Mr. Choko Kuwae, a member of the Ryukyuan Legislature and president of the association which was formed by the pretreaty claimants to advance their cause; Mr. Hiroshi Makino, a prominent Ryukyuan attorney; and Mr. Ibi Nakamoto, formerly mayor of the city of Naha.

This Committee met 19 times, between May 10 and December 29, 1961, and reviewed, in detail, the written evidence in support of these claims, which had been assembled over a period of several years by representatives of the claimants. Claims for the rental of real property are supported by oral and written evidence of use and occupation of the involved lands by the U.S. Government. Claims for personal injury or death and damage to personal or real property are supported by written evidence of claimants and Ryukyuan officials; this written evidence is largely in the form of statements, affidavits, investigative reports, and police records made at the time the damages were suffered. All of the voluminous documentary evidence has been preserved and is on file in the Ryukyu Islands. The Committee also made numerous on-site inspections of the claimed damages, particularly in connection with released lands.

The Committee agreed that the United States would incur no cost or liability whatsoever regarding the handling or disposal of these claims, and that, should the United States make ex gratia payments for them, the disbursements would be made by the Government of the Ryukyu Islands, at no expense to the United States. All of the Joint Committee's decisions were unanimous, and I believe that the conclusions reached are fair and equitable. The then High Commissioner approved the conclusions and recommendations of the Joint Committee which have been incorporated in the administration's proposal which you are now considering.

The meritorious claims fall into 21 distinct categories, which are recapitulated in the tabulation attached to my statement. Perhaps it would be helpful if I were to comment briefly on each category.

1. *Land rentals.*—This is by far the largest of all the categories, comprising about 141,600 claims and totaling almost \$15 million. I should perhaps elaborate on why the pretreaty period during which the Committee found rental claims to be meritorious was limited to the 3½ years from January 1, 1947, through June 30, 1950. The Joint Committee did not accept rental claims for the latter part of 1945 and all of 1946, because the Ryukyuan inhabitants were still dispersed during this period, the lands were vacant, and no crops were planted. The loss of crop production is the agreed basis for calculating all rentals of agricultural lands, and there was no gainful use to which nonagricultural lands could have been put during this almost total disruption. The Committee therefore established January 1, 1947, as a somewhat arbitrary, but roughly accurate, beginning date of the period during which it regarded rental claims as having merit. Further, as Secretary Resor has explained, the Committee regarded this period as terminating on June 30, 1950, because of the fact that the U.S. forces, as of July 1 of that year, began to pay for real estate used by them, under leasehold arrangements. The meritorious pretreaty land-rental claims therefore encompass a period of only 3½ years, or just about half of the occupation period.

I shall not attempt to detail for you at this point the somewhat complicated method developed for determining the productivity of the various agricultural lands held by the U.S. forces during the pretreaty period, and the relative valuation of other lands. This method can be explained now, should you wish to explore this matter. In any event, I believe that the formulas established by the Joint Committee for the rental value of both agricultural and commercial lands are fair, practical, and in accordance with objective values in the Ryukyu Islands at the time. It is my understanding that the same standards have been successfully applied in many other situations in the Far East, particularly in Korea and Japan, in resolving legal claims with regard to land rented by U.S. forces.

2. *Restoration of lands.*—The claims in this category amount to slightly over \$2.5 million. These particular claims are based on the principle (which is observed by U.S. forces throughout the world) that any person or organization leasing or renting real estate is obliged to restore the property involved to its condition when leased, or to make appropriate reimbursement for any damage done thereto during the period of the lease. Fee value of the land was the basis when the cost of restoration would equal or exceed the fee value.

As with the land-rental claims of the first category, we are likewise concerned here only with damages caused during the 3½ years between

January 1, 1947, and June 30, 1950. Further, we are dealing only with damages caused during that period to lands which have subsequently been released. The Joint Committee decided not to regard any alterations caused during the pretreaty period to lands which are still under lease to U.S. forces as constituting meritorious claims—because, in its opinion, these alterations (such things as housing areas, hospitals, airbases, roadways, pipelines, and other permanent-type installations) should not be regarded as “damages”, but rather as definite improvements, increasing the value of the lands. I concur in this view.

All of the restoration claims relate to lands which have already been released by the U.S. forces to their owners. As already indicated, the Joint Committee found no meritorious claims to be supported by reason of the alterations caused to lands still under lease to the U.S. forces.

3. *Water rights.*—The U.S. forces took over two water points, or large springs, without compensation. They have a combined flow of 1,500,000 gallons of water per day. The owners of the water points formerly used the water for irrigation of crops, for domestic purposes, and for generating small amounts of electricity. The monetary damages suffered by the water owners amounts to about \$50,000.

4. *Personal injuries and death.*—Damages in the amount of about \$830,000 for personal injuries and deaths were caused by personnel of the U.S. forces. These tortious damages resulted from accidents (involving motor vehicles, aircraft, and marine vessels), ammunition and gasoline explosions, and physical violence. From August 15, 1945, to April 28, 1952, 346 Ryukyans were killed and 382 injured in such ways. Although no official compensation has been paid for these damages, donations amounting to about \$7,000 were paid by American personnel to the victims of an explosion of ammunition; these gifts have been deducted from the meritorious claims approved by the Joint Committee for said deaths and injuries.

5. *Growing crops.*—Growing crops, valued at about \$5,000, were destroyed on lands taken over by U.S. forces.

6. *Fruit trees, mulberry trees, and teaplants.*—These damages amounted to about \$430,000. The trees and plants were several years of age, and bearing. The cost of each tree or plant was based upon its fair market value at the time of destruction.

7. *Standing trees and bamboos.*—Timber trees (pine, bamboo, etc.) were damaged in the amount of about \$600,000.

8. *Firewood and charcoal material.*—Hardwood trees, suitable for firewood and charcoal, were damaged in the amount of about \$18,000. This category involves almost 16 million board feet of wood.

9. *Rental for buildings.*—604 buildings were occupied by U.S. forces without compensation, from August 15, 1945, to April 28, 1952. These rentals total about \$74,000.

10. *Buildings destroyed.*—3,255 buildings, having at the time of destruction a reasonable value of about \$610,000, were destroyed by U.S. forces in making lands available for U.S. housing and other necessary buildings.

11. *Wells.*—1,332 wells were destroyed, with a total value of about \$110,000.

12. *Tombs.*—941 tombs were destroyed, with a total value of about \$80,000.

13. *Reservoirs.*—52 reservoirs were destroyed, with a total value of about \$65,000.

14. *Stonewalls.*—1,994 stonewalls were destroyed, with a total value of about \$390,000.

15. *Water tanks.*—219 water tanks were destroyed, with a total value of about \$14,000.

16. *Collapsed and destroyed lands.*—Extensive amounts of land were destroyed by tidal and water action, arising from the destruction of seawalls and the diversion of natural watercourses by U.S. forces. The lost land had a reasonable value of about \$235,000.

17. *Destruction of sugar mill.*—A sugar mill was destroyed by U.S. forces, causing a loss to the owners in the sum of about \$8,000.

18. *Loss of inshore surface fishing rights.*—The U.S. forces excluded nine fishing cooperatives from taking fish in inshore waters. The cooperatives had been licensed to fish in these waters for many years. They utilized 243 fishing vessels and 712 fishermen. The Committee found that the fishing cooperatives had suffered damage in the sum of about \$560,000, for which they have received no compensation.

19. *Removal and relocation of buildings.*—The U.S. forces requisitioned certain lands, from which the owners were compelled to remove 3,751 buildings, at their own expense, in the sum of about \$220,000.

20. *Severance damage.*—Many pipelines, powerlines, and other utilities required the taking of lands consisting of only a portion of the individual holdings. In many cases, this caused measurable damage to the landowner, because of the resultant severance of one portion of his property from the remainder. Damages caused by this piecemeal taking of land amount to about \$14,000.

21. *Property damages by tortious acts.*—Because of negligence on the part of U.S. forces for their personnel, damages in the amount of about \$80,000 were caused to buildings and other property in connection with 257 incidents, such as aircraft accidents and ammunition explosions—the most notable of which was the explosion of an ammunition-laden LCT at a wharf on Ie-jima Island during August 1948.

This completes my comments on the various categories of meritorious claims. I trust that my remarks will give you a general idea of how the Joint Committee went about its work, and of what findings it reached. I deeply regret that Judge King, who chaired the Joint Committee, is not here personally to give you more details of the Committee's work and to answer such questions as you may have about this portion of our presentation. He has been suffering from a serious heart condition for some time, and it has recently worsened to the point where the doctors have determined that it would be medically imprudent for him to come back to Washington, as had been planned, to participate in these hearings.

Judge King's background and experience amply justified his selection by the then High Commissioner to chair the Joint Committee. Prior to becoming a civilian official of the U.S. civil administration of the Ryukyu Islands some 8 years ago, he had had 40 years of distinguished service with the Regular Army, from which he retired in the rank of colonel in 1956. His military experience covers the Mexican border incident of 1916, World War I, World War II, and the Korean war. He graduated from Stanford University Law School with the degree of juris doctor, and has been an active member of the California bar since 1925. Most of his military career was spent as an attorney in the Judge Advocate General's Corps, and, for his

last 22 years in the service, most of his professional time was devoted to reviewing claims submitted by foreigners against the United States. During 1943, when stationed in Hawaii, he personally reviewed claims involving loss of and damage to crops and trespass upon lands. From 1944 to 1945, he was in New Guinea and the Philippines, reviewing claims relating to damage to and loss of trees, crops, and personal property. From 1945 to 1951, as President of Foreign Claims Commission No. 173, he reviewed such claims in Korea; and from 1951 to 1956 he was similarly engaged in Japan.

During his more than 8 years of civilian service with USCAR, his regular assignment has been President of the U.S. Land Tribunal, which adjudicates matters relating to the valuation of all lands leased by the U.S. forces in the Ryukyus. At the same time, he also served as Associate Justice of USCAR's Appellate Court. In assuming the chairmanship of the Joint Committee, Judge King brought to this task not only demonstrated legal competence and extensive experience in the claims field, but also knowledge of the Japanese language and wide-ranging familiarity with the laws and customs of various peoples of the Far East. I have taken the time to give you this thumbnail sketch of Judge King, in his unfortunate absence, because I believe that you should know the kind of man who chaired this important Committee and guided it in reaching conclusions, findings, and recommendations based on solid factual analysis and endorsed by the High Commissioner and the executive branch.

In conclusion, I believe that favorable consideration of this resolution by your committee and by the Congress would discharge an equitable obligation of the United States in the Ryukyu Islands and throughout the free world.

Gentlemen, this concludes my statement.

Recapitulation of meritorious claims	
Category	Amount
1. Land rentals	\$14,939,539.00
2. Restoration of lands	2,518,718.71
3. Water rights	50,377.00
4. Personal injuries and death	831,032.69
5. Growing crops	5,019.00
6. Fruit trees, mulberry trees, and teaplants	431,066.00
7. Standing trees and bamboos	609,834.00
8. Firewood and charcoal material	18,399.00
9. Rentals for buildings	73,908.00
10. Buildings destroyed	610,982.00
11. Wells	111,281.00
12. Tombs	81,468.00
13. Reservoirs	65,569.00
14. Stone walls	393,423.00
15. Water tanks	13,807.00
16. Collapsed and destroyed lands	236,469.00
17. Destruction of sugarmill	8,376.00
18. Loss of inshore surface fishing rights	562,607.00
19. Removal and relocation of buildings	219,259.00
20. Severance damage	13,293.00
21. Property damages by tortious acts	80,097.00
Total damages	21,874,524.40

STATEMENT PREPARED FOR DELIVERY BY HON. SAMUEL D. BERGER, DEPUTY ASSISTANT SECRETARY OF STATE FOR FAR EASTERN AFFAIRS, BEFORE THE SPARKMAN SUBCOMMITTEE ON CLAIMS LEGISLATION OF THE COMMITTEE ON FOREIGN RELATIONS

Mr. Chairman and members of the committee, I have been asked to appear before you today to provide the views of the Department of State on Senate Joint Resolution 32, authorizing an ex gratia contribution to certain Ryukyuan inhabitants for death and injury of persons, and for use of and damage to private property, arising from acts and omissions of the U.S. Armed Forces before the entry into force of the Peace Treaty with Japan.

As you know, the President has delegated to the Secretary of Defense the responsibility for the administration of the Ryukyu Islands as long as the United States finds it necessary to govern them. To the extent that the pretreaty claims question is an internal Ryukyuan matter, the Department of State supports the views of the Department of Defense expressed earlier by Secretary Resor and the other representatives of that Department. There are, however, two foreign policy questions raised by the proposed legislation on which the Department of State wishes to comment.

First, there is the relationship of the proposed legislation to the Treaty of Peace with Japan (TIAS 2490). Article 19(a) of that treaty reads as follows:

"Japan waives all claims of Japan and its nationals against the Allied Powers and their nationals arising out of the war or out of actions taken because of the existence of a state of war, and waives all claims arising from the presence, operations or actions of forces or authorities of any of the Allied Powers in Japanese territory prior to the coming into force of the present Treaty."

It is our view that residents of the Ryukyu Islands are nationals of Japan and that the Ryukyu Islands were Japanese territory in the period "prior to the coming into force of the present Treaty" as specified in this paragraph. We therefore believe that the United States has no legal obligation to pay the claims of Ryukyuan arising from the presence, operations, or actions of U.S. forces in the Ryukyus in the pretreaty period.

The Japanese Government similarly denies any legal liability, on its part, for pretreaty damages in the Ryukyus, since it had no administrative authority in this area during the pretreaty period and continues, under article 3 of the treaty, to have no administrative authority there. It further denies that the waiver provision of article 19(a), which established U.S. nonliability for such claims generated any corresponding liability for them, on the part of Japan.

Since both the United States, in its capacity as the former occupying authority, and Japan, in its capacity as nominal sovereign, deny legal liability for the claims of Ryukyuan for damages suffered in the pretreaty period, individual Ryukyuan would appear to have no recourse but to appeal through the Government of the Ryukyu Islands, for redress to the United States as the present administering authority. The Department of Defense has already commented on the validity of these claims and their relationship to other U.S. programs in the Ryukyus.

Second, I call the committee's attention to the fact that the Japanese Government, while denying legal liability, appropriated 1

billion yen (\$2.8 million) in 1957 as an ex gratia payment to Ryukyuanans having claims for damages suffered in the pretreaty period. This payment was made as an "advance" against future payment in full by the United States, and a Japanese Cabinet decision was made to the effect that the 1 billion ex gratia payment would be considered reimbursable to Japan in the event of a later U.S. settlement covering losses sustained by Ryukyuanans during the pretreaty period.

Both the United States and Japan are now contributing to economic development and social welfare in the Ryukyus, and we expect that the settlement by the United States of these pretreaty claims will contribute substantially to our common objectives. Utilization of a part of such settlement to reimburse the Japanese Government for its earlier ex gratia payment would reduce by that much the effectiveness of the U.S. payment in stimulating economic growth in the islands. In connection with the preparation of the administration's proposal on the settlement of these claims, the Department of State has brought these considerations to the attention of the Japanese Government, requesting that it now waive its claim to reimbursement for its 1957 payment. Although the Japanese Government is in sympathy and agreement with the objectives underlying the U.S. request that it waive these claims, it informs us that it can reverse its earlier Cabinet decision only through certain legislative action which would adversely affect its legal position with regard to outstanding claims in areas other than the Ryukyus.

Because the Government of Japan considers it should be reimbursed if full payment is made by us, a provision has been inserted to provide that U.S. payment not cover payment already made by Japan. We anticipate no reaction from the Government of Japan as a result of its inclusion which would adversely affect the close, amicable relations which exist between our countries.

REPORT OF JOINT RYUKYUAN-AMERICAN COMMITTEE

THE UNITED STATES HIGH COMMISSIONER,
Ryukyu Islands.

Subject: Report of Pre-Peace Treaty Claims Review Committee.

To: Deputy Chief of Staff for Military Operations,
Attn: Civil Affairs Directorate,
Department of the Army,
Washington 25, D.C.

1. Reference: Message DA 992964, CA to HICOM, dated 29 March 1961 (C).

2. In accordance with guidelines set forth in referenced message, the Joint Ryukyuan-American Committee was established in April 1961. The Committee has since then carefully examined all evidence supporting these claims in accordance with equitable standards that have previously been successfully developed in such work in other areas in the Far East.

3. The Committee completed its work on the Ryukyuan pre-peace treaty claims and submitted its unanimous recommendations to the High Commissioner on 23 March 1962. These recommendations have been reviewed by the Office of the High Commissioner. This review sustained the findings and recommendations of the Committee, and

report was forwarded to the High Commissioner with a recommendation for favorable action.

4. I approve the findings of the Joint Committee and recommend that appropriate action be taken to seek approval by the Congress for authorization to settle these claims favorably.

PAUL W. CARAWAY,
Lieutenant General, United States Army,
High Commissioner.

UNITED STATES CIVIL ADMINISTRATION OF THE RYUKYU ISLANDS

APO 331

21 March 1962

Subject: Report of Pre-Peace Treaty Claims Review Committee.

To: High Commissioner of the Ryukyu Islands.

1. Reference

Reference is announcement by the High Commissioner, dated 6 April 1961.

2. General Statement

Pursuant to directions in reference announcement, a committee of qualified United States citizens appointed by the High Commissioner, and a committee of qualified Ryukyuan citizens designated by the Chief Executive of the Government of the Ryukyu Islands, undertook a review of the entire subject of the Ryukyuan pre-treaty claims, including discussions with the Government of the Ryukyu Islands, Ryukyuan organizations, and Ryukyuan individuals. As part of the review the joint Ryukyuan-American committee assembled and analyzed the facts concerning said claims. Submitted herewith is the committee's over-all evaluations and recommendations.

3. Number of Meetings

The committee met nineteen times from 10 May 1961 to 29 December 1961.

4. Method of Review and Types of Claims

As far as could be done, a personal inspection was made of the written evidence of claims, which had been assembled over a period of several years by the representatives of the claimants. The claims for personal injury, death, and personal and real property damage are supported by written evidence of the claimants and Ryukyuan police officials. The claims for real property rental are supported by oral and written evidence of United States use and occupation of the involved lands. The claims examined consisted of claims for the use of and damage to lands by the United States from 15 August 1945 to 1 July 1950, and claims for personal property, fishing rights, and personal injury and death, caused by the United States, from 15 August 1945 to 28 April 1952.

5. Authority of Ryukyuan Committee Members

In addition to the Ryukyuan members designated by the Chief Executive of the Government of the Ryukyu Islands, Mr. Choko Kuwae participated in the review as a representative of the Legislature of the Government of the Ryukyu Islands. Furthermore, all Ryukyuan members hold written powers of attorney from the claimants.

6. *Agreements*
Before actual examination of claims the Ryukyuan and American members entered into the following agreements:

- a. Standard of local weights and measurements:
- (1) 1 Kin=1.328 pounds
 - (2) 1 Sho=2.5 Kin=3.307 pounds
 - (3) 1 Koku=117.924 board feet.
 - (4) 1 Tsubo=36 square feet
 - (5) 1224 Tsubo=1 acre
 - (6) 1 Tan=300 Tsubo
- b. The United States shall incur no costs or liability whatever regarding the handling or disposal of the pre-treaty claims matters.
- c. Provided the United States makes an *ex gratia* payment of the claims, the Government of the Ryukyu Islands will make the disbursements at no expense to the United States.
- d. Rentals of land used by the United States prior to 1 January 1947 would not be considered because the peoples dispersed during hostilities had not returned to their lands; and furthermore, this was the period of post-war adjustment and there were no crops produced during this period. Crop production is the agreed basis for calculation of all rentals of agricultural lands.
- e. The basis for estimating damage to lands is the cost of restoration of the land to the condition in which the land was at the time of taking by the United States. When the cost of restoration equals or exceeds the fee value, the fee value of the land will be the basis for computing damage.
- f. The monetary conversion rate was agreed to be 50 "B" Yen to one United States dollar.
- g. The market price of cleaned rice per sho was determined to be \$0.0246 for 1947 and \$0.7681 for 1948-1950.

7. *Rental Formula for Agricultural Lands*

To find the annual income of agricultural lands, the lands were classified as wet and dry farm land, and graded from 1 to 5 in accordance with crop production. Grade 3 was adopted as 100 percent; grade 1, 120 percent; grade 2, 108 percent; grade 4, 72 percent; and grade 5, 60 percent.

The rate of crop production per year is 178 percent. Additional income is derived from byproducts.

The annual yield of cleaned rice per sho, of first crop, grade three, wet farm land, per tan, throughout the eleven differing areas of production, is as follows:

Year 1955	Year 1952	Years 1951-49	Years 1948-47
175	133.3	101.6	85.5
170	129.5	98.7	83.1
165	125.7	95.8	80.6
160	121.9	92.9	78.2
155	118.1	90.0	75.8
150	114.3	87.1	73.3
145	110.5	84.2	70.9
140	106.7	81.3	68.4
135	102.9	78.4	66.0
130	99.1	75.5	63.5
125	95.2	72.6	61.1

In estimating crop income from 1947 to 1952, a percentage decrease was adopted as follows:

- 76.2 percent of 1955 production rate for the period 1954 to 1952.
- 58.06 percent of 1955 production rate for the period 1951 to 1949.
- 48.88 percent of 1955 production rate for the period 1948 to 1947.

The formula applied to fix annual rental per *tsubo* is, therefore: Yield per sho per tan \times utilization rate of 1.78 \times by-products yield of 1.056 percent \times price of cleaned rice \times 0.38 percent of gross income divided by 300 *tsubo*. This formula will give the rental per *tsubo* per annum for grade three wet farm land.

The annual rental of grade three dry farm land is estimated to be 65 percent of wet farm land grade three.

The average rental of wet farm land grade three was calculated on a percentage of decreased yield from 1955 to 1947, and by the adjusted annual price of cleaned rice, because the average yield per *tan* per *sho* in Okinawa Gunto was 160 *sho* in 1955.

The rental of dry farm land grade three was calculated in the same manner as the preceding paragraph. The rental of wet farm grade three, and the average profit of 65 percent of wet farm grade three were used for the calculation.

8. *Non-Agricultural Lands*

The rental formula for other than agricultural lands per *tsubo* was agreed to be as follows:

a. *Range Land:*

- (1) Range land grade 1, 50 percent of the rental value of dry farm land grade 5 in the same area.
- (2) Range land grade 2, 70 percent of range land grade 1 in the same area.

b. *Forest Land:*

- (1) Forest land grade 1, 33.3 percent of dry farm land grade 5 in the same area.
- (2) Forest land grade 2, 70 percent of forest land grade 1 in the same area.

c. *Special Areas:*

- (1) 50 percent of the rental of building lot grade 2 in that area.

d. *Forest Reserve:*

- (1) Same as forest land grade 1.

e. *Swamp and Pool, Reservoir, Miscellaneous Land.* Same as building lot grade 2 in the same area.

f. *Tombland, Sacred Land.* Same as range land grade 1.

g. *Public Used Land, Sali Land.* Same as building lot grade 1.

h. *Other Land (Unsubdivided Land).* Same as dry farm land grade 5 in the same area.

9. *Building Lots*

The rental for building lots was determined to be a certain percentage of the average 1959 rental per *tsubo* of \$3.0012 for old Naha City, and \$0.5209 for other *shi-cho-son* building lots. (*Shi* is city. *Cho* is town. *Son* is village.) The 1950 rental rates were first found by decreasing the rates by 23.8 percent for each three years. The rental rates for 1949-1948 and 1947 were then ascertained by decreasing the 1950 rental rate by 7.9 percent per annum.

10. *Loss of Water Rights*

The damage to lands arising from the loss of water appurtenant thereto was estimated by finding the cost of converting the land from wet farm land to dry farm land, plus the decrease in the market price between wet and dry farm land.

11. *Growing Crops*

The damage arising from lost crop was determined to be the market price of the crop less the cost of production.

Fruit trees, mulberry trees, tea plants, bamboo damage was estimated to be market value of plant or tree at time of destruction, less unexpended costs of production.

Firewood and charcoal materials was estimated to be the market price at time of destruction.

Rental of buildings was estimated to be the average rental for like buildings in the same area.

Damage for destroyed buildings was estimated to be the market price of building at time of destruction.

Damage for wells, tombs, reservoirs, stone walls, water tanks, sugarmills, was estimated to be the cost of restoration to the condition when damaged or destroyed.

Damage for collapsed or lost land (washed away by action of the sea), was estimated to be the fee value of the land at time of loss.

Building relocation expenses was estimated to be actual reasonable cost involved.

12. *Surface Fisheries*

The damage arising from loss of fishing rights is confined to licensed inshore fishing. Damages arising from loss of fishing in international waters were not considered.

The number of persons, equipment, geographical areas and time involved is as follows:

Name	Number of vessels used	Number of fishermen	Amount claimed	Years covered
Ie Association	35	88	\$78,640	6 years 4 months
Tokumoto TAKAMINE of Naha Shi	9	18	33,388	Do.
Nakazato-Son Association	59	130	118,667	Do.
Saburo TAMASHIRO of Itoman Cho.	4	24	25,562	4 years.
Tonaki-Son Association	60	198	117,282	3 years 10 months.
Yonagasaki-Son Ikel Association	3	25	16,311	6 years 4 months.
Chatan-Son Association	30	73	102,131	6 years 4 months.
Yomitan-Son Association	27	108	52,913	Do.
Katsuren-Son Association	16	48	17,223	Do.
Total	243	712	662,607	

The existing evidence establishes that claimants have been excluded by the United States from fishing in the inshore areas above described, and have suffered the losses arising from said exclusion. The committee could not find exactly the amount of actual loss sustained because the fish-catch from inshore areas of the ocean, the sale price of the catch, and costs of fishing vary from year to year, and also because of fishing licenses were seldom, if ever, sold by the owners.

13. Severance damage to lands was estimated to be the actual damages sustained.

14. General property damage arising from tortious acts was estimated to be the actual cost of repair or restoration of the property at the time of damage.

15. *Personal Injury and Death*

a. The committee, to estimate damage arising from personal injury and death, adopted a standard average daily wage of \$1.52 for an adult male private employee, \$0.98 for adult female private employee, and \$1.56 for military employee and self-employed. Incomes in excess of \$3.80 were considered to be \$3.80. When the amount of daily funeral expenses exceeds \$2.94, it shall be fixed at \$2.94. Income of infant was set at \$0.82 per day, school children \$0.98 per day, college students \$1.14 per day, wife \$0.98 per day, and unemployed adults \$0.98 per day. These amounts represent the daily average wage during 1958, except for infants, housewives, unemployed. In the latter case the daily average wage was adopted. The formula is: Average daily wage \times 1,000 days, plus 27.3 cents per day for dependent spouse, and 14.6 cents per day for a surviving minor dependent less than 18 years of age, for a deformed or disabled child, and for dependent parents.

b. Funeral costs to the bereaved survivors was fixed at 60 days standard wage or income of the deceased.

c. Personal injuries: 80% of the amount obtained by multiplying average daily wage or income \times actual days physically unable to work.

d. Physical handicaps or permanent damages were graded from 1 according to severity or degree of disability.

14. according to severity or degree of disability.

Grade 1: Maximum recovery period of 1,340 days \times daily wage
 Grade 2: 1,190 days \times daily wage
 Grade 3: 1,050 days \times daily wage
 Grade 4: 920 days \times daily wage
 Grade 5: 790 days \times daily wage
 Grade 6: 670 days \times daily wage
 Grade 7: 560 days \times daily wage
 Grade 8: 450 days \times daily wage
 Grade 9: 350 days \times daily wage
 Grade 10: 270 days \times daily wage
 Grade 11: 200 days \times daily wage
 Grade 12: 140 days \times daily wage
 Grade 13: 90 days \times daily wage
 Grade 14: 50 days \times daily wage

e. Where the injured was employed, an additional sum was added to certain degrees of permanent physical damages as follows:

Grades 1 to 3: \$0.56 per day
 Grades 4 to 7: \$0.49 per day
 Grade 8: \$0.29 per day
 Grade 9: \$0.15 per day

f. Hospitalization costs, although free of charge prior to 31 March 1948, were fixed at 28 cents per day, and home treatment was fixed at 14 cents per day. From 31 March 1948, or end of free medical treatment, hospitalization costs were fixed at 75 cents per day, plus 28 cents per day as additional expenses. Outpatient or home treatment expenses were fixed at 57 cents per day, plus 14 cents per day as additional expenses.

g. In the event the injured died from said injuries, the damage was estimated to be cost of medical treatment, plus compensation for loss of wage, plus bereaved family costs, plus funeral costs.

h. The damage arising from rape was fixed at daily wage \times 500 days, plus cost of medical treatment, and in case of physical injury,

compensation for loss of wages, plus permanent disability damages, if any. In the event of death arising from rape an additional amount is added for funeral rites and bereaved family compensation.

16. Findings of the Committee

a. The committee, after examining, analyzing, and reviewing the available evidence and facts, finds that between 1 January 1947 and 1 July 1950 the United States used and occupied claimants' lands without payment of rentals as follows:

Year	Tsubo	Equivalent acres
1947	74,922,944	61,268.75
1948	61,321,238	50,099.05
1949	57,262,766	46,783.31
1950	54,943,393	44,888.39

and that a fair rental for these lands during the time used and occupied, based upon the agreed formula, is the sum of \$14,939,539.00.

b. For restoration compensation:

(1) Nishihara airfield: The committee finds that the cost of restoring the land in this area damaged by the United States is \$755,623.00.

(2) The area of lands damaged by quarrying, hard surfacing, grading, etc., and released prior to 28 April 1952, is 3,180,218.7 tsubo. The fair cost of restoration is the sum of \$698,296.76.

(3) The area of lands damaged by quarrying, hard surfacing, grading, etc., and released after 28 April 1952, is 971,365.65 tsubo. The fair cost of restoration is the sum of \$1,064,798.95.

c. Loss of water rights.

(1) At Takamine-Son the United States, without compensation, prior to 28 April 1952 appropriated the entire flow of a water point, which had formerly been used to irrigate approximately 41.65 acres of land and to supply water for domestic purposes.

The average normal flow of the water point is 1,000,000 gallons per day. During the rainy season the average daily flow is 2,000,000 gallons.

The committee finds that the claimants have suffered damages in the sum of \$34,882.70 from converting said lands from wet farm land to dry farm land, from the loss of market value of lands, and from the loss of domestic water.

(2) At Chinen-Son the United States, without compensation, prior to 28 April 1952, appropriated the flow of a water point, which had been used by claimants for irrigation, domestic use, to generate electricity, and to provide hydraulic power for a small rice cleaning mill. The average daily flow of the water point is 500,000 gallons, which increased to 1,000,000 gallons during the rainy season.

The committee finds that the claimants have suffered damages in the sum of \$15,494.30 from converting wet farm land to dry farm land, from the loss of market value of lands converted, from decreased production due to lack of water, from the loss of hydraulic power and from the loss of domestic water.

d. Personal Injury and Death.

Uncompensated personal injuries and deaths caused by United States personnel to Ryukyuans, the committee estimates to be \$831,032.69.

The injuries and deaths arose from traffic accidents, aircraft accidents, explosions of ammunition, explosions of gasoline, physical attacks with dangerous weapons, assault and battery, accidental poisoning of water supply, rapes, and ship accidents.

In August 1948 an LCT loaded with ammunition exploded at Ie Jima wharf; 103 persons were killed immediately, and 77 persons were seriously wounded.

An auxiliary tank fell from a military aircraft, killing nine persons in the city of Naha.

The death and injury cases are supported by written evidence, and are believed to be true.

From 15 August 1945 to 28 April 1952 the following were killed and injured by United States personnel:

- (1) Killed, 346. By accidents, rape, personal violence, etc.
- (2) Injured, 382. By explosions, personal assaults, accidents, etc.

Solatia payment in the sum of \$6,804.55 was given to the victims of the LCT explosions by United States organizations. The *solatia* payment has been deducted from the total amount of damages sustained.

e. Improvements:

Growing crops were destroyed on 118,749.42 tsubo of land, causing damages in the sum of \$5,019.00.

Fruit trees, mulberry trees, tea plants, were destroyed on 1,048,778.68 tsubo of land, causing damages in the sum of \$431,066.00.

Standing trees, bamboo, firewood and charcoal material totaling 139,177.10 *koku* (16,412,320.34 board feet) were destroyed, causing damages of \$99,867.00.

Six hundred and four buildings were occupied, having a reasonable rental of \$73,908.00.

Three thousand two hundred and fifty-five buildings, having a reasonable value of \$610,982.00, were destroyed.

There were 1,332 wells, 941 tombs, 52 reservoirs, 1,994 stone walls and 219 water tanks destroyed, causing damages in the sum of \$1,193,914.00.

Lands were eroded and lost from tidal and water action in the amount of 42,259.5 tsubo, causing damage in the sum of \$236,469.00.

Two sugar mills, having a reasonable value of \$8,376.00 were destroyed.

Inshore fishery losses caused by the areas being closed to fishermen damaged the affected persons in the sum of \$562,607.00.

Due to requisition of lands by the United States, 3,751 buildings were moved to other locations at a reasonable expense of \$219,259.00.

Severance damages to 31,136 tsubo of land created a loss of \$13,293.00.

There were 257 instances of property damage to residences, business buildings, etc. from accidental explosions of ammunition, aircraft accidents, etc., which caused damages in the sum of \$80,097.00.

28 CONTRIBUTION TO INHABITANTS OF THE RYUKYU ISLANDS

17. *Recapitulation:*
The committee finds, from available evidence, that the claimants have suffered damages, for which compensation has not been made, as follows:

1. Land rentals.....	\$14,939,539.00
2. Restoration of lands.....	2,518,718.71
3. Water rights.....	50,377.00
4. Personal injury and death.....	831,032.69
5. Growing crops.....	5,019.00
6. Fruit trees, mulberry trees, tea plants.....	431,066.00
7. Standing trees and bamboos.....	609,834.00
8. Firewood and charcoal material.....	18,399.00
9. Rental for buildings.....	73,908.00
10. Buildings destroyed.....	610,982.00
11. Wells.....	111,281.00
12. Tombs.....	81,468.00
13. Reservoirs.....	65,569.00
14. Stone walls.....	393,423.00
15. Water tanks.....	13,807.00
16. Collapsed and destroyed lands.....	236,469.00
17. Sugar mills destroyed.....	8,376.00
18. Loss of inshore surface fishing.....	562,607.00
19. Removal and relocation of buildings.....	219,259.00
20. Severance damage.....	13,293.00
21. Property damage from tortious acts.....	80,097.00
Total damages.....	21,874,523.00

18. The supporting documentary evidence of the claims reviewed is so voluminous that it cannot be attached to this report. However, all of said written evidence is available and in the possession of the Government of the Ryukyu Islands at its storage place in Naha, Okinawa.

The committee recommends that the findings of the nature and amount of damages sustained by claimants be approved.

Respectfully submitted this 23 day of March, 1962.

United States members:	Ryukyuan members:
JOHN P. KING, <i>Chairman.</i>	RYOJUN KUGAI, <i>Co-</i>
FELIPE T. SANTOS, <i>Member.</i>	<i>chairman.</i>
EUGENE V. SLATTERY,	CHOKO KUWAE, <i>Member.</i>
<i>Member.</i>	HIROSHI MAKINO, <i>Member.</i>
RICHARD ROSE, <i>Member.</i>	IBI NAKAMOTO, <i>Member.</i>

9/9 大くす / 特達 2 } 返付

主管課長へ

(配布先○印)

- 大政事務局長
- 事務次官
- 官官密長
- 総人電管
- 録文会厚
- 国参資
- 資長
- 北東
- 長西
- 花参保
- 米長北
- 中参南旅
- 参総社
- 近参近参
- 近参近参
- 経次調国米ア
- 長参二カ歌
- 経参統ラ近
- 協参船賠償
- 長政技賠償
- 協参船賠償
- 長政技賠償
- 参協の規
- 長参経科
- 参政社専
- 協参(内)
- 長(外)
- 文文二
- 長一

電信写

本電主管、配付先等に関し御意見あれば直ちに電信課検閲班に連絡ごう

総番号 (F A) 30901 米北

65年09月08日20時40分 7:17ト 発

65年09月09日09時09分 本省 着

外務大臣殿 武内(大使) 総領事・領事

沖縄講和発効前補償共同
決議案について

第2478号 平

往電第2233号に関し、

下院外交委極東太平洋小委員会は8日オキナワ講和発効前
損失補償決議案 (HJ B 25 /) を下記の修正を
ほどとして可決の上委員会に提出した。委員会は9日午前
これを審議の予定。

記

1。本テキスト中公共団体 (MUNICIPALITIES
B) への補償は行なわない旨。換言すれば個人のみが補償
の対象たるべき旨の文言をそう入した。

(その立論は米国は既にオキナワ全体に対して経済援助を
行なっており、当然公共団体は右援助にきんてんしている
ので、補償の要なし。というものの趣。なおこれにより約
96万ドルが補償総額より除された)。

2。本文第3項弁護士手数料総額最高限5%のうち1名な

外務省

主管課長へ

電信写

本電主管、配付先等に関し御意見あれば直ちに電信課検閲班に連絡ごう

いし/社当りは1%を越えられない旨規定した。(往信第
1943号2(2)(B)の通りの事情によりザプロッキ
一小委員長自らの意向で決定の由。なおヘメンディング
の手数料は右1%にも満たない額につき何等打撃は受けな
い旨同弁護士より館員に内話せる趣)。

(丁)

(2)

外務省

(参考)

北米局長

参事

北米課長

神戶組和釜釜損失補償共同決議案

9 審議状況

昭 40. 9. 9 現在

上院

1965年1月22日

フルブライト・井上両議員 S.J. Res 32 を提出

8月4日

外交委員会臨時補償問題小委員会にて公聴会

8月10日

外交委員会にて可決。本会議へ回付

8月11日

本会議にて可決。無修正で下院へ回付

下院

1965年1月28日

松永議員 H.J. Res 251 (S.J. Res 32 と同文) を提出

7月28日

外交委員会程東太郎議員小委員会にて公聴会

9月8日

上院小委員会にて修正の案を可決。外交委員会にて回付

(修正内容

1. 公共団体への補償は行わない。
2. 弁護士手数料総額最高限は1名を1社当り1%)

9月9日

外交委員会にて小委員会修正の案を可決。本会議へ回付

特選
運は
加
外

北米局長

参事官

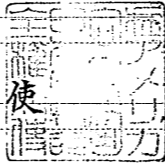
北米課長

政第 6346号

昭和 40年 9月 20日

外務大臣殿

在 米内 大使



沖繩講和寄勅前損失補償(1使)付

下院外交委の決議案可決(資料送付)

往電) 2491号に因り

標記に因り下記資料別添送付す。

往電) 2498号

右お市件決議案は冒頭往電) 2491 H.J. Res

251と報告(左か) 右は 9月8日 下院外交委(連)

極東太平洋小委員会)

秘密会 にかりて 上院可決の S.J. 32に於て

子とを決定し 修正(冒頭往電) 2491号に

GA-4

外務省

3800

要処理要連絡	急
要研究	
課長	村
技村	河内
齊藤	吉田
有馬	山田
渡辺	平川
大崎	吉津
中田	
後藤	



外交委に提出し、=此と同委が 9月9日 可決(注

416A) 701-53-77が(下記資料 2. p.5 Committee Action

9項参照) (注) 訂正す。

記

1. S.J. Res. 32 (Report No. 972)

In the House of Representatives

August 12, 1965: Reported to the Cte. on for. aff.

September 9, 1965: Reported with amendments...

2. House of Representatives Report No. 972

Authorizing a Contribution to Certain

Inhabitants of the Ryukyu Islands

別紙添付

GA-4

外務省

Union Calendar No. 417

89TH CONGRESS
1ST SESSION

S. J. RES. 32

[Report No. 972]

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 9, 1965

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed.

(Insert the part printed in italics)

JOINT RESOLUTION

To authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury to persons, and for use of and damage to private property, arising from acts and omissions of the United States Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952.

Whereas certain persons of the Ryukyu Islands suffered damages incident to the activities of the Armed Forces of the United States, or members thereof after the surrender of Japanese forces in the Ryukyus on August 15, 1945, and before the effective date of the Treaty of Peace with Japan on April 28, 1952;

Whereas article 19 of the Treaty of Peace with Japan extinguished the legal liability of the United States for any claims

of Japanese nationals, including Ryukyuan, with the result that the United States has made no compensation for the above-mentioned damages (except for use of and damage to land during the period from July 1, 1950, to April 28, 1952);

Whereas it is particularly consonant with the concern of the United States, as the sole administering authority in the Ryukyu Islands, for the welfare of the Ryukyuan people, that those Ryukyuan who suffered damages incident to the activities of the United States Armed Forces, or members thereof, should be compensated therefor;

Whereas payment of ex gratia compensation, by advancing the welfare of the Ryukyuan people, will promote the security interest, foreign policy, and foreign relations of the United States; and

Whereas the High Commissioner of the Ryukyu Islands has considered the evidence regarding these claims, and has determined, in an equitable manner, those claims which are meritorious, and the amounts thereof: Therefore be it

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*

3 That the United States should make an ex gratia contribu-
4 tion to the persons (*excluding municipalities*) determined by
5 the High Commissioner of the Ryukyu Islands to be meri-
6 torious claimants, in the amounts determined by him, and
7 that the Secretary of the Army or his designee should,
8 under regulations prescribed by the Secretary of Defense,

1 pay such amounts to the claimants or their legal heirs, as a
2 civil function of the Department of the Army; and be it
3 further
4 *Resolved, That no funds appropriated under this joint*
5 *resolution shall be disbursed to satisfy claims, or portions*
6 *thereof, which have been satisfied by contributions made by*
7 *the Government of Japan.*

8 SEC. 2. There is authorized to be appropriated not to
9 exceed \$22,000,000 to carry out the provisions of this joint
10 resolution, which funds are authorized to remain available for
11 two years from the effective date of their appropriation.
12 Any funds unobligated by the end of that period shall be
13 covered into the Treasury of the United States.

14 SEC. 3. No remuneration on account of services rendered
15 on behalf of any claimant in connection with any claim shall
16 exceed 5 per centum of the total amount paid, pursuant to
17 the provisions of this joint resolution, on such claim; *except*
18 *that no remuneration on account of such services rendered*
19 *on behalf of any association of claimants by any agent or*
20 *attorney (including organizations thereof) shall exceed 1 per*
21 *centum of the aggregate amount so paid on the claims in-*
22 *olved.* Fees already paid for such services shall be de-
23 ducted from the amounts authorized under this joint resolu-
24 tion. Any agreement to the contrary shall be unlawful and

void. Whoever, in the United States or elsewhere, demands or receives, on account of services so rendered, any remuneration in excess of the maximum permitted by this section, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not more than \$5,000 or imprisoned not more than twelve months, or both.

Passed the Senate August 11 (legislative day, August 10), 1965.

Attest: FELTON M. JOHNSTON, Secretary.

Union Standard No. 417

89TH CONGRESS
1ST Session

S. J. RES. 32

[Report No. 972]

JOINT RESOLUTION

To authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury to persons, and for use of and damage to private property, arising from acts and omissions of the United States Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952.

August 12, 1965

Referred to the Committee on Foreign Affairs

September 9, 1965

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

(配布先○印)

大政事外官
務次官房
長官審長

総人電管
務文会厚

国参資
資調

ア参北東
長総中西

北参参
米北南旅
中参参
移長総

近参参
ア参参
長参参

経次調国米ア
長参参
協参参
長参参

国参経科
長政社専

情参内
長道外

文文
長文二

電信写

10/7
大蔵省
特送局
送付済

総番号 (T A) 34660 米北

65年10月6日15時33分 7ニトニ発

65年10月7日07時36分 本省着

外務大臣殿 政内(大)使・総領事・領事

沖縄講和発効前補償共同
決議案について

第2738号 平

注電第2491号に関し

1. 本件決議案 (S. J. RES 32) は6日下院本会
議で審議の後、発声採決 (VOICE VOTE) におい
て可決されたかに見えたが、反対討論を行なったH. R.
GROSS議員 (共和・アイオワ) の要求により記名投票
に付されることとなり議事運営の都合上採決は明日に延期
された。

2. 右討論においては (イ) 外交委員極東太平洋小委員長ザ
ブロッキー議員及び同小委員野党理事ブルームフィールド議
員が小委員会は全会一致で決議案を支持する旨、ならびに
マツナガ、ミンク両議員の賛成の旨の発言に対し (ロ) 上
記グロスのほか PAUL C. JONES 議員 (共和・ミ
ズーリ) が反対、特にグロスは「敵国民たるおきなわ人に
対し金を払う必要はない」等の言辭を用いばうちよる者を

外務省

電信写

ひんじゆくせしめた。

3. 上記両議員はいわゆる「節約派共和党」 (ECONO
MY BLOCK REPUBLICANS) に属し殆ど
すべての新規支出に反対するのを常とし、院内での勢力も
大きくなく、かつ本件決議案が委員会段階で清場一致で通
っているだけに、明日は確実に可決されるものとみられる。

(了)

12)

外務省

(配布先〇印)

大政事外官
務務房
臣官審長

総入電管
備文会厚

参資
参議
長調

北東
長総中西

北米
長北

中参南旅
移長総住
近ア長

経次調国米ア
統二カ欧
統フ近
長一選ス

経経陪陪
協政技密債
長国陪経

参協
長条規

国参経科
長政社專

内
長導外

文文
長一二

主管課長へ

本電主管、配付先等に関し御意見あれば直ちに電信課検閲班に連絡ごう

電信写

総番号(TA) 34840 羊改

65年10月07日21時05分 7ミニニ発

65年10月08日09時57分 本省着

外務大臣殿 式内 大使・総領事・領事

沖繩講和発効前補償共同決議案について

第2756号 平

往電第2738号および貴電第1925号に関し

1. 17日下院本会議での記名投票の結果—J. R. E. S. 32は300対55にて可決され、上院に回付された。上院は目下タフト。ハレート法改正をめぐってフィリパスターが行なわれているので本法案を何時取上げるか不明であるが、陸軍省当局はスパークマン小委員長に対し下院修正を受入れるよう進言すると予想されるので、両院協議会を経ることなく三院のいままかり下院案通り可決されるものと予想されている。

2. 冒頭貴電の1.については陸軍省係官によればすでに予算局に対し独立の追加さい出法案を提出しており出来れば今会期中の議決をねらっているが時期等については、まだ不明にて、また貴電の2.については未だ決定をみていない由につき委細判明次第追電する。

10/8 大蔵省
特電向
運任請

石山 (右田)

(下) 外務省

要写 部

発電係、林 総第 38762 号

昭和 年 月 日 時 分 発

電信案 (分類) 40 10-7 18-19

暗 略 (平)	第 1925 号 (TYPE)	起案 昭和 44 年 10 月 7 日
大 局 政務次官 事務次官 外務審議官 官 長	主任 北米局長 参事 主任 北米課長	起案者 上林 電話番号
在 米 域 内 臨時代理 大 公 使 宛 推 名 大臣発 総領事		
電 報 在 大 公 使 宛 総領事		
件 名 沖 繩 の 講 和 発 効 前 補 償 共 同 決 議 案 について		
貴電第 2738 号 へ 向 け		
本件決議案は近く可決の見込みであるが、大蔵省界からの決議も有り、		
下記のとおり同電ありなり。		

7 号 9 濟

GB-1 外務省 回覧番号 3848

1. 本件補償金を實際に支出するに当りは
 才出法案の成立を要するのではないかと
 思われるが、かゝる才出法案の提出
 時期の見通し、独立の才出法案
 となるか、対外関係才出法案の
 一部となるかの等。

2. 以上他補償金が實際に支払われ
 るに至るまでの段取り

~~3. 本法案は英法で通案に於て~~
~~時補償を以てするが。~~

(配布先○印)
 大政事外官
 務次官房
 長官官察長
 (○)人電管
 儀文会厚
 (○)国参資
 資。開
 (○)東。西
 長。中
 (○)北
 長
 中参南旅
 移。総住
 近。近
 ア。ア
 長。長
 経。経
 次。次
 参。参
 商。商
 統。統
 一。一
 通。通
 長。長
 経。経
 協。協
 長。長
 長。長
 長。長
 (○)参。参
 長。長
 (○)国。国
 長。長
 (○)備。備
 長。長
 文。文
 長。長

電信写

総番号(TA) 35719 本北
 65年10月14日19時05分 7V-1V 発
 65年10月15日07時55分 本省着
 外務大臣殿 武内(大使) 総領事・領事
 沖縄講和発効前、補償法同決議案の件

第2822号 平 至急

往電第2756号に関し

10/13日上院は日。J。R。E。S。32に対する下院の修正
 を受たくし署名のため大統領に送付した。大統領は大体/
 0日以内に署名するものと予想されている。

2. 冒頭信電2.の独立追加歳出法案については予算局で
 検討の結果緊急性なしとされたので国防省は今議会への提
 出を必きとめ、明年の会期早々に独立法案としてではなく
 同省の歳出法案の中に入れて提出することとなる見込の旨
 陸軍省係官より館員に述べた趣。

(了)

送 付 公

米局長

参事官

信米課長

政才 6944 号 昭和40年10月15日

外務大臣殿 在米武内大使

引用公・電信番号 往電才2822号

送付資料 沖縄講和条約補償問題

Washington Post

October 14, 1965

"Ryukyu Claims Bill is Sent to Johnson"
- Associated Press

備 考

要処	要連絡
要研究	至急
課長	
技	河内
平	吉田
守	馬山
渡	辺平
大	崎吉洋
中	山
後	藤



別紙添付

付属物空便(行)

付属物空便(貨)

精進 2
水 1

10/21
了

WASHINGTON POST

OCT 14 1965

**Ryukyu Claims Bill
Is Sent to Johnson**

Associated Press

The Senate accepted House amendments yesterday and sent to President Johnson legislation authorizing payment of \$22 million in death and injury claims for residents of the Ryukyu Islands. The claims grew out of armed forces actions in the military occupation period from June 21, 1945, until April 28, 1952.

注意

1. 本電の取扱いは慎重を期せられたい。
2. 本電の主管変更その他については検閲班に連絡ありたい。

電信写

- ① 総務次官
- ② 秘書長
- ③ 参事官
- ④ 文会原
- ⑤ 参事官
- ⑥ 参事官
- ⑦ 参事官
- ⑧ 参事官
- ⑨ 参事官
- ⑩ 参事官
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- ㊾ 参事官
- ㊿ 参事官

総番号 (T A) 37426 米北

65年10月27日 20時5分 ワシントン 発

65年 月28日 09時42分 本省 着

外務大臣殿 武内 (大使 総領事・領事)

沖繩諸島発動前補償と同決議の件

第2924号 平 至急
往電第2822号に關し

ジョンソン大統領は27日せい義先のLBJランデにおいて
おきなわの講和発動前補償に關する議會共同決議に
署名した。なお、國防省当局より右に關しプレスリリースを
後刻発出する予定なるも取あえず。

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外務省

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北米局長

参事官

北米課長

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送 付 公 信

政才 7300 号	昭和40年10月29日
外務大臣殿	在米武内大使
引用公・電信番号	往電才2924号
送付資料 沖繩諸島発動前補償	
New York Times Oct. 28, 1965 "U.S. Will Honor Okinawa Claims Johnson Signs Resolution Authorizing Expenditure" by John S. Pomfret Austin, Tex., Oct. 27.	
備 考	
別紙添付	

要研究	至急
課長	上村
枝村	河内
斉藤	吉山
有馬	山田
渡辺	平山
大崎	吉津
中田	
後藤	

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OCT 28 1965

U.S. WILL HONOR OKINAWA CLAIMS

Johnson Signs Resolution
Authorizing Expenditure

By JOHN D. POMFRET

Special to The New York Times

AUSTIN, Tex., Oct. 27 —

President Johnson signed today a House-Senate resolution authorizing the expenditure of up to \$22 million for payment of 180,000 Okinawan claims.

These grew out of seven years of United States military occupation of Okinawa from 1945 to 1952 when the peace treaty with Japan went into effect.

The claims involve deaths and injuries of Okinawans as well as use and damage of their property.

All claims during the seven-year period were waived by the Treaty of Peace with Japan.

The White House said that by passing the joint resolution, "the Congress has recognized that, legal issues aside, the United States has an equitable and moral responsibility for paying these claims."

"Thus," the White House statement said, "the Congress has again given expression to the continuing concern of the United States as the administrative authority over this archipelago, for the welfare and well-being of the Ryukyuan people."

Mr. Johnson and Secretary of State Dean Rusk had what the White House described as "ex-

tended and informal talks" at the President's ranch 65 miles west of here.

Mr. Johnson is convalescing there from surgery performed on Oct. 8 to remove his gall bladder and a kidney stone.

Joseph Laitin, assistant Presidential press secretary, said that the two men had discussed Mr. Johnson's schedule regarding possible visits by foreign leaders.

They talked of setting a mutually convenient date for a visit by Chancellor Ludwig Erhard of Germany. Previously the White House indicated that Mr. Erhard might visit the United States some time next month.

The President and the Secretary of State also discussed the Dominican Republic, the agenda for the Inter-American Conference of Foreign Ministers in Rio de Janeiro on Nov. 17, Vietnam, recent events in Indonesia and some foreign policy aspects of next year's legislative program.

No details of the conversation were available.

Mr. and Mrs. Rusk came to the ranch late last night from Dallas where the Secretary delivered a speech at Southern Methodist University. They left for Washington this afternoon.

Mr. Laitin announced that the President had signed the \$2 billion Rivers and Harbors Authorization Bill.

The White House announced yesterday morning that Mr. Johnson had signed the measure. It was then discovered that this was an error and that the bill was still in Washington.

The bill was rushed to the ranch yesterday for Mr. Johnson's signature. Mr. Laitin declined to say today whether Mr. Johnson had signed it yesterday or today.

注意

- 1. 本電の取扱いは慎重を期せられたい。
- 2. 本電の主管変更その他については検閲班に連絡ありたい。

電信写

大政務外官	副長
大政務次官	参
人電	参
俄文	参
国参	参
北参	参
中参	参
欧参	参
近参	参
経参	参
協参	参
国参	参
外参	参
文参	参

総番号 (TA) 38086 本誌
 65年 月 1日 19時 00分 92110-1 送
 65年 月 2日 10時 00分 本省 着 145
 外務大臣殿 武内 (大使) 総領事・領事

沖繩諸島禁製物前補償共同償還について

第2963号 略暗
 往電才2924号に関し
 1. 冒頭往電末尾の「防省プレス・リリース」の代わりに27日ホワイト・ハウスより下記2.のごときステートメントが発出されたが、元のテキストはテキサスよりフレンチに送られるのに争向取→長ためおくれで報告する。なお本件共同償還は大統領署名により償還才89-296号となった。
 2.

BY ENACTING THIS JOINT RESOLUTION THE CONGRESS HAS RECOGNIZED THAT LEGAL ISSUES ASIDE, THE U.S.

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注意

- 1. 本電の取扱いは慎重を期せられたい。
- 2. 本電の主管変更その他については検閲班に連絡ありたい。

電信写

HAS AN EQUITABLE AND MORAL RESPONSIBILITY FOR PAYING THESE CLAIMS. THUS THE CONGRESS HAS AGAIN GIVEN EXPRESSION TO THE CONTINUING CONCERN OF THE U.S. AS THE ADMINISTERING AUTHORITY OVER THIS ARCHIPELAGO FOR THE WELFARE AND WELL BEING OF THE RYUKYU AN PEOPLE.

3. 明年国会再議後の事件に関する平等獲得方法については閣議若くは内閣府の案によれば、(1) 本会新年度の追加平等法案に含めらるるか、(2) 1967会新年度中等案の一部とするか、(3) 陸軍省内で検討中であるが、各分(1)となるものと思われる由。
 (5)

タイプ指示	発信用	執務用	計
主 信	/	/	2
付	2		
届			

発送日 昭和40年11月11日
 発信 枚数 1

文書課 (印) 公 信 案 (分類)

公信 番号	第 1366 号	公信 日付	昭和40年11月10日
大 臣	主 管	起案	昭和40年11月8日
政務次官	北米局長	起案者	後藤 電話番号 444
事務次官	参事官		
外務審議官	北米課長		
主任			
受信者		発信者	
総理府 特別地域連絡局長		外務省 北米局長	
写送付先		(希望発送日)	
		月 日	
件 名			
沖縄講和発効前損失補償 共同決代口向子発表文写送付 (大統領承認) (ホワイハウス)			
10 337			
GA-2	外務省	回覧番号	

神繩講和発効券損失補償

(大統領承認)

共同決裁に因る本国外ハウズ

発表文等送付

今般、在米大使館に 11月2日付 以上書

第442号を以て 神繩講和発効券損失補償に因る

米國社会共同決裁 S.J. Res 32 の大統領承認

127117. 10月27日付 本国外ハウズ 発表文を通報

越(手)した。同以上書 1部を参考として

送付(手)

別紙添付

北米局長

参事官

北米課長

X

No. 442

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of Japan and has the honor to convey the following text of the announcement made by the White House at its news conference No. 174-A, in Austin, Texas, on October 27, 1965, in connection with the President's approval of Senate Joint Resolution 32 concerning Ryukyuan pre-Peace Treaty Claims:

"The President today signed into law a joint Resolution of both houses of Congress, S.J. Res. 32, which authorizes up to \$22 million for the payment of some 180,000 Okinawan claims. These claims grew out of seven years U.S. military occupation of the Ryukyu Islands, of which Okinawa is the main island. They are a group of islands south of Japan. This is from 1945 to 1952. All claims for that period were waived by the Treaty of Peace with Japan and thus have gone unpaid. By enacting this joint Resolution, the Congress has recognized that, legal issues aside, the United States has an equitable and moral responsibility for paying these claims. Thus, the Congress has given expression to the continuing concern of the United States, as the administrative authority over this archipelago, for the welfare and well-being of the Ryukyuan people. An appropriation request for the funds to make the payments authorized by this law will be submitted to the Congress in the next session."

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要処理	要連絡
要研究	至急
課長	上村
技村	河内
齊藤	山田
育馬	山田
渡辺	平川
大橋	吉津
中田	
佐藤	

Embassy of the United States of America,

Tokyo, November 2, 1965.



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タイプ指示	発信用	執務用	計
主信	2	1	3
付	(西土軍)		
戻			

発送 昭和40年11月15日
 発信 17 タイプ 110 100P1

文書課 (印) 公 信 案 (分類)

公信番号 半比 第 418 号	公信日付 昭和 40 年 11 月 15 日
大 臣 政務次官 事務次官 外務審議官 官 房 長	主 管 北米局長 参 事 北米課長 主任
	起案 昭和 40 年 11 月 8 日 起案者 後藤 電話番号 444
受信者 在日 米國大使館	発信者 外務省
写送付先	(希望発送日) 月 日
件 名 (沖縄講和発効前損失補償に關する 米國議會共同決議案に關する件) 発表文 受領	
15 60	
GA-2 外務省	回覧番号 4078

12 上 書

外務省は在本邦アメリカ合衆國大使館に
 敬意を表するに、沖縄講和発効前損失補償
 に關するアメリカ合衆國連邦議會共同決議案第2号
 の大統領承認に、~~7月23日~~ 1965年10月27日付 ~~米外務省~~ 大統領府
 発表文を本邦に ~~送付~~ 1965年11月2日付
 大使館に ~~通報~~ 12上書第442号を復領したことを ~~確認~~ 通報し、
 此案に對する、あつてはアメリカ合衆國大統領の

GA-4 外務省

早期署名に対し感謝之意を表す。光栄を有す。
日本国政府は、米国内閣府および議会
が、この長期間の懸案を解決するに由じ
来られた沖縄住民の福祉に對する配慮
を高く評価するものであることを通報す
光栄を有す。



米北第418号

昭和40年11月13日

口 上 書

外務省は在本邦アメリカ合衆国大使館に敬意を
表するとともに、沖縄講和発効前遺失補償に關す
るアメリカ合衆国連邦議会共同決議第32号の大
統領承認に關する1965年10月27日付大統
領府発表文テキストを送付した1965年11
月2日付大使館口上書第442号を受領したこと
を通報し、あわせて日本国政府は、米國行政府お
よび議会在、この長い間の懸案を解決することに
よつて示された沖縄住民の福祉に対する配慮を高
く評価するものであることを通報する光榮を有す
る。

送 付 公

北米局長

信參事官
北米課長

政令 1795 号

昭和40年11月16日

外務大臣 殿

在米武内大使

引用公・電信番号

往電 才2963号

送付資料

沖縄済和等幼少補償法ヲ以テ

Public Law 89-296
89th Congress, S. J. Res. 32

October 27, 1965

"Joint Resolution to authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury to persons, and for use of and damage to private property arising from acts and omissions of the United States Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952"

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要処理要連絡
要研究至急
長上村
河
吉
馬山田
渡辺平川
大崎吉澤
中田
友藤

備 考

本信写送付先： _____ (別添省略)



別紙添付

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Public Law 89-296
89th Congress, S. J. Res. 32
October 27, 1965

Joint Resolution

79 STAT. 1071

To authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury to persons, and for use of and damage to private property, arising from acts and omissions of the United States Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952.

Whereas certain persons of the Ryukyu Islands suffered damages incident to the activities of the Armed Forces of the United States, or members thereof, after the surrender of Japanese forces in the Ryukyus on August 15, 1945, and before the effective date of the Treaty of Peace with Japan on April 28, 1952;

3 UST 3169.

Whereas article 19 of the Treaty of Peace with Japan extinguished the legal liability of the United States for any claims of Japanese nationals, including Ryukyans, with the result that the United States has made no compensation for the above-mentioned damages (except for use of and damage to land during the period from July 1, 1950, to April 28, 1952);

Whereas it is particularly consonant with the concern of the United States, as the sole administering authority in the Ryukyu Islands, for the welfare of the Ryukyuan people, that those Ryukyans who suffered damages incident to the activities of the United States Armed Forces, or members thereof, should be compensated therefor;

Whereas payment of ex gratia compensation, by advancing the welfare of the Ryukyuan people, will promote the security interest, foreign policy, and foreign relations of the United States; and

Whereas the High Commissioner of the Ryukyu Islands has considered the evidence regarding these claims, and has determined, in an equitable manner, those claims which are meritorious, and the amounts thereof: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States should make an ex gratia contribution to the persons (excluding municipalities) determined by the High Commissioner of the Ryukyu Islands to be meritorious claimants, in the amounts determined by him, and that the Secretary of the Army or his designee should, under regulations prescribed by the Secretary of Defense, pay such amounts to the claimants or their legal heirs, as a civil function of the Department of the Army; and be it further

Ryukyu Islands.
U.S. payment
for damage
claims.

Resolved, That no funds appropriated under this joint resolution shall be disbursed to satisfy claims, or portions thereof, which have been satisfied by contributions made by the Government of Japan.

Restriction.

Sec. 2. There is authorized to be appropriated not to exceed \$22,000,000 to carry out the provisions of this joint resolution, which funds are authorized to remain available for two years from the effective date of their appropriation. Any funds unobligated by the end of that period shall be covered into the Treasury of the United States.

Appropriation.

Sec. 3. No remuneration on account of services rendered on behalf of any claimant in connection with any claim shall exceed 5 per centum of the total amount paid, pursuant to the provisions of this joint resolution, on such claim; except that no remuneration on account of such services rendered on behalf of any association of claimants by any agent or attorney (including organizations thereof) shall exceed 1 per centum of the aggregate amount so paid on the claims involved. Fees already paid for such services shall be deducted from the amounts authorized under this joint resolution. Any agreement to the contrary shall be unlawful and void. Whoever, in the United States or elsewhere, demands or receives, on account of services so rendered, any

Fees for legal services.

Penalty.

remuneration in excess of the maximum permitted by this section, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not more than \$5,000 or imprisoned not more than twelve months, or both.

Approved October 27, 1965.

LEGISLATIVE HISTORY:

- HOUSE REPORT No. 972 (Comm. on Foreign Affairs).
- SENATE REPORT No. 564 (Comm. on Foreign Relations).
- CONGRESSIONAL RECORD, Vol. 111 (1965):
 - Aug. 11: Considered and passed Senate.
 - Oct. 6: Considered in House.
 - Oct. 7: Considered and passed House, amended.
 - Oct. 13: Senate concurred in House amendments.

97th CONGRESS, HOUSE OF REPRESENTATIVES, Report No. 972, 1st Session

AUTHORIZING A CONTRIBUTION TO CERTAIN INHABITANTS OF THE RYUKYU ISLANDS

SEPTEMBER 9, 1965.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. ZABLOCKI, from the Committee on Foreign Affairs, submitted the following

REPORT

[To accompany S.J. Res. 32]

The Committee on Foreign Affairs, to whom was referred the joint resolution (S.J. Res. 32) to authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury to persons; and for use of and damage to private property arising from acts and omissions of the U.S. Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952, having considered the same, report favorably thereon with amendments and recommend that the joint resolution as amended do pass.

The amendments are as follows: Page 2, line 4, immediately after "persons", insert "(excluding municipalities)".

Page 3, line 17, immediately after "claim" and before the period insert the following: "except that no remuneration on account of such services rendered on behalf of any association of claimants by any agent or attorney (including organizations thereof) shall exceed 1 per centum of the aggregate amount so paid on the claims involved".

PURPOSE AND NECESSITY FOR LEGISLATION

The primary purpose of this legislation is to authorize a contribution of not to exceed \$22 million to certain inhabitants of the Ryukyu Islands for claims for death and injury to persons; and for use of and damage to private property arising from acts and omissions of the U.S. Armed Forces, or members thereof, after August 15, 1945 (the date of the Japanese surrender) and before April 28, 1952 (the date of the Treaty of Peace with Japan).

During the 7-year occupation of the Ryukyu Islands by the U.S. Armed Forces, approximately 80,000 Ryukyuan suffered various damages arising from acts or omissions of the U.S. Armed Forces and later submitted claims totaling over \$53 million. The total claims of \$53 million were reduced through review to \$22 million proposed by this joint resolution. These are not war claims. They do not involve damages which occurred during the war nor for postwar rehabilitation of war-damaged areas. Basically the claims are for damages suffered during the occupation period and fall into two categories: First, claims for torts committed by U.S. military personnel, resulting in injury to or the death of Okinawans or damage to their private property. Second, claims for the requisitioning of their property—mostly agricultural land—for use by the military.

Why were these damage claims not paid during the occupation period as is customary? The Honorable Stanley R. Resor, Secretary of the Army, told the committee:

In practice, occupation authorities have usually transferred to the local governments the burden for making such payments, either at the time of requisition or in the peace settlement. This was U.S. policy in both World Wars. Even though the precise obligation in international law for paying claims arising from death or personal injury suffered by residents of occupied territories, due to acts or omissions of occupation forces or their members, is less clear than that concerning requisitioned property, U.S. policy has also been to transfer this obligation to the local governments in both World Wars. Why were these policies not followed in Okinawa? It was due to a unique combination of circumstances, resulting largely from the fact that, pursuant to the Potsdam Declaration, Okinawa was removed from Japanese control at the end of the war and administered directly by the United States during the entire period of the occupation. Thus, the Japanese Central Government was stripped of its powers in Okinawa and could not logically be held responsible for paying claims. On the other hand, there was no financially responsible indigenous governmental authority on Okinawa which could conceivably have paid them.

Subsequent to the occupation, the failure of the United States to pay these claims stems from the fact that all such claims were waived in the Japanese Peace Treaty of 1952. Article 19(a) of that Treaty reads as follows:

Japan waives all claims of Japan and its nationals against the Allied Powers and their nationals arising out of the war or out of actions taken because of the existence of a state of war, and waives all claims arising from the presence, operations or actions of forces or authorities of any of the Allied Powers in Japanese territory prior to the coming into force of the present treaty.

Therefore, the United States has no legal obligation to pay the claims of Ryukyuan arising from the presence, operations, or actions of U.S. forces in the pretreaty period. On the other hand, the Japanese Government similarly denies any legal liability on its part

for pretreaty damages since it had no administrative authority in the area and under article 3 of the treaty continues to have no administrative authority there.

Because of this the claimants through no fault of their own have been left uncompensated for damages which occurred during the 7 years of U.S. occupation. During this period as well as up to the present time, the Ryukyu Islands and its inhabitants have played a major role in our defense effort in the Far East. The prospects are that they will continue to do so for some time. The proposed payments, in the opinion of the committee, will provide effective redress for an acknowledged inequity and promote the American image of fairplay throughout the area.

RESTRICTIVE LEGISLATIVE PROVISIONS
The proposed joint resolution, as amended by the committee, contains several restrictions on the use of funds authorized to be appropriated.

1. The committee amended the joint resolution to exclude municipalities from the definition of persons that the High Commissioner could determine to be a meritorious claimant. Information furnished the committee revealed 38 municipalities (cities and towns) of various sizes have claims totaling approximately \$60,000. As previously explained, the principal justification for the payment of these claims is not a legal but a moral obligation. In the view of the committee it is hard to conceive how the United States could have a continuing moral obligation toward municipalities of the Ryukyu Islands, especially in consideration of the many millions of dollars of U.S. economic aid that has been granted to the Government of the Ryukyu Islands over the years. This economic development assistance does not directly meet our moral obligation to the inhabitants in the sense that they receive cash which can be used for purposes of a personal nature. However, our annual economic aid in the public sector for education, power, transportation, sewer and water systems, government services, etc. does benefit the various municipalities as a community. Therefore, the committee does not believe that the payment of damages, as a moral obligation, should be extended to cities and towns.

2. None of the funds appropriated to pay claims may be used to pay claims, or portion thereof, which have been satisfied by contributions made by the Government of Japan.

Although the Japanese Government has denied all legal liability for pretreaty claims, it made a \$2.8 million solatia payment to Ryukyuan pretreaty claimants. The Japanese Government stipulated that should the Ryukyuan succeed in obtaining compensation from the U.S. Government that these solatia payments would be repaid. The United States does not agree with this position and the amounts covered by the solatia payment have been deducted from the claims proposed to be paid under this legislation. For this reason a prohibition against the use of funds appropriated under this joint resolution to satisfy claims already paid by the Japanese Government has been included. Section 2 of the joint resolution which authorizes not to exceed \$22 million to carry out its provisions, also provides that any funds unobligated 2 years after the effective date of the appropriation shall

revert to the Treasury. It is estimated that a very small amount if any, would remain unobligated at the end of 2 years because the claims have been tightly screened and are ready for almost immediate payment. Nevertheless, this provision will assure that the claim settlement process does not drag out and create burdensome administrative difficulties.

4. Section 3 of the bill provides that fees for services on behalf of claimants shall not exceed 5 percent of the total amount paid on the claims. It also provides that fees already paid (meaning retainers) shall be considered in arriving at the total amount allowed to be received for services rendered, and further provides penalties for any violations.

The committee amended this section to further provide that no remuneration on account of services rendered on behalf of any association of claimants by any agent or attorney, including organizations thereof, shall exceed 1 percent of the aggregate amount paid on the claims involved.

It is the committee's understanding that all of the claimants have been organized into an association of claimants in the Ryukyu Islands for the purpose of facilitating the processing of their claims. This association has been and is represented in Washington by one American law firm. Therefore, the effect of this amendment would be to limit the fees that can be paid by the claimants directly or through the association to this firm. Under the joint resolution as it passed the Senate an estimated \$1,100,000 could have been paid for services. Under the resolution as amended, approximately \$210,000 would be allowable. From this amount would be deducted retainer fees already paid, which the committee is informed is \$80,000, leaving only an estimated \$130,000 additional that could be paid. The 1 percent permitted by the amendment is considerably below the 5 to 10 percent generally allowed for claim services of this nature. Nevertheless, the committee believes this is a reasonable amount to allow for services in this instance in consideration of the extent to which U.S. services and facilities were available to the claimants. The committee also believes that any attempt to disband the association or otherwise take steps to avoid the limitation imposed would be considered in violation of this law and subject to the penalties provided for such violations.

BACKGROUND

The presence of U.S. Armed Forces in the Ryukyu Islands constituted a military occupation from June 21, 1945, until April 28, 1952. During this period, certain damages were caused to residents of the Ryukyus by various acts and omissions of the U.S. Armed Forces or their members. These damages ranged from the uncompensated use of real and personal property, taken over for the use of the occupying forces, to tortious acts by members of the forces.

In 1961, after receiving numerous petitions regarding Ryukyuan pretreaty claims, the U.S. Government agreed to review the entire problem. In order to carry out the review, the High Commissioner of the Ryukyu Islands established a joint Ryukyuan-American Committee which completed its study and submitted a unanimous report on March 23, 1962 (see appendix). The High Commissioner reviewed the joint committee's report, supported its conclusions, and recommended that appropriate action be taken to obtain congressional

approval for the payment of the pretreaty claims. As a result, the Department of the Army submitted Executive Communication 2472 dated September 1, 1964, and resubmitted Executive Communication 311 to the Speaker of the House of Representatives January 8, 1965 (see appendix).

COMMITTEE ACTION

The Subcommittee on the Far East and the Pacific of the Committee on Foreign Affairs held a public (and an executive session) hearing on July 28, 1965, to receive testimony on House Joint Resolution 251, introduced by the Honorable Spark M. Matsunaga, of Hawaii. The House joint resolution was identical to the draft resolution contained in Executive Communication 311 submitted by the Department of the Army to the Speaker of the House of Representatives, January 8, 1965. Testimony in support of House Joint Resolution 251 was received from the Honorable Spark M. Matsunaga, as well as executive department witnesses, including Hon. Stanley R. Resor, the Secretary of the Army; Lt. Gen. Albert Watson II, the High Commissioner of the Ryukyu Islands; and Mr. Samuel D. Berger, Deputy Assistant Secretary of State for Far Eastern Affairs.

Subsequent to the subcommittee's hearings on House Joint Resolution 251, on July 28, 1965, the Senate acted upon an identical measure, Senate Joint Resolution 32. This joint resolution was passed by the Senate on August 11, 1965 and referred to the Committee on Foreign Affairs. The Subcommittee on the Far East and the Pacific in executive session on September 8, 1965, voted unanimously to report Senate Joint Resolution 32, with amendments, to the full committee for action. The Committee on Foreign Affairs on September 9, 1965, voted to report the measure favorably to the House.

CONCLUSIONS AND RECOMMENDATIONS

The Joint Ryukyuan-American Committee (established in 1961) examined very carefully all of the evidence which was submitted in connection with the claims covered by the proposed joint resolution and concluded that they were meritorious. The committee agrees. Certainly the individuals who suffered damages as a result of the activities of the U.S. Armed Forces are entitled to adequate compensation. In the opinion of the committee, the payment of the claims in question will not only advance the welfare of the people involved, but will promote the security interests, foreign policy, and foreign relations of the United States. It should be noted, however, that the committee is of the opinion that the payment of these claims constitutes full and final settlement for all U.S. obligations pertaining to the period of occupation, August 15, 1945, to April 28, 1952. Accordingly, the committee recommends that the House approve Senate Joint Resolution 32.

APPENDIX

(Executive Communication 311)

DEPARTMENT OF THE ARMY,
Washington, D.C., January 8, 1965.

Hon. JOHN W. McCORMACK,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: A draft of legislation to authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury of persons, and for use of and damage to private property, arising from acts and omissions of the U.S. Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952, is enclosed.

This proposal is part of the Department of Defense legislative program for the 89th Congress, and the Bureau of the Budget advises that, from the standpoint of the administration's program, there is no objection to the presentation of this proposal for the consideration of the Congress. The Department of the Army has been designated the executive agency of the Department of Defense for the civil administration of the Ryukyu Islands, and is therefore the representative of the Department of Defense for this legislation. The Department of State concurs in this proposal, from the viewpoint of foreign policy. It is recommended that the proposal be enacted by the Congress.

PURPOSE OF THE LEGISLATION

The purpose of the proposed legislation is stated in the title. The following background information will be useful in considering this bill.

A. Historical background

The Ryukyu Islands became an integral part of Japan in 1879. This area was regarded as enemy territory by the U.S. Armed Forces during World War II, and was invaded by them on March 26, 1945. Hostilities ended in the Ryukyus on June 21, 1945, and Japanese forces there formally surrendered on August 15, 1945. Full military government was established in the islands on September 21, 1945. For purposes of control and administration, the Ryukyus were severed from Japan, and Japanese postwar legislation was not, of itself, extended to this area.

The Treaty of Peace with Japan, which was signed by the United States and other nations at San Francisco on September 8, 1951, entered into force on April 28, 1952. By article 3 thereof, Japan agreed to concur in any proposal of the United States to place the Ryukyu Islands under the United Nations trusteeship system, with the United States as the sole administering authority. Pending the making of such a proposal, Japan gave to the United States the right to exercise all and any powers of administration, legislation, and jurisdiction over the territory and inhabitants of the Ryukyu Islands.

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The northernmost group of these islands, known as the Amami Oshima group, was returned to Japanese jurisdiction on December 25, 1953, and is no longer considered a part of the Ryukyu Islands, as they are known today.

The President has asserted, in the budget of the U.S. Government for fiscal year 1965, that "to protect the security of the United States and of the free world, the United States will continue responsibility for the administration of the Ryukyu Islands as long as conditions of threat and tension in the Far East require the maintenance of military bases in these islands."

B. Governmental arrangements

Under the provisions of Executive Order 10713, dated June 5, 1957, as amended by Executive Order 11010, dated March 19, 1962, the President delegated to the Secretary of Defense the responsibility of exercising the above-mentioned powers of administration, legislation, and jurisdiction over the Ryukyus, subject to the direction and control of the President. The basic order established a civil administration of the Ryukyu Islands (USCAR), headed by a High Commissioner appointed from among the active-duty members of the U.S. Armed Forces. The 1962 amendment to the basic order also provided for a civilian official, under the High Commissioner, called the civil administrator; his powers and duties are such as may be assigned to him by the High Commissioner. The basic order charged the Secretary of State with the responsibility for conducting Ryukyuan relations with foreign countries and international organizations. It also established the government of the Ryukyu Islands (GRI), which, under the High Commissioner, has extensive powers in the legislative, executive, and judicial fields.

C. Nature of claims

The presence of U.S. Armed Forces in the Ryukyu Islands constituted a military occupation from June 21, 1945, until April 28, 1952. Certain damages were caused during this period to residents of the Ryukyu Islands by various acts and omissions of the U.S. Armed Forces or of their members. These damages ranged from the uncompensated use of real and personal property, taken over for the legitimate requirements of the occupying forces, to tortious acts by members of the forces.

It is a generally recognized principle of international law, particularly as reflected in the provisions of the Hague Convention No. IV of 1907 (which has been ratified by both the United States and Japan), that individuals whose personal or real property is used or taken by occupation forces are entitled to fair compensation for such use. In other occupations of enemy territory by U.S. Armed Forces during and after World War II, such compensation was normally provided, on behalf of the United States, by the existing local governments. This principle applied also to claims arising from death or personal injury suffered by residents of the occupied territory due to acts or omissions of the Armed Forces or of their members.

However, the absence of any financially responsible local government in the Ryukyus in the immediate postwar years unfortunately resulted in the nonpayment of any compensation to individual Ryukyans for the use of or damage to their property by the U.S. occupation forces during the pretreaty period (with one exception, as

will be explained below), or for any pretreaty tort claims for death or personal injury caused by such forces or members thereof. In any event, U.S. liability for Ryukyuan claims arising during that period was formally extinguished by the Treaty of Peace with Japan, which entered into force on April 28, 1952. In article 19a of this treaty, Japan waived all its claims, and those of its nationals (including Ryukyuan), against the Allied Powers and their nationals, arising from the war and occupation of Japanese territory prior to the coming into force of the treaty. (Unlike other agreements with former enemy states, this treaty did not require Japan to settle and pay the claims of its nationals against the other contracting parties.) Accordingly, the United States, on the basis that it has thus been absolved from legal responsibility for payment of these claims, denies legal liability for such claims and therefore has not paid them—except for certain claims related to rental of land and damages thereto during the last 2 years of the occupation period, as will be explained herewith.

Beginning with the effective date of July 1, 1950, the principle of uncompensated requisitioning of Ryukyuan private property was abandoned in favor of leasehold arrangements, with rentals paid by the U.S. Government; payments have also been made to cover the cost of restoring lands damaged during that period. These arrangements were undertaken on the basis of implied leases, executed by virtue of the retroactive provisions of civil administration proclamation No. 26, dated December 5, 1953. These particular pretreaty claims may thus be regarded as covered by article 19b of the treaty, which specifically exempts from the waiver provision of article 19a those claims which are "specifically recognized in the laws of any Allied Powers enacted since September 2, 1945." These already satisfied pretreaty claims, of course, are not included among the claims covered by the attached draft legislation.

As a matter of related interest, the Government of Japan denies legal liability for pretreaty claims in the home islands of Japan, but has provided some compensation to such Japanese claimants. Although the Government of Japan similarly denies legal liability for pretreaty claims in the Ryukyu Islands, in 1957, it made solatia payments to Ryukyuan pretreaty claimants, in the amount of 1 billion yen (approximately \$2.8 million). The amount of these solatia has been deducted from the amount of the claims covered by the proposed legislation, and a specific stipulation has been included therein, precluding disbursement of funds appropriated thereunder for claims already satisfied by the GOJ. Although the GOJ, when paying these solatia, stipulated that the amount thereof would be repaid to it, should the Ryukyuan claimants succeed in obtaining compensation from the U.S. Government for these claims, this stipulation was a unilateral action on the part of the GOJ, and has never been agreed to by the U.S. Government.

D. U.S. policy regarding these claims

The claims to be compensated by this bill have been presented by Ryukyuan to the High Commissioner and to his predecessors during the years since the treaty entered into effect. Numerous petitions in this matter have also been submitted to him and to other officials of the U.S. Government. Most recently, in 1960, the Ryukyuan members of the High Commissioner's Land Advisory Committee submitted to him a comprehensive petition, requesting compensation for these

claims. Although recognizing that the United States had no legal liability for such claims, the High Commissioner forwarded this petition to the Department of the Army, recommending that the United States review this entire problem with a view toward modifying its past policy of relying solely on the legal merits of the case, and that it now give due emphasis to related considerations of equity and moral responsibility.

The High Commissioner's recommendation for a review of this problem was favorably received by the Department of the Army, and, with the approval of the Department of Defense and the concurrence of both the Department of State and the Bureau of the Budget, the High Commissioner was directed to undertake a review of the entire subject of Ryukyuan pretreaty claims, to include discussions with the Ryukyuan claimants, their representatives, and the government of the Ryukyu Islands. An announcement to this effect was released by the High Commissioner on April 6, 1961. In his announcement, the High Commissioner noted that he thereby assumed no legal responsibility or commitment to settle these claims, and stated that they were being reviewed because of the concern of the United States, as the administering authority in the Ryukyus, for the well-being of the Ryukyuan people. Advance copies of this announcement had previously been distributed to the President of the Senate, the Speaker of the House, the members of the concerned committees of both the Senate and House, and to selected Senators and Congressmen.

The High Commissioner subsequently established a joint Ryukyuan-American group to conduct the review, the American members of which were appointed by himself and the Ryukyuan members by the chief executive of the government of the Ryukyu Islands. The Committee examined all of the evidence in this matter and reviewed it in accordance with equitable standards that had previously been developed, and applied with considerable success, in reviewing claims submitted to the U.S. Government by residents of other areas in the Far East. The Committee completed its study and submitted a unanimous report to the High Commissioner on March 23, 1962. After reviewing the Committee's report, the High Commissioner transmitted it to the Department of the Army on October 16, 1962. The High Commissioner supported the Committee's conclusions and recommended that appropriate action be taken to seek approval by the Congress for authorization of the proposed payments. This legislative proposal is a direct result of the Committee's study and of the High Commissioner's recommendation thereon.

Bills seeking the same objective as this proposal were introduced in the 86th, 87th, and 88th Congresses, but were not enacted.

The proposed payments are considered warranted because of the concern of the United States, as the administering authority in the Ryukyus, for the well-being of the Ryukyuan people. Payment of these claims will also provide effective redress for an acknowledged inequity, which has caused these claimants to throw themselves on the mercy of the U.S. Government, which has full jurisdiction over them. It would also promote the security interests of the United States, by fostering an atmosphere of respect on the part of the Ryukyuan people for the spirit of fairplay and equity evidenced by the U.S. Government, in keeping with the image and record of American practices throughout the world.

While the legal position of the U.S. Government is quite clear, in view of the above-mentioned extinguishment of our liability for these claims by article 19 of the treaty, the fact that the individual claimants were, through no fault of their own, left uncompensated during the 7 years of the occupation, contrary to the practice followed in other occupied areas, does constitute a situation calling for equitable adjustment at this time. In referring this matter to the Congress, the executive branch believes that the problem should be regarded in this light. This question is basically keyed to the moral imperative of living up to the demands of equity, even where no legal liability exists. It is respectfully suggested that this be the framework for legislative consideration of the attached proposal.

E. Cost and budget data

The total of all claims which have been submitted in this matter was originally \$43 million, as tabulated in the above-mentioned petition submitted by the claimants to the High Commissioner. However, in the course of the review conducted by the Joint Committee, as approved by the High Commissioner, the total of the meritorious claims has been reduced to approximately \$22 million, broken down as follows:

Personal injury and death.....	\$800,000
Land rentals (1945-50).....	15,000,000
Restoration of released lands.....	2,500,000
Water rights.....	50,000
Property damage, growing crops, etc.....	3,650,000
Total.....	22,000,000

If this legislative proposal is enacted, it is estimated that the bulk of this sum would be expended within 1 year. This amount has not been included in any estimate of appropriations submitted through budget channels by either the Department of Defense or the Department of the Army.

It is proposed that distribution of the requested payments would be made by the government of the Ryukyu Islands, under controls established by the High Commissioner, and would not require additional civilian employment or expenditures for personnel services. The anticipated negligible increase in general administrative expenses in the office of the High Commissioner will be absorbed within other appropriations for the Department of Defense.

In connection with the operative clause of the attached joint resolution, it is proposed that a tabulation of the claims determined by the High Commissioner to be meritorious will be submitted to the respective committees of the Congress in the course of their consideration of this proposal.

Sincerely,

(Signed) STEPHEN AILES,
Secretary of the Army.

REPORT OF JOINT RYUKYUAN-AMERICAN COMMITTEE

THE UNITED STATES HIGH COMMISSIONER,
Ryukyu Islands.

Subject: Report of Pre-Peace Treaty Claims Review Committee.

To: Deputy Chief of Staff for Military Operations,
Attn: Civil Affairs Directorate,
Department of the Army,
Washington 25, D.C.

1. Reference: Message DA 992964, CA to HICOM, dated 29 March 1961 (C).

2. In accordance with guidelines set forth in referenced message, the Joint Ryukyuan-American Committee was established in April 1961. The Committee has since then carefully examined all evidence supporting these claims in accordance with equitable standards that have previously been successfully developed in such work in other areas in the Far East.

3. The Committee completed its work on the Ryukyuan pre-peace treaty claims and submitted its unanimous recommendations to the High Commissioner on 23 March 1962. These recommendations have been reviewed by the Office of the High Commissioner. This review sustained the findings and recommendations of the Committee, and the report was forwarded to the High Commissioner with a recommendation for favorable action.

4. I approve the findings of the Joint Committee and recommend that appropriate action be taken to seek approval by the Congress for authorization to settle these claims favorably.

PAUL W. CARAWAY,
Lieutenant General, United States Army,
High Commissioner.

UNITED STATES CIVIL ADMINISTRATION OF THE RYUKYU ISLANDS
APO 331

21 March 1962

Subject: Report of Pre-Peace Treaty Claims Review Committee.

To: High Commissioner of the Ryukyu Islands.

1. Reference

Reference is announcement by the High Commissioner, dated 6 April 1961.

2. General Statement

Pursuant to directions in reference announcement, a committee of qualified United States citizens appointed by the High Commissioner, and a committee of qualified Ryukyuan citizens designated by the chief executive of the government of the Ryukyu Islands, undertook a review of the entire subject of the Ryukyuan pre-treaty claims, including discussions with the government of the Ryukyu Islands, Ryukyuan organizations, and Ryukyuan individuals. As part of the review the Joint Ryukyuan-American Committee assembled and analyzed the facts concerning said claims. Submitted herewith is the Committee's over-all evaluations and recommendations.

3. Number of Meetings

The Committee met nineteen times from 10 May 1961 to 29 December 1961.

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4. Method of Review and Types of Claims

As far as could be done, a personal inspection was made of the written evidence of claims, which had been assembled over a period of several years by the representatives of the claimants. The claims for personal injury, death, and personal and real property damage are supported by written evidence of the claimants and Ryukyuan police officials. The claims for real property rental are supported by oral and written evidence of United States use and occupation of the involved lands. The claims examined consisted of claims for the use of and damage to lands by the United States from 15 August 1945 to 1 July 1950, and claims for personal property, fishing rights, and personal injury and death, caused by the United States, from 15 August 1945 to 28 April 1952.

5. Authority of Ryukyuan Committee Members

In addition to the Ryukyuan members designated by the chief executive of the government of the Ryukyu Islands, Mr. Choko Kuwae participated in the review as a representative of the legislature of the government of the Ryukyu Islands. Furthermore, all Ryukyuan members hold written powers of attorney from the claimants.

6. Agreements

Before actual examination of claims the Ryukyuan and American members entered into the following agreements:

a. Standard of local weights and measurements:

- (1) 1 Kin=1,328 pounds
- (2) 1 Sho=2.5 Kin=3,307 pounds
- (3) 1 Koku=117,924 board feet
- (4) 1 Tsubo=36 square feet
- (5) 1,224 Tsubo=1 acre
- (6) 1 Tan=300 Tsubo

b. The United States shall incur no costs or liability whatever regarding the handling or disposal of the pre-treaty claims matters.

c. Provided the United States makes an ex gratia payment of the claims, the government of the Ryukyu Islands will make the disbursement at no expense to the United States.

d. Rentals of land used by the United States prior to 1 January 1947 would not be considered because the peoples dispersed during hostilities had not returned to their lands; and furthermore, this was the period of post-war adjustment and there were no crops produced during this period. Crop production is the agreed basis for calculation of all rentals of agricultural lands.

e. The basis for estimating damage to lands is the cost of restoration of the land to the condition in which the land was at the time of taking by the United States. When the cost of restoration equals or exceeds the fee value, the fee value of the land will be the basis for computing damage.

f. The monetary conversion rate was agreed to be 50 "B" Yen to one United States dollar.

g. The market price of cleaned rice per sho was determined to be \$0.0246 for 1947 and \$0.7681 for 1948-50.

7. Rental Formula for Agricultural Lands

To find the annual income of agricultural lands, the lands were classified as wet and dry farm land, and graded from 1 to 5 in accordance with crop production. Grade 3 was adopted as 100 per-

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cent; grade 1, 120 percent; grade 2, 108 percent; grade 4, 72 percent; and grade 5, 60 percent.

The rate of crop production per year is 178 percent. Additional income is derived from byproducts. The annual yield of cleaned rice per sho, of first crop, grade three, wet farm land, per tan, throughout the eleven differing areas of production, is as follows:

Year 1955	Year 1952	Years 1951-49	Years 1948-47
175	133.3	101.6	85.5
170	129.5	98.7	83.1
165	125.7	95.8	80.6
160	121.9	92.9	78.2
155	118.1	90.0	75.8
150	114.3	87.1	73.3
145	110.5	84.2	70.9
140	106.7	81.3	68.4
135	102.9	78.4	66.0
130	99.1	75.5	63.5
125	95.2	72.6	61.1

In estimating crop income from 1947 to 1952, a percentage decrease was adopted as follows:

- 76.2 percent of 1955 production rate for the period 1954 to 1952.
- 58.06 percent of 1955 production rate for the period 1951 to 1949.
- 48.88 percent of 1955 production rate for the period 1948 to 1947.

The formula applied to fix annual rental per tsubo is, therefore: Yield per sho per tan \times utilization rate of 1.78 \times by-products yield 48.88 percent of 1955 production rate for the period 1948 to 1947.

The formula applied to fix annual rental per tsubo is, therefore: Yield per sho per tan \times utilization rate of 1.78 \times by-products yield of 1.056 percent \times price of cleaned rice \times 0.33 percent of gross income divided by 300 tsubo. This formula will give the rental per tsubo per annum for grade three wet farm land.

The annual rental of grade three dry farm land is estimated to be 65 percent of wet farm land grade three.

The average rental of wet farm land grade three was calculated on a percentage of decreased yield from 1955 to 1947, and by the adjusted annual price of cleaned rice, because the average yield per tan per sho in Okinawa Gunto was 160 sho in 1955.

The rental of dry farm land grade three was calculated in the same manner as the preceding paragraph. The rental of wet farm grade three, and the average profit of 65 percent of wet farm grade three were used for the calculation.

8. Non-Agricultural Lands

The rental formula for other than agricultural lands per tsubo was agreed to be as follows:

a. Range Land:

- (1) Range land grade 1, 50 percent of the rental value of dry farm land grade 5 in the same area.
- (2) Range land grade 2, 70 percent of range land grade 1 in the same area.

b. Forest Land:

- (1) Forest land grade 1, 33.3 percent of dry farm land grade 5 in the same area.
- (2) Forest land grade 2, 70 percent of forest land grade 1 in the same area.

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- c. *Special Areas:*
 (1) 50 percent of the rental of building lot grade 2 in that area.
 d. *Forest Reserve:*
 (1) Same as forest land grade 1.
 e. *Swamp and Pool, Reservoir, Miscellaneous Land.* Same as building lot grade 2 in the same area.
 f. *Tomland, Sacred Land.* Same as range land grade 1.
 g. *Public Used Land, Salt Land.* Same as building lot grade 1.
 h. *Other Land (Unsubdivided Land).* Same as dry farm land grade 5 in the same area.

9. *Building Lots*
 The rental for building lots was determined to be a certain percentage of the average 1959 rental per tsubo of \$3.0012 for old Naha City, and \$0.5209 for other *shi-cho-son* building lots. (*Shi* is city. *Cho* is town. *Son* is village.) The 1950 rental rates were first found by decreasing the rates by 23.8 percent for each three years. The rental rates for 1949-1948 and 1947 were then ascertained by decreasing the 1950 rental rate by 7.9 percent per annum.

10. *Loss of Water Rights*
 The damage to lands arising from the loss of water appurtenant thereto was estimated by finding the cost of converting the land from wet farm land to dry farm land, plus the decrease in the market price between wet and dry farm land.

11. *Growing Crops*
 The damage arising from lost crop was determined to be the market price of the crop less the cost of production.

Fruit trees, mulberry trees, tea plants, bamboo damage was estimated to be market value of plant or tree at time of destruction, less unexpended costs of production.

Firewood and charcoal materials was estimated to be the market price at time of destruction.

Rental of buildings was estimated to be the average rental for like buildings in the same area.

Damage for destroyed buildings was estimated to be the market price of building at time of destruction.

Damage for wells, tombs, reservoirs, stone walls, water tanks, sugarmills, was estimated to be the cost of restoration to the condition when damaged or destroyed.

Damage for collapsed or lost land (washed away by action of the sea), was estimated to be the fee value of the land at time of loss.

Building relocation expenses was estimated to be actual reasonable cost involved.

12. *Surface Fisheries*
 The damage arising from loss of fishing rights is confined to licensed inshore fishing. Damages arising from loss of fishing in international waters were not considered.

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The number of persons, equipment, geographical areas and time involved is as follows:

Name	Number of vessels used	Number of fishermen	Amount claimed	Years covered
Io Association.....	35	88	\$78,640	6 years 4 months.
Tokumoto TAKAMINE of Naha Shi.....	9	18	33,338	Do.
Nakazato-Son Association.....	59	130	118,657	Do.
Saburo TAMASHIRO of Itoman Cho.....	4	24	25,562	4 years.
Tonaki-Son Association.....	60	198	117,282	3 years 10 months.
Yonagusuku-Son Ikei Association.....	3	25	16,811	6 years 4 months.
Chatan-Son Association.....	30	73	102,131	Do.
Yomitan-Son Association.....	27	108	52,013	Do.
Katsuren-Son Association.....	16	48	17,223	Do.
Total.....	243	712	562,607	

The existing evidence establishes that claimants have been excluded by the United States from fishing in the inshore areas above described, and have suffered the losses arising from said exclusion. The Committee could not find exactly the amount of actual loss sustained because the fish catch from inshore areas of the ocean, the sale price of the catch, and costs of fishing vary from year to year, and also because of fishing licenses were seldom, if ever, sold by the owners.

13. Severance damage to lands was estimated to be the actual damages sustained.

14. General property damage arising from tortious acts was estimated to be the actual cost of repair or restoration of the property at the time of damage.

15. *Personal Injury and Death.*
 a. The Committee, to estimate damage arising from personal injury and death, adopted a standard average daily wage of \$1.52 for an adult male private employee, \$0.98 for adult female private employee, and \$1.56 for military employee and self-employed. Incomes in excess of \$3.80 were considered to be \$3.80. When the amount of daily funeral expenses exceeds \$2.94, it shall be fixed at \$2.94. Income of infant was set at \$0.82 per day; school children \$0.98 per day; college students \$1.14 per day; wife \$0.98 per day, and unemployed adults \$0.98 per day. These amounts represent the daily average wage during 1958, except for infants, housewives, unemployed. In the latter case the daily average wage was adopted. The formula is: Average daily wage × 1,000 days, plus 27.3 cents per day for dependent spouse, and 14.6 cents per day for a surviving minor dependent less than 18 years of age, for a deformed or disabled child, and for dependent parents.

b. Funeral costs to the bereaved survivors was fixed at 60 days standard wage or income of the deceased.

c. Personal injuries: Eighty percent of the amount obtained by multiplying average daily wage or income × actual days physically unable to work.

d. Physical handicaps or permanent damages were graded from to 14, according to severity or degree of disability.

- Grade 1: Maximum recovery period of 1,340 days × daily wage
- Grade 2: 1,190 days × daily wage
- Grade 3: 1,050 days × daily wage
- Grade 4: 920 days × daily wage
- Grade 5: 790 days × daily wage
- Grade 6: 670 days × daily wage
- Grade 7: 560 days × daily wage
- Grade 8: 450 days × daily wage
- Grade 9: 350 days × daily wage
- Grade 10: 270 days × daily wage
- Grade 11: 200 days × daily wage
- Grade 12: 140 days × daily wage
- Grade 13: 90 days × daily wage
- Grade 14: 50 days × daily wage

e. Where the injured was employed, an additional sum was added to certain degrees of permanent physical damages as follows:

- Grades 1 to 3: \$0.56 per day
- Grades 4 to 7: \$0.49 per day
- Grade 8: \$0.29 per day
- Grade 9: \$0.15 per day

f. Hospitalization costs, although free of charge prior to 31 March 1948, were fixed at 28 cents per day, and home treatment was fixed at 14 cents per day. From 31 March 1948, or end of free medical treatment, hospitalization costs were fixed at 75 cents per day, plus 28 cents per day as additional expenses. Outpatient or home treatment expenses were fixed at 57 cents per day, plus 14 cents per day as additional expenses.

g. In the event the injured died from said injuries, the damage was estimated to be cost of medical treatment, plus compensation for loss of wage, plus bereaved family costs, plus funeral costs.

h. The damage arising from rape was fixed at daily wage × 500 days, plus cost of medical treatment, and in case of physical injury, compensation for loss of wages, plus permanent disability damages, if any. In the event of death arising from rape an additional amount is added for funeral rites and bereaved family compensation.

16. Findings of the Committee

a. The Committee, after examining, analyzing, and reviewing the available evidence and facts, finds that between 1 January 1947 and 1 July 1950 the United States used and occupied claimants' lands without payment of rentals as follows:

Year	Tsubo	Equivalent acres
1947	74,992.914	61,268.75
1948	61,321.238	50,099.05
1949	57,262.766	46,783.31
1950	54,943.393	44,888.39

and that a fair rental for these lands during the time used and occupied, based upon the agreed formula, is the sum of \$14,939,539.

b. For restoration compensation:

- (1) Nishihara Airfield: The committee finds that the cost of restoring the land in this area damaged by the United States is \$755,623.
- (2) The area of lands damaged by quarrying, hard surfacing, grading, etc., and released prior to 28 April 1952, is 3,180,218.75 tsubo. The fair cost of restoration is the sum of \$698,296.76.
- (3) The area of lands damaged by quarrying, hard surfacing, grading, etc., and released after 28 April 1952, is 971,365.65 tsubo. The fair cost of restoration is the sum of \$1,064,798.95.

c. Loss of water rights.

(1) At Takamine-Son the United States, without compensation, prior to 28 April 1952 appropriated the entire flow of a water point, which had formerly been used to irrigate approximately 41.65 acres of land and to supply water for domestic purposes. The average normal flow of the water point is 1,000,000 gallons per day. During the rainy season the average daily flow is 2,000,000 gallons.

The Committee finds that the claimants have suffered damages in the sum of \$34,882.70 from converting said lands from wet farm land to dry farm land, from the loss of market value of lands, and from the loss of domestic water.

(2) At Chinen-Son the United States, without compensation, prior to 28 April 1952, appropriated the flow of a water point, which had been used by claimants for irrigation, domestic use, to generate electricity, and to provide hydraulic power for a small rice cleaning mill. The average daily flow of the water point is 500,000 gallons, which increased to 1,000,000 gallons during the rainy season.

The Committee finds that the claimants have suffered damages in the sum of \$15,494.30 from converting wet farm land to dry farm land, from the loss of market value of lands converted, from decreased production due to lack of water, from the loss of hydraulic power and from the loss of domestic water.

Uncompensated personal injuries and deaths caused by United States personnel to Ryukyuan, the Committee estimates to be \$831,032.60.

The injuries and deaths arose from traffic accidents, aircraft accidents, explosions of ammunition, explosions of gasoline, physical attacks with dangerous weapons, assault, and battery, accidental poisoning of water supply, rapes, and ship accidents.

In August 1948 an LCT loaded with ammunition exploded at Ie Jima wharf; 103 persons were killed immediately, and 77 persons were seriously wounded.

An auxiliary tank fell from a military aircraft, killing nine persons in the city of Naha.

The death and injury cases are supported by written evidence, and are believed to be true.

From 15 August 1945 to 28 April 1952 the following were killed and injured by United States personnel:

- (1) Killed, 346. By accidents, rape, personal violence, etc.
- (2) Injured, 382. By explosions, personal assaults, accidents, etc.

Solatia payment in the sum of \$6,804.55 was given to the victims of the LCT explosions by United States organizations. The solatia

payment has been deducted from the total amount of damage sustained.

e. Improvements. Growing crops were destroyed on 118,749.42 *tsubo* of land, causing damages in the sum of \$5,019.00.

Fruit trees, mulberry trees, tea plants, were destroyed on 1,048,778.68 *tsubo* of land, causing damages in the sum of \$431,066.00.

Standing trees, bamboo, firewood and charcoal material totaling 139,177.10 *koku* (16,412,220.34 board feet) were destroyed, causing damages of \$99,867.00.

Six hundred and four buildings were occupied, having a reasonable rental of \$73,908.00.

Three thousand two hundred and fifty-five buildings, having a reasonable value of \$610,982.00, were destroyed.

There were 1,332 wells, 941 tombs, 52 reservoirs, 1,994 stone walls and 219 water tanks destroyed, causing damages in the sum of \$1,193,914.00.

Lands were eroded and lost from tidal and water action in the amount of 42,259.5 *tsubo*, causing damage in the sum of \$236,469.00.

Two sugar mills, having a reasonable value of \$8,376.00 were destroyed.

Inshore fishery losses caused by the areas being closed to fishermen damaged the affected persons in the sum of \$562,607.00.

Due to requisition of lands by the United States, 3,751 buildings were moved to other locations at a reasonable expense of \$219,259.00.

Severance damages to 31,136 *tsubo* of land created a loss of \$13,293.00.

There were 257 instances of property damage to residences, business buildings, etc., from accidental explosions of ammunition, aircraft accidents, etc., which caused damages in the sum of \$80,097.00.

17. *Recapitulation*
The Committee finds, from available evidence, that the claimants have suffered damages, for which compensation has not been made, as follows:

1. Land rentals	\$14,939,530.00
2. Restoration of lands	2,518,718.71
3. Water rights	50,377.00
4. Personal injury and death	831,032.69
5. Growing crops	5,019.00
6. Fruit trees, mulberry trees, tea plants	431,066.00
7. Standing trees and bamboos	609,834.00
8. Firewood and charcoal material	18,399.00
9. Rental for buildings	73,908.00
10. Buildings destroyed	610,982.00
11. Wells	111,281.00
12. Tombs	81,468.00
13. Reservoirs	65,569.00
14. Stone walls	393,423.00
15. Water tanks	13,807.00
16. Collapsed and destroyed lands	236,469.00
17. Sugar mills destroyed	8,376.00
18. Loss of inshore surface fishing	562,607.00
19. Removal and relocation of buildings	219,259.00
20. Severance damage	13,293.00
21. Property damage from tortious acts	80,097.00
Total damages	21,874,524.40

18. The supporting documentary evidence of the claims reviewed is so voluminous that it cannot be attached to this report. However, all of said written evidence is available and in the possession of the government of the Ryukyu Islands at its storage place in Naha, Okinawa.

The Committee recommends that the findings of the nature and amount of damages sustained by claimants be approved.

Respectfully submitted this 23d day of March 1962.

United States members:

JOHN P. KING, *Chairman*.
FELIPE T. SANTOS, *Member*.
EUGENE V. SLATTERY, *Member*.
RICHARD ROSE, *Member*.

Ryukyuan members:

RYOJUN KUGAL, *Cochairman*.
CHOKO KUWAE, *Member*.
HIROSHI MAKINO, *Member*.
IBI NAKAMOTO, *Member*.

古信
対沖縄援助

北米局長
参事官
北米課長

政第 936 号

昭和 41 年 2 月 11 日

外務大臣殿

在 米 武 内 大 使



米税附の沖縄関係法改正予算
に付 (報告)

1. 2月7日 下院に於いて リンクス 下院委員
(民主、南加、保守、軍需委員) は 沖縄に於ける
援助に因りて 114 万ドルの増額を 改正案
(H.R. 12617 付外入手続を送付) を
提出した。(別添 1. 沖縄関係法改正案)
2. 右は現行の 1200 万ドルの天井を 2500 万ドル

安達	田村
河内	山田
吉川	平川
吉野	川口
山崎	山崎
山崎	山崎

41. 2. 15

GA-4

外務省

2

に引上りたもののほか、右改正が
米税附に成立 (右場合 1967 会計年度
(本年 7 月 1 日政明第 6A300 号) では 1731 万ドル
(1966 年度の 531 万ドル増) の支出を以て 予算
要求が出された。 (別添 2 1967 年度予算書
抜粋中 6. 803 号) 米税附省の特色

3. 12 月 7 日 送明したものは 増加支出額が比較的
少ないのは 初年度であるという 援助の理由のほか
琉球政府の経済開発計画と 同様に 合計 42 億
ドル (円換算に増加支出分) の
総経費が 42 億ドルに 漸増させられること
になる趣で、取りあふて 最も急務と見られる
教職員の特遇改善に 最大重点を置く計画に
ある。(400 万ドルを要求し 上記別添 2 号)

4. 地方官の米税附に成立した 請和案の前
補償法の左の予算要求は 今年度打ち切

GA-4

外務省

1966会計年度予算の追加要求として別途
計上に提出されたこととあり、21.3%増の
場合、今年度中の支出は行われず、1967年度に
820万円に支出が計画である。(別添工
のp.405号62)

別紙添付

CONSTRUCTION OF POWER SYSTEMS, RYUKYU ISLANDS
Program and Financing (in thousands of dollars)

Identification code 08-17-2701-0-1-910	1965 actual	1966 estimate	1967 estimate
Financing:			
21 Unobligated balance available, start of year	-7,500	-7,500	-7,500
24 Unobligated balance available, end of year	7,500	7,500	7,500
Relation of obligations to expenditures:			
72 Obligated balance, start of year	4,593	1,296	380
74 Obligated balance, end of year	-1,296	-380	-380
90 Expenditures	3,297	916	

Loans to Ryukyu Electric Power Corporation (REPC)—This appropriation was made available for a loan to the Ryukyu Electric Power Corporation to assist in construction of an 88-megawatt electric powerplant and ancillary facilities at Kin on Okinawa. Construction cost of the plant which went into operation in July 1965, was \$15.2 million. Of this amount \$4.7 million has been provided from earnings of the Corporation and \$10.5 million from the appropriation.

Proposed for separate transmittal:

RYUKYUAN PRETREATY CLAIMS

Program and Financing (in thousands of dollars)

Identification code 08-17-2703-1-1-910	1965 actual	1966 estimate	1967 estimate
Program activities:			
10 Payment of claims (obligations) (object class 42.0)			9,100
Financing:			
21 Obligated balance available, start of year			-21,040
24 Unobligated balance available, end of year		21,040	11,940
40 New obligational authority (proposed supplemental appropriation)		21,040	
Relation of obligations to expenditures:			
71 Total obligations (affecting expenditures)			9,100
74 Obligated balance, end of year			-900
90 Expenditures			8,200

Under existing legislation.—This appropriation will implement the act of October 27, 1965 (Public Law 89-296), which authorizes the United States to make an ex gratia contribution to certain inhabitants of the Ryukyu Islands in consideration of damages caused by acts and omissions of the U.S. Armed Forces, or members thereof, during the military occupation of the Ryukyu Islands from August 15, 1945, to April 28, 1952.

THE PANAMA CANAL

CANAL ZONE GOVERNMENT

General and special funds:

OPERATING EXPENSES

For operating expenses necessary for the Canal Zone Government, including operation of the Postal Service of the Canal Zone; hire of passenger motor vehicles; uniforms or allowances therefor, as authorized by the Act of September 1, 1954, as amended (5 U.S.C.

1231); expenses incident to conducting hearings on the Isthmus; expenses of special training of employees of the Canal Zone Government as authorized by law (5 U.S.C. 2301 et seq.); contingencies of the Governor; residence for the Governor; medical aid and support of the insane and of lepers and aid and support of indigent persons legally within the Canal Zone, including expenses of their deportation when practicable; maintaining and altering facilities of other Government agencies in the Canal Zone for Canal Zone Government use; and payments of not to exceed \$50 in any one case to persons within the Government service who shall furnish blood for transfusions, [§31,000,000] \$33,762,000. (2 C.Z. Code, sec. 31; 31 U.S.C. 11: Public Works Appropriation Act, 1960.)

Program and Financing (in thousands of dollars)

Identification code 08-25-0116-0-1-910	1965 Actual	1966 estimate	1967 estimate
Program by activities:			
1. Civil functions:			
(a) Customs and immigration	606	656	669
(b) Postal service	1,353	1,518	1,475
(c) Police protection	2,993	3,314	3,449
(d) Fire protection	1,148	1,304	1,375
(e) Judicial system	109	115	121
(f) Education	8,436	8,878	10,202
(g) Public areas and facilities	1,879	2,009	2,159
(h) Library	219	237	268
(i) Internal security	186	188	194
(j) Other civil affairs	209	245	257
2. Health and sanitation:			
(a) Hospitals and clinics	9,715	10,456	11,034
(b) Other public health services	1,251	1,420	1,505
3. General Government expenses:			
(a) Office of the Governor	130	176	188
(b) Other general Government expenses	2,513	2,581	2,683
Total program costs	30,747	33,097	35,579
Unfunded adjustments to total program costs:			
Depreciation included above	-1,394	-1,608	-1,881
Other costs included above not requiring funding	-60		
Total operating costs, funded	29,293	31,489	33,698
Change in selected resources ¹	-151	-85	64
10 Total obligations	29,142	31,404	33,762
Financing:			
25 Unobligated balance lapsing	818		
New obligational authority	29,960	31,404	33,762
New obligational authority:			
40 Appropriation	29,960	31,000	33,762
44 Proposed supplemental for pay increases		404	
Relation of obligations to expenditures:			
71 Total obligations (affecting expenditures)	29,142	31,404	33,762
72 Obligated balance, start of year	2,565	3,102	3,209
74 Obligated balance, end of year	-3,102	-3,209	-3,429
77 Adjustments in expired accounts	-4		
90 Expenditures	28,600	30,931	33,504
91 Expenditures from pay increase supplemental		366	38

¹ Selected resources as of June 30 are as follows:

	1964	1965 adjustments	1965	1966	1967
Stores	206		221	136	200
Unpaid undelivered orders	182	-4	236	236	236
Accrued annual leave	-2,365		-2,590	-2,590	-2,590
Total selected resources	-1,977	-4	-2,133	-2,218	-2,134

共 1,326 外 46
○二千百万の支出要請
米大統領、沖縄の損害補償で

「ワシントン二十一日ロイター
共同」シ①ンソン米大統領は二
十一日、琉球諸島占領初期に米軍
が与えた損害にたいする補償要求
に応じるため二千百万の支出を
承認するよう議会を要請した。上
下両院は昨年、一九五一年の平和
条約調印以前に発生した事故にた
いする補償問題の解決を認める法
案を通過している。

北米
1953年
吉田

共計 529 外 7

◎ 沖繩の講和前損害補償

米大統領が議会に要請

ワシントン二十一日山田共同特派員「シンソンの米大統領は二十一日、一九六六会計年度の追加予算十七億八千二百万ドルを議会に要請したが、この中には沖繩にたいする講和前損害補償二千百万ドルが含まれている。この金額は新規債務負担権限の要請額で、六七会計年度中の支出は八百二十万ドルの見込み。

(丁)

44

229

保原

北米課長

沖縄講和発効後補償127112
(在米大使館刊の電報)

昭41.2.21 22時発

昭41.2.22 13:09 着

中島北米局長事務へ

千葉刊

沖縄講和発効後補償127112の66年追加
予算案を議会に送った日のホワイ・ハウス発表が

明22日午前9時12分この当地発ロイター電が
下りてくるが、玉務、小防両省係官、議会事務局

より知らせを知らずとし、昨21日20時現在
ホワイ・ハウス担当者とも連絡がつかないが確認

できない手、一応は連絡します。

EXTRA TO GAIMU DE WASH 21 2200

EXTRA

NAKAJIMA HOKUBEIKYOKU SANJIKANYE

中島北米局参考用紙へ

TIBAYORI

千葉刊

1966 FEB 22 13. 09

米北
中島課長

OKINAWA KOOWA HAKKOOZEN HOSHOONITUITENO 66 NENDO

沖縄新報社勤務補償比費の66年度

TUIKAYOSANANWO GIKAINI OKUTTATONO HOWAITO HAUSU

追加算入を以て送付のホワイトハウス

HAPPYOOGA MYOO 22 HI GOZEN 9 JINI SARERUTONO TOOTIHATU

発表は明日午前9時に北米の当地発

ROITAADENGA DETEIRUYOSIDESUGA KOKUMU KOKUBOO RYOOSHOO

ロイター電が「71」の由「71」の「71」の「71」

KAKARIKAN GIKAI JIMUKYOKUNO IZUREMO MIGOWO SIRAZUTOSI HON

係官、社会事務局の「71」の「71」の「71」

21

HI 20,00 GENZAI HOWAITO HAUSU TANTOOSHATOMO RENRAKUGA TUKANAINODE

本21日、20日現在、ホワイトハウス担当者とも連絡がつかない

KAKUNINDEKINAIMAMA ITIOO GORENRAKU SIMASU

確認がつかない一応の連絡です。

IJOO

法規課長 *ル* 北米課長 *ル*
 湯下事務官 奇藤事務官
 本文中の鉛筆にて訂正。 渡辺事務官 *ル*

沖縄の講和発効前補償について。

昭和41.2.22
 赤北(三田)

持連局長事務課より、沖縄の講和発効前補償
 問題について大蔵省との協議に必要なる趣きあり。
 昭和41年10月27日の米日戦後の賠償の取扱いを要請
 された。
 ついては別添資料を外務省の係長に送付
 した。御検討を要す。

GA-5

25 外務省
 FEB 22

PL 89-296
 1965年10月27日 (仮訳)

1945年8月15日以後、1952年4月28日以前に
 おける米軍部隊及びその構成員の作為又は不作為
 から生じた人身の死亡及び負傷並びに私有財産の
 使用及び損害に対し、琉球列島のあり特定の住民
 に ~~賠償~~ 支払ふべき権利を付与する合同決議。
 (contribution)
 琉球列島のあり特定の住民は、1945年8月15日の
 琉球における日本軍投降 ~~以後~~ 以後、1952年4月28日の
 対日平和条約発効の日以前に、米軍部隊又はその
 構成員の行為に付随して損害を蒙ったので、

GA-6

外務省

対日平和条約第19条は、琉球住民を含む日本
 国民の一切の請求~~権~~に対する米国の法的責任を
 免除~~し~~てあり、その結果、前述の損害に対して米国
 は補償を払っていない(但し、1950年7月1日
 から1952年4月28日までの間の土地の使用料及
 び損害に対する補償~~権~~を除く)ので
 米国軍隊又はその構成員の行為に附随して損害
 を蒙った琉球住民はその損害に対して補償を受ける
 べきであるという事は、琉球における唯一の施政権者
 として、米国が琉球住民の福祉に寄せている関心
 に特に一致するので、~~任意の補償金又は無償の支払~~
 GA-6 (ex gratia compensation) 外務省

には、琉球住民の福祉を増進することにあり、合衆国
 の安全保障上の利益、外交政策及び外交関係を促
 進せしめるものであるから、
 琉球列島高等弁務官は、二つの請求~~権~~に関する
 証拠を検討し、公平~~な~~^に正当な請求~~権~~とその
 補償に値する
 額を決定したので、
 故にアメリカ合衆国議会上院及び下院は次の通り
 決議する。
 補償に値する
 米国は、琉球列島高等弁務官が正当な請求~~権~~者
 (地方公共団体 (municipalities)
 (平野村を除く))
 と認められた者に対して、同高等弁務官が決定した額の
 見舞として
 GA-6 任意の分担金の支払~~に~~を促さなければならない。かつ、陸軍長官又は
 (ex gratia contribution) 外務省

その指定する者は、国防長官の定める規則により、陸軍省の行政事務の一つとして、この金額を請求権者又は、その法的相続人に支払うこと。

更に次の通り決議する。

この合同決議により支払われる資金は、日本政府からの支払に利用可能な履行された請求権又はその一部（contributions）を履行するために支払うに付するものと満す。

第二項

この合同決議の諸規定を施行するため、2,200万ドルを超えたる額を支払う権限は、与えられた同金額は、その支払の権利を有する日から25年間、^{か可能} ~~再~~ ^{支出され} 使用し得る。

GA-6 外務省

~~権限は与えられた~~ ~~その再付期限法に使用され~~ べきものとする。 ^{二の期間内}

この金額は、国庫に返納されるものとする。

第三項

^{いかなる} ~~一切の~~ 請求権 ^{いかなる} に関する請求権者の代理として行つて、

に役務に打つ報酬は、本合同決議の諸規定に基き、かかる請求権に打つて支払われる総額の5%を超えては行はず。

但し、^{いかなる} ~~何れ~~ の代理人或は弁護士 ^{これらの者の団体} ~~（その組織機関を含む）~~ 。

（^{いかなる} ~~何れ~~ の請求権者 ^{この団体} の代理として提供 ^{ため} (on behalf of) した役務に打つ報酬は、当該請求権に打つて支払われる金額総額の1%を超えては行はず。既に

GA-6 外務省

以上の役務に反私水に手数料は、本合同決議に
 (fees)
 基、権限を与えられた反私水額に差引かたし、
 する。二水に反私水合意は、不法な無効とす。
 米国の~~ありと世新~~に~~ありと~~を問わす。その提議した役
 の外
 務を理由に、本項に定め最高額を超える報酬を
 請求し又は、受け取った者は、軽罪の罪あるものとし、
 有罪の決定をすれば、5,000ドルの罰金もしくは12ヶ月
 以下の懲役又は、~~併科~~を併科す。
 (以下)

GA-6

外務省

3/1 特達局 宛
吉田

資料送付事務連絡

41年2月25日
第 181 号

宛 北米局 北米 課
御中 (中島参事官 殿)
在 大使総領事館

発 在米大使館 政務班 (千原 官) 引用

(資料名) 1966年度追加予算提出に付のホリトックス表

THE WHITE HOUSE February 21, 1966
"1966 Supplemental Appropriations"

(注) 21日 電信事務連絡 下申上付 弁表は結局 布付 あり
こと 4100 1715. 沖縄の部分が 未読 あり

41.2.23

写送付先 在 大使総領事館 (省略
局 課) 別添
とも

FOR IMMEDIATE RELEASE

FEBRUARY 21, 1966

Office of the White House Press Secretary

THE WHITE HOUSE

President Johnson today asked Congress for 1966 supplemental appropriations totaling \$1,782,388,000. This entire request was included in the 1967 budget which was sent to Congress last month.

The supplemental appropriations are requested as follows:

- \$901.6 million, or 51 percent, is to carry out legislation enacted by the last session of Congress. The major items are:
 - \$367.8 million for payment to trust funds for medicare;
 - \$184 million for the elementary and secondary school assistance program;
 - \$151.8 million for veterans' compensation and pensions;
 - \$39 million for grants to States for vocational rehabilitation;
 - \$21 million for Ryukyuan claims for damage during the early part of the military occupation.
- \$526.7 million, or 30 percent, is required for mandatory payments under laws passed prior to the last session of Congress. The principal items are:
 - \$381 million for public assistance grants;
 - \$136.2 million for the growth in veterans' compensation and pension caseload and rates.
- Almost \$205 million, or 11 percent, is needed to cover the cost of the pay increases granted in the last session of Congress.
- About \$90 million, or 5 percent, is for emergency expenses composed of:
 - \$75 million for disaster relief;
 - \$12 million to repair hurricane Betsy damage to Corps of Engineers navigation and other projects.
- Finally, about \$60 million, or 3 percent, is for all remaining requirements, primarily to the Post Office to handle the rapidly growing volume of mail.

#

中南米移住局長
参事官 北米局長
参事官 7

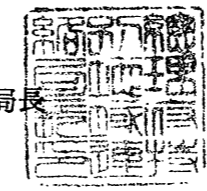
北米課長

総特第3308号

昭和41年8月29日

外務省北米局長 殿

総理府特別地域連絡局長



講和前補償関係資料の送付について
標記について、南方同胞援護会会長から別添のとおり資料の
送付があつたのでご参考までに1部お送りする。

要処理	連絡
要研究	急
課	長
英	内
田中	田
相川	元
中田	田
橋本	
黒須	

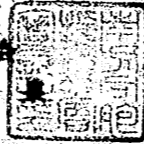


総 理 府

南援発第273号
昭和41年8月/8日

総理府特別地域連絡局
局長 山野 幸吉 殿

南方同胞援護会
会長 大浜 信



講和前補償関係資料送付の件

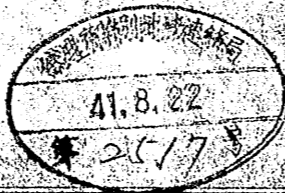
要書〇件下記のとおり御送付申し上げますから御査収下さい。

記

1. 8月4日付 講和前補償問題の進展に関する報告 4通
2. 7月/4日付 ヘメンダインガー氏書簡
3. 7月29日付 桑江朝華氏書簡

和美各4通

以上

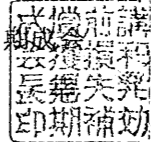


南方同胞援護会

講 補 発第171号
1966年8月 4日

南方同胞援護会
会長 大浜 信 席 殿

講和発効前損失補償獲得
会長 桑 江 朝



講和前補償問題の進展に関する件(報告)

昭和41年7月26日付南援発第237号をもつて御依頼のありました標記の件については下記の通り御報告申し上げます。

記

1. ワシントンに於ける講和前補償問題は現在バスマン小委員会で審議中の外国援助法案の中に含まれ、一緒に審議されるようであります。米国議会の閉会期が9月であるとのことですので、講和前補償支払法案も閉会前には可決される最後のものの一つになるものと思われるとのヘメン氏の書簡に接しております。(別紙7月14日付ヘメン氏書簡参照)
2. 沖縄現地に於ける講和前補償の支払に関する民政府との調整の問題は講和前補償支払対策委員会はステイプンス委員長の改任帰国後、後任の委員長による委員会が1回も開かれていない

講和発効前損失補償獲得期成会

こと、従つて、支払対策委員会においては支払方法等に何んらの決定もなされてないままであります。又、ステイプンス委員長の後任のフォード大佐は病気との理由で、去る7月11日付で辞任致し、後任にチャールズ E. リツクス大佐がなっております。この方は民政府法務部長で米琉土地諮問委員長も兼ております。新委員長による支払対策委員会が8月2日に開かれましたが、何んら進展する解決策はありませんでした。即ち、

イ D E において補償額を再査定すること
ロ 日本政府からの見舞金を差引くこと
等は、前回通り米国側が固守し、双方意見対立のまま閉会致しております。次回は8月11日に開くことに決定致しております。

以上が米国内及び現地沖縄に於ける講和前補償問題の進展の状況であります。詳しいことは別紙へメン氏との往復文書をご参照下さるようお願い致します。又、支払対策委員会の状況については逐次お知らせ致します。

講和発効前損失補償獲得期成会

寫

1966年7月14日

講和発効前損失補償獲得期成会
会長 桑江朝幸殿

拝啓

沖縄の諸請求問題については、その後議会では何の処置もなく従つて今のところ報告すべきことはありません。長い間ご無沙汰していますので、こうして筆をとつた次第ですが、貴殿の方ではワシントンでなにが起つているか、きつとご不審のことと思います。

パスマン小委員会は、沖縄の分を含む外国援助法案についての処置を完了していないのが現状です。審理は処理されつつありますが、まだ印刷には付されていません。対外援助授權法は議会でまだ審議中ですが、間もなく最後の段階に入るものと思われまゝ。その後、やがて下院の歳出委員会が処置するものと思われまゝ。上院の側では未だ審理がおこなわれていませんが、下院の委員会が処置するまでは上院での審理はないでしょう。

ワシントンの情勢については、特筆すべきことはありませんが予期されているとおり、沖縄の請求問題が付属している外国援助法案は議会の閉会前に可決される最後のものの一つになるものと思われまゝ。普通閉会期とされているのは現在では9月です。

私の沖縄訪問については、吉田氏から話があり、また、私も

講和発効前損失補償獲得期成会

1966年5月9日付の手紙で触れましたが、その後貴殿からは
なんともありませんが、貴殿のお考えを伺いたいと思います。

敬 具

ノール・ヘメンディングー

講和発効前損失補償獲得期成会

July 14, 1966

Mr. Choko Kuwae, President
Association to Acquire Compensation
For Damages Prior to Peace Treaty
3-3 Kariizumi-cho
Naha, Okinawa

There has been no further action in the Congress on the
Okinawan claims, and there is nothing to report at this time. I
am writing because it has been long since my last report, and you
no doubt are wondering what is happening in Washington.

The present situation is that the Passman Subcommittee has
not completed its action on the Foreign Aid Bill, including the Okinawan
portion. The hearings are being processed but have not yet
been printed. The Foreign Aid Authorization Act is still being de-
bated in the Congress and should come to a head soon. It is expected
that the House Appropriations Committee will act soon thereafter.
There have been no hearings yet on the Senate side, and those hearings
are not expected until the House Committee has acted.

There is nothing in the Washington situation to cause alarm,
but, expected, the foreign aid measure to which the Okinawan
claims are attached is probably going to be one of the last things
passed before the adjournment of Congress. September is now the
time which is usually mentioned as the time for adjournment.

I have had no word from you with respect to a possible visit
to Okinawa on my part, which was mentioned to me by Mr. Yoshida
and on which I commented in my letter of May 9, 1966. I would be
interested to know your thinking.

Yours sincerely,

Noel Remmendinger



1966年7月29日

ノーエル・ヘ・メンディングー殿

拝啓

7月14日付の貴備有難く落筆致しました。5月9日付で送付して戴きました貴備は弁護報酬並びに貴殿の来島等の重要な事柄についてでしたが、お返事を書くことが出来なかつたことを深くお詫び致します。

年額\$10,000の弁護報酬の件は、極だ勝手なお願いでしたが、ご承諾下さいまして厚くお礼申し上げます。

貴殿の来島につきましては、昨日(7月28日)の国会総会におきましても全員が是非来島してもらうようにとの希望によりまして、予算面も少額ではありますが、貴殿の来島費用として計上致しました。米國議会による支出法案の可決がなり次第ご来島の上、資金の配分に関する種々のご相談をすることが出来ますれば幸いです。

沖縄現地における講和前補償の支払いに関する民政府との調整の問題は、以前に貴殿にお知らせ致しました状態のままで、何らの進展もありません。即ち、講和補償支払対策委員会はステイプンス委員長の故任帰国後、後任の委員長による委員会が一回も開かれていないこと、従つて、支払対策委員会においては、支払方法等に何らの決定もなされておられないにもかかわらず、D区においては、新たに補償額の査定を開始する準備を進め、更に日本政

講和発効前損失補償獲得期成会

府よりの見舞金差引に必要な資料を琉球政府に要請していること等、種々の問題を残している現状であります。

このような時点におきまして、貴殿の来島は私達にとっては是非必要であります。

来島の時期につきましては、沖縄現地の状況に応じて急々になる場合もあるかと存じますが、その点ご了承下さいまして、御来島できますようお願い申し上げます。

いつれご来島の折、その他のことにつきましては詳細に打合せを予定しております。

長期間の無沙汰を重ねてお詫び致しますと共に貴殿のご発展を祈ります。

敬具
桑江朝幸

講和発効前損失補償獲得期成会

July 29, 1966

Dear Mr. Hemmendinger:

I do acknowledge receipt of your kind letter of July 14th.

I do sincerely apologize to you for my delay in writing to you with reference to your 9 May 1966 letter which mentioned important matters such as the compensation for your services and the contemplated visit of you to Okinawa.

I ought to thank you very much since you have been so kind as to grant our self-seeking and ungracious request for exemption of the annual \$10,000 retaining fee.

With respect to your visit to our island, all members attending our general meeting held yesterday, July 28th, showed their strong desire to have you come here by all means. A necessary fund for your visit has been appropriated, though not so much enough to our regret. We will be very happy if you could come upon the approval of the appropriation bill by the U.S. Congress and you would consult with us about various matters relating to the distribution of funds.

The status of our cooperation with the U.S. Civil Administration the Ryukyu Islands pertaining to the payment of pre-Treaty claims is just the same as I previously advised you. No change or development has been seen in this respect. Not a few problems remain unsolved. The Policy Committee for Disbursement of Pre-Peace Treaty Claims Funds has never met or has never been called by the new chairman since the departure of the former chairman Stevens for his new assignment in the United States. Namely, that Committee has made no determination whatsoever on the method of payment, etc. Despite, the U.S. Army Engineer District, Okinawa, is proceeding with preparations for commencement of their new appraisal of compensation amounts. They of the USAEDO are also requesting the GRI to furnish them with data and information necessary for deduction of the Japanese Government's solatium.

Under such circumstances, it is quite necessary for us to have you to come to us at an opportune moment. As for the timing of your visit, please understand that our local situation may require your sudden or expeditious visit. You should, therefore, prepare yourself to travel to the Ryukyus at any time whenever it is necessitated.

Other various matters will be talked about and arranged with you personally here in Okinawa in detail.

In conclusion, I should like to again beg your pardon for my long silence. I wish you good health and prosperity.

Sincerely yours,

CHOKO KUWAE, President

HR. 17788

注意

- 1. 本電の取扱いは慎重を期せられたい。
- 2. 本電の主管変更その他については検閲班に連絡ありたい。

電信写

大政事外官
務次房
臣官官審長

総人電管
儀文会厚

國参資
長調

ア参(東)
長総中西

北参(北)
長北

中参南旅
移長総住

歐参英
長西東

近近
ア長ア

経次(米)
参商統ラ近
長統(近)

経参経賠
協政技賠
長國賠

条参協
長条規

國参経科(軍)
長政社専

簡参内
長道外

文文文
長一

総番号 (P.A.) 2760
66年9月8日21時00分 7242 発 主 菅 王 振 政
66年9月9日12時0分 本省 着

外務大臣殿 武内(大使) 総領事 臨時代理

海外援助法案について

第2440号 暗秘略(平) 大至急(普通) LTF

往電第2395号に關し。

7日上院は33対25をもつて兩院協議会案通り対外援助
授權法案を可決し、署名のため大統領に送付した。

(3)
8 J52

外務省

林

注意

- 1. 本電の取扱いは慎重を期せられたい。
- 2. 本電の主管変更その他については検閲班に連絡ありたい。

電信写

大政事外官
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ア長ア

経次(米)
参商統ラ近
長統(近)

経参経賠
協政技賠
長國賠

条参協
長条規

國参経科(軍)
長政社専

簡参内
長道外

文文文
長一

総番号 (P.A.) 2760
66年9月19日20時20分 7312 発 主 菅 經 協 政
66年9月20日09時2分 本省 着

外務大臣殿 武内(大使) 総領事 臨時代理

海外援助法案について

第2543号 暗秘略(平) 大至急(普通) LTF

往電第2440号に關し

1. 19日大統領は、対外援助授權法案に署名した。
2. 一方下院は20日より対外援助アプロプリエーション
法案の審議開始を予定しおるところ。16日下院歳出委員
会で可決された本法案は、援助総額として行政必要費額よ
り293百万ドル少く3,093百万ドル(援助額を40
8百万ドル下まわる)を認めている。なお、2月11日付
往信政第936号の4に關し、オキナワ関係支出(講和猪
勃前補償用支出21,040千ドルを含む)も本件法案中
にもりとまれている。

10月7日 上下兩院 可決
10月15日 署名
大統領署名

外務省

⑤

政経情報 (その 14) 参事

秘

講和前補償金の支払いをめぐり動きについて

講和前補償 2,104 万ドルの支払い法案がさる10月5日、米上院本会議を通過し、10月18日米大統領が講和前補償支払法に署名公布したことに伴い、琉球政府では沖縄での「講和前支払い法案」の民立法化を従来検討し続けてきた。

しかし、米陸軍省では、米国防長官から陸軍長官が支払い権限の委任を受け、琉球人の講和前補償請求の解決(支払い)のための規則を作り、同規則によって詳細な支払い手続き等を規定し、陸軍長官の代行者として高等弁務官に支払いの委任をした。このため、琉球政府としては当初立法勧告するつもりであった民立法が不要となった。

同規則は本年3月31日、離沖、帰米した前米民政府司法局長 ステイブンス判事の起草に係るものであるといわれている。米民政府では、11月2日沖縄に着任

したアンカー高等弁務官の就任の土産として、講和前補償請求に対する解決と年内支払いの実施を就任と同時に公表し、同支払いについての布令を別添字じのとおり公布するつもりであった。(注)

しかし、講和前補償金の支払いをめぐって、講和前補償獲得期成会では次の点に難色を示しているため、前記布令の公布が見合わせられている。

- (1) 日本政府からの見舞い金 280 万ドル (10 億円) を請求権の額から差引くことは不合理である
- (2) 講和前補償は米議会に審議されているにもかかわらず、D.E が新たに資料を作り査定しているが、これはその必要が認められない。しかも一度審議され、決定に査定を改定することは受給者を不必要に刺激し、いたずらに物議を呼びおこし、收拾困難な事態をおこすことは必至である。
- (3) 支払い業務について D.E が担当することは、すでに 1964 年 8 月 26 日下院議長あての米陸軍長官の提案書に「支

払いは高等弁務官の監督の下で琉球政府がこれにあたる」とされていることから、当然、琉球政府の責任で実施されるべきであつて、不合理である。

なお、布令が公布されれば、支払いが開始されることになるが、見とおしとしては、年内に100万ドル、来年1月から3月までの間に400万ドル、3月から6月までの間に400万ドルの支払いが米民政府、DEで準備されているとのことである。

また、米民政府側の方針により再査定または適用除外を厳しく実行した場合、実際に支払われる金額は1,000万ドルを割る見込みであると、講和前補償獲得期成会ではみており、米政府に対し同期成会は布令どおり実行すれば政治的困乱を招くものとして強く反対している。

（注）別添布令（案）については、^{現段階では}取扱いは極秘となっているので、保秘上しゆぶん考慮願いたい。

総 理 府

別添 ⑤

琉球列島米国民政府
高等弁務官室

APO 米軍 96248

高弁布令第 号

琉球人の講和前補償請求
に対する解決について

1945年8月15日後 1952年2月28日
前の期間における合衆国軍隊又はその要員の活動に伴、琉球列島住民がこうむった損害の補償請求に対して恩恵による任意の補償支払いが公表89~296によつて承認されている。

この承認された恩恵による任意の支払いのために公表89~____の規定によつて資金の支出が認可され、かつ、資金の利用が可能となっている。

これらの請求に対する支払いについて国防長官は規則を定めている。

国防長官は琉球人の講和前補償~~請求~~請求に対して支払いをする権限を被指名人と

総 理 府

以上の陸軍長官に委任している。
陸軍長官は上記国防長官の規則に認められたとおり、高等弁務官を指名して請求支払いを代行させている。

(a) 請求解決のための支出法及び国防長官規則中の認可規定に記された諸条件が正しく遵守されるよう保証し、かつ、

(b) これらの請求の確認及び支払について罰則を設けるため適当な法令を定める必要がある。

次の目的で、然るべく立法を制定する必要がある。すなわち、

(a) 請求解決のための支出法及び国防長官規則中の認可規定に明示された諸条件が正しく遵守されることを保証し、かつ、

(b) これらの請求の確認及び支払について罰則をもうけるための立法である。

以上のことにかんがみ、ここに次のとおり布令する。

1. 支払いの対象となる請求

支払いの対象となる請求は琉球における日本軍が降伏した1945年8月15日後から対日講和条約が発効した1952年4月28日前までの期間において米軍又はその要員の作為又は不作為により生じた人身に対する致死傷害~~等~~或いは私有財産の使用又は損害もしくは破壊に対して（或る琉球住民がこれまでに高等弁務官に）提出した補償請求に限定される。これらの規則において「米軍要員」とは、軍人及び軍属の双方を含む。

2. 適用除外

次の請求は支払いから除外される。

a. 上記期間の前後に発生した事故に起因する請求

b. 請求の事由が生じた当時、琉球住民ではなかった者の請求

c. 土地又は地上物件の使用、損害又は破壊及び人身の殺傷に対してこれまでに米軍により既に支払われ又は解決された請求

d. 市町村の請求

e 日本政府からの分担金によって満足に補償された請求又はその部分

3 罰則

a. 虚偽もしくは不正の請求をした者、或る請求のために虚偽もしくは不正の陳述をした者又は請求が虚偽もしくは不正であること、その他の或る理由で受領者の支払を受ける権利を有しないこと、或いは支払いが請求者もしくは彼の前の権利保有者に日本政府から既に支払われた請求の部分に対するものであることを知りながら当該請求についての支払いを受領し、或いは他人がこれを受領することを何んらかの方法で助けた者は、何人かを問わず、有罪判決のうち、5,000 円以下の罰金もしくは 12ヶ月以下の懲役又はその両刑に処する。

b. この布令のいかなる規定も米国に対する虚偽の請求の罪（民政府布令第144号の2.2.16条）竊取の罪（同布令2.2.6条及び2.2.6.1条）竊取及び強盗の罪（刑法の235条ないし244条）横領及び不當使用（刑法の252条ない

し255条)その他民政府の諸布令に基づいて罰されるべき罪に対して許追及び処罰することを妨げるものではない。

c. いかなる請求についても請求者のための代行者又は代理人がした役務に対する報酬は当該請求に対して支払われる総額の5%を超えてはならない。請求者(その団体を含む)の合同体のための代行者又は代理人がした役務に対する報酬はその取扱ったすべての請求について支払われる総額の1%を超えてはならない。これらの役務に対して既に支払われた手数料はこれらの認められた額から差引くものとする。いかなる形にせよ上記最大限の額を超えて直接又は間接に報酬を要求し、或るいは受取る者は何人といえども有罪判決のうち、5000 円以下の罰金もしくは 12ヶ月以下の懲役又はその両刑に処する。

4 確認

DE(中絶管工兵隊長)は、土地に関するすべての請求の確認にあたって高等弁務官を代行し、民政官はその他のすべて

請求の確認にあたって高等弁務官の代理を勤める。D.Eは確認されたすべての請求を支払うため琉球政府行政主席に請求する。

5 支払

行政主席は確認された請求を受取つたらできるだけ早急に請求者に対する支払いをするものとする。すなわち、期間延長について高等弁務官の認可がない限り、資金を受取つてから90日以内に支払いを済ませるものとする。

受領者が真正な請求者同一人であることを確かめるために充分な注意を払わなければならない。支払いの説明は、然るべき領收証の作成及び請求者がこの布令の罰則を充分に承知している旨の供述を含む解決約定書(高等弁務官の認める様式による)の作成によって達成される。行政主席は作成された領收証及び解決約定書を永久保存記録として高等弁務官に送付するものとする。

6 資金

確認された請求に対する支払のための資金はD.Eから行政主席に送られる。この資金は琉球銀行の無利子特別勘定に預託する。

行政主席は受領及び支払にかかるすべての資金について始末を明らかにし、これについて高等弁務官に報告するものとする。これらの資金のいかなる部分も請求の確認及び支払いに要した事務費の支本に充ててはならない。所定の90日以内又は高等弁務官の認める延長期間内に請求者に支払われない資金は高等弁務官に返還されるものとする。

7 移転及び譲渡

支払いは請求者の法定相続人に対してすることはできるが、別にいかなる請求の権利もこれを移転し又は譲渡することはできない。

8 施行の処置

行政主席はこの布令の規定を遂行するために必要と思われる訓令を公布しなければならない。

以上。

写

講和前補償金の支払いをめぐり
る問題について

みだしのことについては、さきに11月18日付 沖縄政経情報 (その94) をもって 通報 (報告) したところであるが、最近、支払いの段階にきて 沖縄側と 沖縄地上兵隊 (以下「D.E」という。) との間に見解が対立し、近く支払いが予定されていた人身補償金の年内支払いも困難となつてきている。

この問題は、今後 政治的、社会的な問題として 大きく発展することが予想される。関係当事者である 講和前補償獲得期成会 (以下「期成会」という。) の会長である 桑江 民主党幹事長にその経緯および問題点について、ただしたところ、おおむね 次のような説明があつたので、とりあえず 報告する。

記

1. 対立の問題点

日本側との見解の対立は、さる12月15日に開催された 講和前損失補償金支払い対策委員会 (以下「対策委員会」という。) の席上、D.E側から ヤラウイ 弁務官当時の 米琉審議会での最終条件を白紙に戻すよう提案が示された。

米側と沖縄側との見解の対立は、さる12月15日に開催された 講和前損失補償金支払い対策委員会 (以下「対策委員会」という。) の席上、D.E側から ヤラウイ 弁務官当時の 米琉審議会での最終条件を白紙に戻すよう提案が示された。

その提案とは、
(1) 個々の補償額について D.Eが再調査し、査定する。
(2) これに要する弁務経費は 琉球政府が負担する
(3) 日本政府からの見舞金 10億円は 損失補償金から差引く
(4) 地料算定の基準については 修正をする

を内容とするものであつた。

仮りに、このD.E側の主張をそのまま受け
いれるとすると、本土政府からの見舞金約

300万ドル(日本円10億円)、物件補償から
約250万ドル、土地補償量から約400万ドル

合計1,000万ドル前後の減額が見込まれ
る。よって、前記12月15日の対策委員会

で沖繩側の委員である小波蔵副主席、
久貝法務局長および宮城期成会事務局長

は、米側の要求はのみ認めないとのよう
な対立見解を示し、話し合いがつかないま

ま同委員会は閉会となった。

(1) 何れの補償額をD.Eが再調査し

査定することは、14-5年以前のことを再調
査することとなり、事実上、地形、地目等も

変わったものを調査することが困難であり、結
論がでるまでに長期間受給者全員が

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待たされることとなり、いたす間に支払の業
務が遅延するだけで、その理由も不合理

である。

(2) 事務経費72,000ドルは立法院で

金額削除されているので、直ちにたじ
られない。

(3) 日本政府からの見舞金10億円を差引く
ことは、取りか側から日本政府の国庫に返

還する目的で行なうというのであれば承
服するが、日本政府にも返還しないというので

あれば、米議会を可決した予算2,200万
ドルの中からは必ず見舞金10億円が

差引かれているので、是重の差引を認めるこ
とになり、承服できない。

(4) 地料算定の基準については、昨年10月
27日、第89議会の上院合同決議案

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32号として出された 公法 89-298 (講
和前補償に関する支払の権限付与の合

同決議)で、「琉球列島高等弁務官は、当
該請求権に関する証拠を審査し、よって

衡平的方法により、正当な請求権おとしの
の金額を決定した。」とあるが、~~決定~~
~~決定~~

修正することは 米琉合同審査会を設けた
額を不当に削ることとなり、納得できない。

2 沖縄(期成会)側の見解

沖縄側としては、まさに支払委員会を設け
いのための費用は、アメリカ側に負担をさせ

ないことを決定したのが、これに従って、事
務費の負担を委託金として、琉球政府側

から D、E 側に支出する予定であった。しかし、
同経費は、行政府が現年度予算を編成

する際に計上して立法院に報告したが、
(1) 予算の支出をする際には、琉球政府が

会計検査を受けるのと同様に、D、E 側
にも立法院による会計検査等過剰を受

けるつもりがあるかどうか、

(2) 琉球政府が米民政府あるいは D、E

に業務の委託をすることができるとか、知
道的に疑点がある。

(3) アメリカからの補助を受けているのに、逆に委
託金を出さなければならぬのはどうか、

わけが

等の質問を立法院で受けることが予想され
るため、これに関して、アメリカ側委員に質

問したが、いんら回答が得られなかったため、
立法院で委託費 72,000 ドルを全額削

除した。

期成会長としても、法的疑義および監督権の問題は与野党間の論争となり、

金の面で施政の問題まで引き出されるおそれもあるので、期成会を通じ、期成会

の補助金の中から委託金を出し委託すれば、期成会が直接琉球政府の監督を

受け、立法院の会計検査を受けることとなるので、この点でどうかという点で一応はD.E

側とも話がついていた。つまり、具体的には期成会としては琉球政府が補助金を出

すのであれば、D.Eに委託金72,000ドルを出すことを4月の補正予算で考慮し、それほ

での尚ほ補助金で30,000ドルをとりあえずD.Eに先渡しするという点で一応の話合

がついていた。その後D.E側からのワナ民政官、松岡主席および桑江期成会長

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の三者の署名を求めたが、D.E側が具体的にどういつ化争をするのかその内容を明

らかにしないので、この問題も保留となった。そのような状況の下で、前記支払委員会

における米側委員の要求が提案されたので、期成会としても現段階で争点を委託させて

肉着を生じさせることとなるので、委託しない態度をとることとした。

次に、講和前補償金支払いに際し、1957年に日本政府から支給された10億円の見

舞金を差引くことについて、^{期成会が}反対する理由は、別紙のとおりである。

3. 今後の見とおし

ところで、現在米側委員（米民政府法

務局長、D.E 財務部長等4名）の主張は、当時の米琉審議委員会の決定事項にも

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誤りがあるので再調査をするといっている
ようである。また、地料算定の基準を修

正してすでに請求された土地の補償請求
額が基準額を上回るものは基準額に

従い、基準以下のものは請求しており、
請求を出していない分には支払わないとい

方針で土地補償の再審査をした場合に
は減額と支払い時期の見とおしが立

たないため、住民やかんすく請求者の不
信感は一層大きく集中してくることが予想

される。

期成会側でもこのD・Eの主張に大きな

不満をもち、現在の段階では全く双方の
意見が対立している。また、DE・USCAR

琉球政府

および期成会の各当事者間において話し

合いも不十分であるため、米民政府と琉

球政府との間でなんらかの政治的な
解決方法がとれない限り、妥結する

ことは困難である。

なお、期成会では来年1月10日ごろ

支払促進要求大会を開き、ワシントン在の
期成会顧問弁護士ヘンディングン氏を

呼び寄せることを計画しており、この問題は
今後大きく発展していくことが予想される。

(参考)

琉球政府では講和前補償の土地使用料と建
物使用料に対しては課税する方針である。これは
さる10月20日の行政府局長会議で決定した。主税局
長の説明によれば、これらの使用料は賃貸料である
といふことから課税方法としては所得税法に基づき
年間所得とみつけて源泉徴収または年度末調整を
もって賦課する権限があるとの見解である。しかし
ながら琉球政府が補償金の受給を利益であると
みているのに対し、期成会ではこれを損害と見て、
減免措置を講ずるよう要望している。

別紙

議和前補償獲得期成会

議和前補償金支払いに際し1957年
日本政府から支給された10億日円
の見舞金をUSCARが差引くという不
合理的な主張に反対する理由

USCARが米合衆国上院の第89議会
合同決議第32号(公法89-296)で1965年
10月27日に決議された「1945年8月15日
1952年4月28日までの期間における米
国軍隊及びその要員の作為又は不作為
により生じた人身の死亡及び傷害並
びに私有財産の使用及び損害に対し
琉球列島のある特定の住民に支払
いをする権利を付与する合同決議」
の第一節の末尾の「この合同決議に
基づいて割り当てられる(国庫支出さ
れる)資金は一切日本政府の寄贈金に
よって既に履行された請求権の全部
又はその一部を履行するために支出
されてはならない」の条項により
USCARは先に日本政府より見舞金を受
領した各人はその日本側の見舞金の
額だけ差引いて支払うべきであると
主張している。

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その主張のあてまの呉を指摘する前に、日本
政府より見舞金を受け取った時の背景を述べる
必要がある。

(1) 日本政府が1957年見舞金を支払った時
の背景

日本政府は沖縄住民の議和前補償請求
に対し、その責任は現に施政権を行使している
米政府にある。しかしながら、米軍に財産権
を接収され、困窮している住民を見るに忍びず
取敢えず10億の見舞金を支給する。ただし、
この見舞金は米政府が議和前補償の
全部若しくは一部を支払った時には日本政府
の国庫に返納するものとする。という下記各
項からなる条項を閣議で決定している。

沖縄関係特別措置費の支出について

(1) 昭和31年度補正予算中、沖縄関係特別
措置費11億円のうち、10億円は対日平
和条約発効前における沖縄の米軍による
土地等の接収等に基づき損失を蒙った者
に対する見舞金とし、84万円および24万円
はそれぞれ沖縄における外地引揚困
窮者および元沖縄県吏員恩給規則該
当者に対する特別支出金として、以下各項

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に定めるところにより支払するものとする。

- (2) 前項の見舞金は、対日平和条約発効前
沖縄の米軍による接收等により土地等の損失を蒙つた者に支給するものとする。
- (3) 前項の見舞金の支給を受ける者の範囲および支給額の算定方式並びにその支給の
手続等は、沖縄現地における沖縄軍用
土地等見舞金処理委員会の案に基づき
内閣総理大臣がアメリカ合衆国大蔵大臣と協議
してこれを審査決定する。
- (4) 第一項の見舞金は前項の決定に従い、沖
縄軍用土地等見舞金処理委員会の認定
するところにより支給するものとする。
- (5) 第一項の見舞金を支給するにあつては、内
閣総理大臣は、見舞金受給者の委任状に
基づき、その受領代理人に対し、その見舞金
を一括交付する手続によるものとする。
- (6) 沖縄住民が蒙つてゐる損失に関し、アメリカ
合衆国から損失の補償又は見舞金等を受
けることとなった場合においては、その金額
のうち、第一項の見舞金として支給した額に
相当する額はこれを国庫に返還又は帰属
せしめるものとする。

右の閣議に対し、沖縄の関係各市町村長は、
当時の市町村会長 吉元栄真氏に全部の委任
状を提出し、吉元栄真氏は日本政府大蔵省に
対し、米政府より講和前補償に対する補償
金の支払があれば直ちに10億日円を日本政
府国庫に返還いたすという誓約を日本政
府大蔵省に提出してある。

- (1) 以上の背景からして、米国会としては、米
国が住民福祉向上のために支払される金額が
ら日本政府の寄贈金によりすでに履行され
た請求権の全部又は一部を履行するために
支払されてはならないとして、この見舞金から
本工政府に支払うことを禁じているのである。
- (2) させる実状の報告を非公式に受け、講
和前補償琉米審議委員会は米国に
対する講和前補償の請求の中にこの金
額を含めたいこととした。又琉米側委員は
本工政府から受けた10億日円の見舞金は
1945年8月15日から1946年6月30日迄の
土地賃貸料および1945年8月15日から1945
年12月30日迄の戦産損害を除外する米側
委員の申し入れに対し、日本政府からの見舞金
をもって相殺せしめることを条件として琉米

双方の一致を見出し、その結果として日本政府からの10億日圓の見舞金に対する金額は、200万米ドルに含まれていない。

(3) 1965年1月8日 陸軍長官より下院議長に対する提案書中(英文3ページ4節5行目～8行目迄) 1957年に10億日圓(280万ドル)の見舞金を支払っている。この支払われている点については、今後の法案で定められている請求権の額から差引いてあると記録されている。

(4) 1965年7月28日 下院外務委員極東太平洋分科委員会におけるカニル、バーガー、國務次官補の発言中(英文4ページ2部1行目～6行目迄) 日本政府は我々が全額支払う時日本は返済されるべきであると考えていますので、合衆国の支払いは先に日本が支払った額を多めたい旨と規定する項を挿入してあります。挿入の結果我々の国との間に緊密な外交関係

(5) 1965年8月10日上院報告書564号外交委員会付属のスピーチの報告書中(英文冊子二ページ「総論」3節3行目～8行目迄) 日本政府は地球における講和前置請求権についてその法的責任を否認したのであるが、1957年に総額約280万ドルの見舞金

を請求権のある者に支払っています。この額は上院合同決議案第32号によりカバーされている請求権の額から予め差引かれています。

以上で立証されますように合同決議書第一部末尾の各項目は米合衆国が講和前補償の支払いをすることによって日本政府は沖縄住民に対し直ちに請求権が生じるようになるので、沖縄住民は日本政府の請求権を履行するために支払う必要はないとする禁止規定が設けられて、200万ドルの講和前補償金額の中から見舞金の10億日圓(280万米ドル)を差引いて支払えという規定ではない。

(6) 議会で予算可決の場合は、その予算全額の支払いが可能であって支払うべきでない金額を含めて可決するようにはならない。200万ドルの中から市町村財産の補償をなすべきでないとして減額されているのもその証拠である。

(7) 日本政府の見舞金額を差引くということは、SCARの市町村会長の吉元榮真氏にかわって日本政府の国庫に返還する目的で、議会の規定に反して差引くということならば、われわれとしてみんな弁解することはない。もし日本政府にも返還はしないとすれば、先に述べた背景

と立託の中から既に差引かれたものは争突
あり、支払いの時に更にUSCARが差引さ
たり、決して承服できない。

秘
無期限

北米局長

参事官

北米課長

神羅北米南洋群島問題関係

北米課長 ガーレン事務官

会談録

Para. 3 参照

(42.1.6)
米比

本6日午後 北米課長 15 ガーレン事務官の事務を
求め (先方と如何に交渉したか) 及び (同

とある) 会談した内容 電音 次の通り (同
席者 北米課 渡辺事務官)

12月27日に提起された

1. 折 先方側 補正予算からの 沈没災害援助に因
りて 先方側 会談に於いて 日本側 提案の通り

差つかえの通りと述べたのに対し 先方側 其の際 1ヶ
月してはどうか 其の交渉の向と協定の結果可

で 国会の通過に予算に於て 行政側が 米例の同
等とすべしとの好ましくないので 先日の 提案案の最終

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外務省

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の 11.7.77 と削除したと述べた

これに対し 先方は 国会を通過したの事 未だ

日本側の 問題 及び 米例の問題 日本側が 米例案
の一部の事を 受諾する 及び 提案を してはどうか

に於いて 日本側が 更に同意し 日本側
の 最終の 会談が 成立したに なる。 其の意味

原則の問題 として 本件 11.7.77 の 削除に 対し 会談
するが 実際問題 として 米例が 一方に 会談の

用を 提出するに して 処理したの事 日本側 同意
と答えた。

2. 7.27 先方側 米 国連代表部 から 太平洋諸島
への 信託統治理事会 Visiting Mission の 同地

訪問の前 には 東京に 来た 其の 意向を 有する
アワーが あり 日本側 に対して 米例 として 正式

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外務省

には日本が回答不文内題であるが、交渉の現段階において、Missinの東京訪問は宛先不明との
 の理解を非公式に同Missinに伝える旨の情報を得たと述べたのに対し、当方側、わが方の代
 表団からその点について連絡があったが、これは米側は東京訪問を「不文」として受け取った。しかし、その点については再確認し、回答（時刻再確認の指示、「不文」は「不文」の誤りであることが判明）、さらに、先方の質問に回答、わが方は、Missinの正式アポイントメントを正式に返答する旨と貴代表団に伝えることとなるが、正式アポイントメントの場合、~~その点について~~ 同様の回答を和
 文で伝えることとする。同連系に赴き中の訓令の大意を説明した。

日本側が18日と国内のやり取りを完了しようとする段階にまで進んだと受け取った。また、当方側は、目下努力中の対応は、従来通り進めようとする。また、わが方は、何と云ふ旨を答えた上、北米課長よりワシントンに於て、昨年12月22日付書翰の字を参考資料に送付した。

3. 7日、当方側、神皇の御前補償について、米側が、米国会で appropriate 文に含める中、日本政府が先に支払った見込金10億円分を差引くとの噂が、国民の間には根強く流れているが、真相を調査する旨述べ、本件が米国会で審議された際、わが方申入かと、わが米側が受入たに、混淆と説明したのに対し、先方は、本件補

償を要求する市民は、被害者のグループを USCAR
に提起し、USCAR が個々のグループに對し日本

(例) から 對しに慰謝金を受取る。この分については、日本
を差しのりとして支払うのだから、その差しのり分を合

計すれば、10倍同相当分を ~~支払~~ ^{支払} するに過ぎない。
は、その分を、USCAR が、総括 appro-
priate するに過ぎない。

また、被害者の慰謝金を越えれば、その分は新下には
appropriate するに過ぎない。また、市民が慰

問を犯す者は、USCAR に直接提問して支払う
分の支払い等と並び、難色を示したが、必ず

59. 日本政府として関心を有する問題であること
に ^あ わて真相を明らかにする。調査委員の
15.

v. acknowledge 3

1. 対応しては、差し支り、その通報を謝するに比
 せ、とくに追及するに比しはしからず。

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外務省

秘
無期限

タイプ指示	発信用	執務用	計
主 信	1	1	2
付	40/50/50		
届			

発送日 昭和42年1月16日
 発信 馬タイプ 検査

文書課長 公文書案 (分類)

公 信 案 第 14 号 公 信 昭 和 42 年 1 月 14 日 日
 番号 米北 日付

大 区 政務次官 事務次官 外務審議官 官 房 長	主 管 北米局長 参 事 官 北米課長 主 任	起案 昭和 42 年 1 月 12 日 起案者 森山 電話番号 671
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受信者 北米 武内大使 発信者 三下 大臣

写送付先 (希望発送日) 月 日

件 名 沖縄の講和発効米補償について

GA-2 14 49 外務省 回覧番号

経世新聞 北米局長 (5)

政経情報(その106) 北米局長

講和前補償金の支払いをめぐり
る問題について

みだしのことについては、さきに、11月18日付 沖繩政経情報(その94)をもち 通報(報告)したところであるが、最近、支払いの段階にきて 沖繩側と 沖繩地^区兵隊(以下「D・E」という。)との間に 見解が対立し、近く支払いが予定されていた人身補償費の年内支払いも困難となつてきて

いる。
この問題は、今後 政治的、社会的な問題として 大きく発展することが予想される。関係当事者である 講和前補償獲得期成会(以下「期成会」という。)の会長である 桑江 民主党幹事長にその経緯および問題点について ただしたところ、おおむね 次のような説明があつたので、とりあえず 報告する。

記

1. 対立の問題点

総 理 府

2699

日本側との関係
10月10日
米側との関係
説明を
おこな
うこと
も
あ
ら
な
い
た
ら
し
い

米側と沖繩側との見解の対立は、さる12月15日に開催された 講和前損失補

償金支払い対策委員会(以下「対策委員

会」という。)の席上、D・E側から キヤラウイ 弁務官当時の米琉審議会での最終条件を何故に良しとする提案が示された。

その提案とは、

- (1) 個々の補償額について D・Eが再調査し、査定する。
- (2) これに要する弁務経費は 琉球政府が負担する
- (3) 日本政府からの見舞、金10億円は 損失補償金から差引く。
- (4) 地料算定の基準については 修正をする

を内容とするものであつた。

総 理 府

2

仮りに、このD・E側の主張をそのまま受け
いれるとすると、本土政府からの見舞金約

300万ドル（日本円10億円）、物件補償から
約250万ドル、土地補償費から約400万ドル

合計1,000万ドル前後の減額が見込まれ
る。よって、前記12月15日の対策委員会

で沖繩側の委員である小波蔵副主席、
久具法務局長および宮城期成会事務局長

は、米側の要求はのみこめないと次のよう
な対立見解を示し、話し合いがつかないま

ま同委員会は閉会となった。

(1) 何々の補償額をD・Eが再調査し、

査定することは、14~5年以前のことを再調
査することとなり、事実上、地形、地目等も

変わったものを調査することが困難であり、結
論がでるまでに長期間、受給者全員が

総 理 府

待たされることとなり、いたすりに支払、業
務が遅延するだけで、その理由も不合理

である。

(2) 軍務経費12,000万ドルは立法院で

金額削除されているので、直ちに応じ
られない。

(3) 日本政府からの見舞金10億円を差引く
ことは、アメリカ側から日本政府の国庫に返

還する目的で行なうというのであれば、承
服するが、日本政府にも返還しないというので

あれば、米議会を可決した予算2,200万
ドルの中からは、すでに見舞金10億円が

差引かれているので、2重の差引を認めるこ
とになり、承服できない。

(4) 地料算定の基準については、昨年10月
27日、第89議会の上院合同決議案

総 理 府

32号として出された 公法 89~293 (講
和前補償に関する支払、権限付与の合

同決議)で、「琉球列島高等弁務官は当
該請求権に関する証拠を審査し、~~それ~~
を

衡平的方法により、正当な請求権および
その金額を決定した。」とあるが、~~これを~~
~~算定~~

修正することは 米琉合同審査会を~~受託~~
した額を不当に削ることとなり、~~認め~~
得ない。

2. 沖縄(期成会)側の見解

沖縄側としては、さきに支払委員会が支払
のための費用は 米側側に負担を掛け

ないことを決定したので、これに従って、争
訟費の負担を委託金として 琉球政府側

から D、E側に出す予定であった。しかし、
同経費は、行政府が現年度予算を編成

する際に計上して立法院に報告したが、

(1) 予算の支出をする際には 琉球政府が

会計検査を受けるのと同様に D、E側
にも立法院による会計検査等監督を受

けるつもりがあるかどうか。

(2) 琉球政府が 米民政府あるいは D、E

に業務の委託をすることができるとい
法的に疑念がある。

(3) 米側からの補助を受けているのに、逆に委
託金を出さなければならぬのはどうか。

わけか

等の負担を立法院で受けることが予想され
るため、これに関して 米側委員に負

荷したが、米側から回答が得られなかったため、
立法院で委託費が2,000ドルを全額削

除した。

期成会長としても、法的疑義および監督権の問題は与野党間の論争となり

金の面を施政の問題まで引き出されるおそれもあるので、期成会を通じ期成会

の補助金の中から委託金を出し委託すれば、期成会が直接琉球政府の監督と

受け、立法院の会計検査を受けることとなるので、この点でどうかという点で一応はD.E

側とも話がついていた。つまり、具体的には期成会としては琉球政府が補助金を出

すのであれば、D.Eに委託金72,000ドルを出すことを4月の補正予算で考慮し、それま

での間は補助金で30,000ドルをいれず、D.Eに先渡するという点で一応の話し合

がなされていた。その後、D.E側からワシントン民政官、松岡主席および桑江期成会会長

の三者の署名を求めたが、D.E側が具体的にどういつ化争をするのかその内容を明

らかにしないので、この問題も保留となった。そのような状況の下で、前記支払委員会

における米側委員の要求が提案されたので、期成会としても現段階で争務を委託させて

肉着を生じさせることとなるので、委託しない態度をとることとした。

次に、講和前補償金支払いに際し、1957年に日本政府から支給された10億円の見

舞金を差引くことについて、^{期成会が}反対する理由は、別紙のとおりである。

3. 今後の見とおし

ところで、現在米側委員（米民政務法

務局長、D.E 駐米部長等4名）の主張は、当時の米琉審議委員会の決定事項にも

誤りがあるので再調査をするといっている
ようである。また、地料算定の基準を修

正して、すでに請求された土地の補償請求
額が基準額を上回るものは基準額に

従い、基準以下のものは請求とありとし、
請求を出していない分には支払わないという

方針で、土地補償の再審査をした場合に
は、減額と支払い時期の見とおしが立

たないため、住民や人々と請求者の不
信感は一層大きく集中してくることが予想

される。

期成会側でもこのD-Eの主張に大きな

不満をもって、現在の段階では全く双方の
意見が対立している。また、DE-USCAR

琉球政府
および期成会の各当事者間において話し
合っても不十分であるため、米民政府と琉

球政府との間でなんらかの政治的な
解決方法がとれない限り、各結する

ことは困難である。

なお、期成会では来年1月10日ごろ

夏私、促進要求大会を開き、ワシントン在の
期成会顧問弁護士ヘンディング氏を

呼び寄せることを計画しており、この問題は
今後大きく発展していくことが予想される。

(参考)

琉球政府では講和前補償の土地使用料と建
物使用料に対しては課税する方針である。これは、
さる10月20日の行政府局長会議で決定した。主税局
長の説明によれば、これらの使用料は賃貸料である
といふことから課税方法としては所得税法に基づき
年間所得とみなして源泉徴収等は年度末調整を
もって賦課する権限があるとの見解である。しかし、
やはり琉球政府が補償金の受給を利益であると
みているのに対し、期成会ではこれを損害とみたり、
減免措置を講ずるよう要望している。

別紙

講和前補償獲得期成会

講和前補償金支払いに際し 1957年
日本政府から支給された 10億日円
の見舞金を USCAR が差引くという不
合理的な主張に反対する理由

USCAR が米合衆国上院の第 89 議会上院
合同決議第 32 号 (公法 89-298) で 1965 年
10 月 27 日に採択された「1945 年 8 月 15 日より
1952 年 4 月 28 日に至る期間における米軍軍隊
及びその要員の作為又は不作為により生じた
人身の死亡及び傷害並びに私有財産の使
用及び損害に対し 琉球列島のある特定の
住民に支払いを付する権限を付与する合同決議
の第一節の末尾の「この合同決議に基づい
て割り当てられる (国庫支出される) 資金は一
切日本政府の寄贈金により既に履行され
た請求権の全部又はその一部を履行
するために支出されてはならない」の条項により
USCAR は先に日本政府より見舞金を受領
した各人はその日本からの見舞金の額だけ
差引いて支払いすべきであると主張してい
る。

総務府

その主張のあてまの裏を指摘する前に、日本
政府より見舞金を受けた時の背景を述べる
必要がある。

(1) 日本政府が 1957 年見舞金を支払った時
の背景

日本政府は沖縄住民の講和前補償請求
に対し、その責任は現に施政権を行使している
米政府にある。しかしながら米軍に財産権
を接収され、困窮している住民を見るに忍びず
取敢えず 10 億の見舞金を支給する。ただし、
この見舞金は米政府が講和前補償の
全部若しくは一部を支払った時には日本政府
の国庫に返納するものとする。という下記 6 項
からなる条項を閣議で決定している。

沖縄関係特別措置費の支出について

(1) 昭和 31 年度補正予算中沖縄関係特別
措置費 11 億円のうち、10 億円は対日平
和条約発効前における沖縄の米軍による
土地等の接収等に基づき損失を蒙った者
に対する見舞金とし、84 万円および 24 万円
はそれぞれ沖縄における外地引揚困
窮者および元沖縄県吏員恩給規則該
当者に対する特別支本金として、以下各項

総務府

に定めるところにより支払するものとする。

(2) 前項の見舞金は、対日平和条約発効前
沖縄の米軍による接收等により土地等の損失
を蒙つた者に支給するものとする。

(3) 前項の見舞金の支給を受ける者の範囲お
よび支給額の算定方式並びにその支給の
手続等は、沖縄現地における沖縄軍用
土地等見舞金処理委員会の案に基づき
内閣総理大臣があらかじめ大蔵大臣と協議
してこれを審査決定する。

(4) 第一項の見舞金は前項の決定に従い、沖
縄軍用土地等見舞金処理委員会の認定
するところにより支給するものとする。

(5) 第一項の見舞金を支給するにあつては、内
閣総理大臣は見舞金受給者の委任状に
基づきその受領代理人に対し、その見舞金
を一括交付する手続によるものとする。

(6) 沖縄住民が蒙つてゐる損失に関し、アメリカ
合衆国から損失の補償又は見舞金等を受
けることとなつた場合においては、その金額
のうち第一項の見舞金として支給した額に
相当する額はこれを国庫に返還又は帰属
せしめるものとする。

右の閣議に対し、沖縄の関係各市町村長は
当時の市町村会長 吉元栄真氏に全部の委任
状を提出し、吉元栄真氏は日本政府大蔵省に
対し、米政府より講和前補償に対する補償
金の支払があれば直ちに10億日円を日本政
府国庫に返還いたしますとの誓約を日本政
府大蔵省に提出してある。

(1) 以上の背景からして米国会としては、米
国が住民福祉向上のために支払される金額か
ら日本政府の寄贈金によりすでに履行され
た請求権の全部又は一部を履行するために
支払されてはならないとして、この見舞金から
本土政府に支払うことを禁じているのである。

(2) させる突如の報告を受け、講
和前補償琉米審議委員会は米国に
対する講和前補償の請求の中にこの金
額を含めないこととした。又琉米側委員は
本土政府から受けた10億日円の見舞金は
1945年8月15日から1946年6月30日迄の
土地賃貸料および1945年8月15日から1945
年12月30日迄の財産損害を除外する米側
委員の申し入れに対し、日本政府からの見舞金
をもつて相殺せしめることを条件として琉米

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双方の一致を見出し、その結果として日本政府からの10億日圓の見舞金に対する金額は、2,200万ドルに含まれていない。

(3) 1965年1月8日 陸軍長官より下院議長に対する提案書中(英文3ページ4節5行目～8行目迄) 1957年に10億日圓(280万ドル)の見舞金を支払っている。この支払われている分については、今後の法案で定めてある請求権の額から差引いてあると記録されている。

(4) 1965年7月28日 下院外務省極東太平洋分科委員会におけるカムエリソン・国務次官補の証言中(英文4ページ2部1行目～6行目迄) 日本政府は我々が全額支払う時日本は返済されるべきであると考えていますので、合衆国の支払いは先に日本が支払った額を多めたいと規定する項を挿入してあります。挿入の結果我々の国との間に緊密な交友関係

(5) 1965年8月10日上院報告書564号外交委員会所屬のスパークマンの報告書中(英文冊子=ページ「経緯」3節3行目～8行目迄) 日本政府は琉球における講和前請求権についてその法的責任を否認したのであるが、1957年に総額約280万ドルの見舞金

を請求権のある者に支払っています。この額は上院合同決議案第32号によりカバーされている請求権の額から予め差引かれています。

以上で立証されますように合同決議書第一部末尾の各項は、米合衆国が講和前補償の支払いをすることによって日本政府は沖縄住民に対し直ちに請求権が生じるようになるので、沖縄住民は日本政府の請求権を履行するために支払いは行わないとする禁止規定があつて、決して2,200万ドルの講和前補償金額の中から見舞金の10億日圓(280万ドル)を差引いて支払えという規定ではない。

(6) 議会が予算可決の場合は、その予算全額の支払いが可能であつて支払うべきでない金額を含めて可決するようにはなりません。2,200万ドルの中から市町村財産の補償をなすべきではないとして減額されているのもその証拠である。

(7) 日本政府の見舞金額を差引くということは、SCARが市町村会長の吉元榮真氏にかつて日本政府の国庫に返還する目的で、議会の規定に反して差引くということではなく、われわれとして彼ら弁解することはない。しかし、日本政府にも返還ほしくないならば、先に述べた背景

と立証の中から既に差引かれたことは事実では
あり、支払いの時に更にUSCARが差引さ
たり突して承服をせよ。

秘
写

講和前補償金の支払い問題について

1 講和前補償支払いをめぐり問題の解決について
 講和前損失補償の支払いは、支払方法をめぐって米陸軍沖繩地区工兵隊(以下「D.E.」以下)と沖繩側とが対立し難航していたが、1月9日、米民政府でワナ民政官、松岡主席、桑江講和発新前損失補償獲得期成会(以下「期成会」といふ)会長の三者間で「講和発新前損失補償金の支払いに関する業務に要する経費についての賞与書」の調印が行われ、支払い方法の問題は一応解決した。

これに至る経緯については、さきに(昨報)政経情報(その106)をもつて報告(連絡)したところであるが、下記のとおり経過があったので、参考までに報告(連絡)する。

記

- (1) 本年1月3日、ワナ民政官、ホスタン D.E.隊長、ロング D.E.不動産部長、アイゼンスタイン米民政府法務部長、松岡主席および桑江期成会長を交えた関係

者の会談で次の点に合意され了解が
 ついた。

- ① 59年に提出された請求書にはおぼろしい誤記等があったので期成会側では61年米琉合同審議会にこれらの誤記等を修正することについての一切の権限を委任していたが、この59年の請求書および上記委任状が認められたこと。
- ② 期成会が61年米琉合同審議会に決定した基準に基づいて受権者と請求額のリストを作成して D.E.に提出すること。
- ③ D.E.側は59年に提出された請求書に基づいて作成したリストと上記期成会提出のリストを照合し一致したものであるについては直ちに支払いを開始すること。
- ④ 一致しないものについては保留し、調整し調整がつかない場合には高等弁務官の裁定を受けること。

- (2) 1月4日米沖に期成会の顧問弁護士

ヘンデガー氏は琉球政府法務局
宜野座民事部長とともに、3月5日お
よび6日の両日、オースンD.E隊長
ロングD.E不動産部長、リックス琉米
合同土地諮問委員長等に会い、次
の如く、細部事項についての合意に達
した。

① 土地使用料と中心とした査定問題
は琉球側の主張が認められ、ヤ
ラウエイ委員会における妥結基準額
(6年米琉合同審議会での決定基準)と
おり査定し、支払い業務の際D.E
側がリストを作成して再確認する。

② D.Eの事務経費は琉球政府が
年間91,200ドル計上して支払すること
とし、よりあるが期成会への補助金
から30,000ドルを流用する。(注)

(注) 現年度分は6月まで45,600ドルを支
払うこととし、補正予算(4~5月)で54,000
ドルを政府が補助金として期成会に交付
することとし、補正予算が成立するまでの間
期成会で30,000ドルを立替えることとした。

総 理 府

(3) 事務経費の負担、再査定の中とほどで琉
米間で調整がついたので、本年1月9日
前記のとおり、民政官、主席および期成
会長の三者間で覚書調印がなされ
た。

2. 講和前補償の支払いについての布令 の公布

講和前補償の支払いをめぐり問題が
前記のよりに一応解決したので、1月10日
ワナ民政官は高等弁務官に代わり、「琉球
人の講和発効前の補償請求の支払い」
についての高等弁務官布令60号を公布した。
同布令は、1月17日から施行される。

なお、同布令の内容については、すでに昨
年11月17日政経情報(第94)をもって
送付したが、案の段階におけるものと幾分
内容を異にする点があるものと思われるので、
入手次第後送する。

3. 今後の支払いの実施に関して

補償金は、当該資金が到着次第高
等弁務官の承認を得た後、琉球政府

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を通じて支払われることとなる。支払い開始時期については、民政府およびD.Fの事務的午続およびその体制が完了されれば直ちに開始されると思われ、2月頃よりなるものと予想される。金額としては、本年6月末までに支払い完了の見込み額は900万ドルと予想される。

次に、この問題は支払い事務経費の負担および査定の問題では一応解決が済んだものの、日本政府からの見舞金約280万ドル(約日本円10億円)の国庫返納については、琉米ともに明らかでない。

期成会事務局長の説明によれば、「1957年に日本政府が見舞金を支出した時、この見舞金は米政府が講和前補償の全部もしくは一部を支払った時には日本政府の国庫に返納するものとするということが閣議決定され、当時沖繩の関係各市町村長から委任状を受けた市町村長会長(当時)の吉元栄真氏が本土政府の大蔵省に対し返還の誓約を提出している。

米側は、今回の支払いについて本土政

総 理 府

府からの見舞金10億円分は差引くことに決定しており、この見舞金分を請求した場合には罰則が付されているので、当然支払い段階で差引かざるを得なくなっている。しかし、アメリカ政府では見舞金の返納についてはアメリカは債権債務の当事者外であり、返納についての責任はなく、この問題は琉球側と日本政府との間の問題であるとしている。

また、受給者からの差引きの方法としては、見舞金を受けた者に対して何パーセントが差引いて、総額が日本円10億円に相当するよう措置を講ずるつもりである。

その理由は次による。1957年に見舞金が支出された当時は見舞金処理委員会が存在していたが、これがその後解散され、以要者類が南方同胞擁護会を通じて大蔵省に送られたように聞いている。

期成会では、現在見舞金請求に関する明細がないので、領収書に基づいて見舞金を受けた者を抽出している。しかし、領収書では金額が一括されているため、27項目の見舞金の申請について全項目を1人で申請している者もあるであろう。

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個々の請求について内訳が不明であるので、領収書に基づいて見舞金受領者を抽出し、今回の支給額から何パーセントが差し引く予定である。パーセントの件は、ヘンティガン顧問弁護士と近く検討していくつもりである」といっているのが、見舞金差引きの点については、なお問題を若干残している。

なお、本使が1月9日、ヘンティガン顧問弁護士と会談した際にも、ヘンティガン氏は上記と同趣旨を述べた上、更にパーセントに格差をつけるようなことも考える旨話していた。

総 理 府

北米局長

参事官

写 秘

政経情報(その2) 米領長

講和前損失補償金の支払い状況について

さる2月20日、知念村当局に対し講和前損失補償金の第1回支払い分として水利権の補償費 9,844ドル52セントが琉球政府から委託された。これは、さきに2月6日、米民政府から小切手で渡された講和前補償第1回支払い分の総額 101,1567ドル45セントのうちから執行されたものである。

D・E(沖縄地米軍工兵隊)からの琉球政府へて通知によれば、本年6月までの概算による支払い通知額は次のとおりとなる。

2月	カテナ村	85 ^万 3,151 ^{ドル}	34セント
	北谷村	77 ^万 4,266 ^{ドル}	43セント
3月	コザ村	99 ^万 6,984 ^{ドル}	48セント
	北中城村	35 ^万 ドル	
4月	宜野湾市	70 ^万 ドル	
	読谷村	150 ^万 ドル	
5月	美里村	55 ^万 ドル	
	金武村	40 ^万 ドル	

総 理 府

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6月 具志川村 80万円
 海添村 37万5,000円
 勝連村 10万円

D.Eからの通知によれば、D.Eから資金を受領してから3か月以内に支払いを終了しなければ当該支払い額を返還することを条件として付加している。ただし、この3か月以内の期限も理由があれば延長することができる、こととなっている。

琉球政府法務局土地課で調査したところ、2月22日現在、琉球政府に講和前補償支払いの小切手ですべて総額252万1,928円24セントが交付されており、その内訳は次のとおりである。

土地使用料 162万7,417円77セント
 水利権補償費 5万0,341円73セント
 復元補償費 35万2,565円36セント
 溜池 " 9,198円
 人身補償費 28万2,405円38セント
 計 252万1,928円24セント

総 理 府

3月17日現在、支払いが行われたものは、次表のとおりである。

支払日	市町村名	補償項目	支払金額
2.20	知念村	水利権補償	9844.52
"	玉城村	"	1037.45
"	知念村	"	4576.10
2.21	国頭村	人身傷害死亡	2650.00
"	大宜味村	"	1038.80
"	阿地村	"	4164.20
"	今帰仁村	"	5857.67
"	上本部町	"	4960.80
"	本部町	"	5292.40
"	名護町	"	2218.60
"	金武村	"	1038.80
"	恩納村	"	2669.94
3.1	工部町	沼地補償費	9198.00
"	具志川村	人身傷害死亡	88,666.51
"	美里村	"	26,407.24
3.3	那覇市	"	60058.25
3.9	糸苅町	水利権補償費	34883.10
3.10	中城村	復元補償費	3538.10
		合計	258256.52

総 理 府

講和前補償金の非課税措置についておねて
から講和前補償獲得期成会(会長 桑江
朝幸)が琉球政府当局と交渉した結果、
土地使用料および家屋使用料のみが課税
対象となり、これも400ドルまでは免税の
措置がとられることとなった。

この課税取扱いについては、琉球政府側
が土地使用料等の使用料は不動産所得
と解されるので源泉徴収により課税しうる
との見解に立つたものであり、土地使用料等
も損害賠償であるとの見解を固持していた
講和前補償獲得期成会側もこれに妥
協し、課税問題も決着した。

なお、3月20日には嘉手納村に対する
土地使用料 85^{ドル}3151^{ドル}34^{セント}が支払
われる(小切手の交付)こととなっているが、こ
れが土地使用料の第1号となる。

今後支払いが全部終了期間は支払い
開始から2年以内となっているので、具
体的な見直しについては、琉球政府側も
D.Eからの支払通知に基づいて交付準備
を行なっているだけであるから明らかではない。

秘
無期限

北米局長

参事官

北米課長

沼波洋長

沼波洋

講和発効前補償について

昭和42.3.22

米北

1. 3月14日午前 桑江朝幸、星克両琉球立法院議員は下田次官を訪問し、主として教公法案の

審議に伴う治安法案について話しが交わされた。

桑江氏は講和発効前補償獲得期成会会長として

の立場から、日本政府の見舞金として支出した10億円

補償額から一律6%ほど天引きされるよう相多額として、今回の

であるので、そうしたふうで米側と交渉あることを依頼してきた。そこで同席の北米課長

より、その点については前々から気にかけてあり、

内々米側と話し合ってきたが、現地で改めて

に天引きの線について解決が見つかったと聞いたので、

あえて問題にならなかったと述べた。

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外務省

3.24

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大次官長官

2

以上の委員等 同日昼食会の席上、北米課長より大次南方同胞援護会長、末次

川評議員、山野特選局長等 意見をお伺いし、現地で改めて話し合ったことであり、自今速く行うこと承知した。

おきながら、その結果生じた不満を政府に持ち込んでくることは適当でなく無視すべきである

2. というのは、全員の一致した意見であった。しかし、前からの経緯もあるので、日本政府の

見舞金の処理について、米側の公式見舞金を得ておくことが望ましいと思料された。

15日北米課長よりカーレン参事官に電話で、1月13日貴官より「講和発効前補償の総額

から日本政府の見舞金10億円を差し引く」といふことは単なる噂であり、見舞金については個々の請求

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外務省

若のクレームを再審査するにあたり、その請求権者がすでに日本政府の見舞金を受けている場合は、

その命は「1」は支払いの対象とならない、ということに処理されることになっている、旨の連絡を受けて

~~113カ~~ ~~114~~ ^{外務省} ~~9回~~ ^{(2) または 3} ~~この~~ ~~は~~ ~~と~~ ~~貴~~ ~~大使~~ ~~館~~ ~~と~~ ~~の~~ ~~話~~ ~~合~~ ~~い~~ ~~を~~ ~~な~~ ~~さ~~ ~~し~~ ~~て~~ ~~い~~ ~~る~~ ~~か~~ ~~ら~~、 ~~本~~ ~~件~~ ~~に~~ ~~つ~~ ~~い~~ ~~て~~ ~~の~~ ~~ほ~~ ~~ろ~~ ~~の~~ ~~ま~~ ~~り~~ ~~の~~ ~~説~~ ~~明~~ ~~を~~ ~~求~~ ~~め~~ ~~た~~、

「サ」は、本件については調査から返事をするが、例えて云えば、沖縄のある住

民が 1,000ドルのクレームを持っており、そのうち100ドルが 見舞金として支払われているとすると、構

和前補償として900ドルしか受けとれないということである、全体として関係住民が 10人11人とあり、

~~この~~ ~~9000~~ ~~ドル~~ ~~の~~ ~~支~~ ~~払~~ ~~い~~ ~~が~~ ~~あ~~ ~~る~~ ~~人~~ ~~も~~ ~~の~~ ~~2~~、 ^今 ~~回~~ ~~更~~ ~~に~~ ~~この~~ ~~9000~~ ~~ドル~~ ~~から~~ ~~一~~ ~~定~~ ~~割~~ ~~合~~ ~~を~~ ~~引~~ ~~く~~ ~~こ~~ ~~う~~ ~~に~~ ~~し~~ ~~て~~ ~~い~~ ~~る~~

なると述べた。北米課長は、こういうことでは、

1965年1月8日 沖縄講和発効前損失補償法案

米国会への提案の際、工兵少将が「(日本政府の)見舞金の額は本法案でカバーされる」と説明していることと合致するものであり、我々にも問題は

は字は、一律天引きしてその結果残額100万ドルを米口へ返納する予定と、

日本政府も案にあるので十分な説明を得たいと述べ、これについて「サ」は調査を約した。



Public Law 89-691
89th Congress, H. R. 17788
October 15, 1966

An Act

80 STAT. 1018

Making appropriations for Foreign Assistance and related agencies for the fiscal year ending June 30, 1967, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Foreign Assistance and related agencies for the fiscal year ending June 30, 1967, and for other purposes, namely:

Foreign Assistance and Related Agencies Appropriation Act, 1967.

TITLE I—FOREIGN ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

For expenses necessary to enable the President to carry out the provisions of the Foreign Assistance Act of 1961, as amended, to remain available until June 30, 1967, unless otherwise specified herein, as follows:

ECONOMIC ASSISTANCE

Technical cooperation and development grants: For expenses authorized by section 212, \$200,000,000. *Ante*, p. 797.

American schools and hospitals abroad: For expenses authorized by section 214(c), \$10,989,000. *Ante*, p. 798.

American schools and hospitals abroad (special foreign currency program): For assistance authorized by section 214(d), \$1,000,000 in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States.

International organizations and programs: For expenses authorized by section 302, \$140,433,000: *Provided*, That the President shall seek to assure that no contribution to the United Nations Development Program authorized by the Foreign Assistance Act of 1961, as amended, shall be used for projects for economic or technical assistance to the Government of Cuba, so long as Cuba is governed by the Castro regime. *Ante*, p. 801.

Supporting assistance: For expenses authorized by section 402, \$690,000,000.

Contingency fund: For expenses authorized by section 451(a), \$35,000,000.

Alliance for Progress, technical cooperation and development grants: For expenses authorized by section 252, \$87,700,000. *Ante*, p. 799.

Alliance for Progress, development loans: For expenses authorized by section 252, \$420,300,000, together with such dollar amounts as are authorized to be made available for assistance under section 253, all such amounts to remain available until expended. *Ante*, p. 796.

Development loans: For expenses authorized by section 202(a), \$500,000,000, together with such amounts as are authorized to be made available for expenses under section 203, all such amounts to remain available until expended: *Provided*, That this appropriation shall be available without regard to the provisions of section 205 of the Foreign Assistance Act of 1961, as amended, and the President, after consideration of the extent of additional participation by other countries, may make available, on such terms and conditions as he determines, not to exceed 10 per centum of this appropriation to the International Bank for Reconstruction and Development, the International Development Association, or the International Finance Corporation for use pursuant to the laws governing United States participation in such institutions, if any, and the governing statutes thereof and without

76 Stat. 258.
22 USC 2213.

22 USC 2163.

Ante, p. 797.

80 STAT. 1019

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regard to section 201 or any other requirements of the Foreign Assistance Act of 1961, as amended.

Administrative expenses: For expenses authorized by section 637 (a), \$55,813,500.

Administrative and other expenses: For expenses authorized by section 637 (b) of the Foreign Assistance Act of 1961, as amended, and by section 305 of the Mutual Defense Assistance Control Act of 1951, as amended, \$3,255,000.

Unobligated balances as of June 30, 1966, of funds heretofore made available under the authority of the Foreign Assistance Act of 1961, as amended, except as otherwise provided by law, are hereby continued available for the fiscal year 1967, for the same general purposes for which appropriated and amounts certified pursuant to section 1311 of the Supplemental Appropriation Act, 1955, as having been obligated against appropriations heretofore made under the authority of the Mutual Security Act of 1954, as amended, and the Foreign Assistance Act of 1961, as amended, for the same general purpose as any of the subparagraphs under "Economic Assistance" are hereby continued available for the same period as the respective appropriations in such subparagraphs for the same general purpose: *Provided*, That such purpose relates to a project or program previously justified to Congress and the Committees on Appropriations of the House of Representatives and the Senate are notified prior to the reobligation of funds for such projects or programs.

68 Stat. 830.

31 USC 200.

68 Stat. 832;

75 Stat. 460.

22 USC 1750

et seq.

Notification of congressional committees.

Ante, p. 802.

75 Stat. 460.

22 USC 2396.

MILITARY ASSISTANCE

Military assistance: For expenses authorized by section 504(a) of the Foreign Assistance Act of 1961, as amended, including administrative expenses authorized by section 636(g)(1) of such Act, which shall not exceed \$23,000,000 for the current fiscal year, and purchase of passenger motor vehicles for replacement only for use outside the United States, \$792,000,000: *Provided*, That none of the funds contained in this paragraph shall be available for the purchase of new automotive vehicles outside of the United States.

GENERAL PROVISIONS

Sec. 101. None of the funds herein appropriated (other than funds appropriated under the authorization for "International organizations and programs") shall be used to finance the construction of any new flood control, reclamation, or other water or related land resource project or program which has not met the standards and criteria used in determining the feasibility of flood control, reclamation, and other water and related land resource programs and projects proposed for construction within the United States of America as per memorandum of the President dated May 15, 1962.

Sec. 102. Obligations made from funds herein appropriated for engineering and architectural fees and services to any individual or group of engineering and architectural firms on any one project in excess of \$25,000 shall be reported to the Committees on Appropriations of the Senate and House of Representatives at least twice annually.

Sec. 103. Except for the appropriations entitled "Contingency Fund", "Alliance for Progress, development loans", and "Development loans", not more than 20 per centum of any appropriation item made available by this title shall be obligated and/or reserved during the last month of availability.

Sec. 104. None of the funds herein appropriated nor any of the counterpart funds generated as a result of assistance hereunder or

Flood control and reclamation programs, etc.

Engineering and architectural fees, reports to congressional committees.

Restrictions.

any prior Act shall be used to pay pensions, annuities, retirement pay or adjusted service compensation for any persons heretofore or hereafter serving in the armed forces of any recipient country.

Sec. 105. The Congress hereby reiterates its opposition to the seating in the United Nations of the Communist China regime as the representative of China, and it is hereby declared to be the continuing sense of the Congress that the Communist regime in China has not demonstrated its willingness to fulfill the obligations contained in the Charter of the United Nations and should not be recognized to represent China in the United Nations.

Seating of Communist China in U. N., opposition.

59 Stat. 1031.

Sec. 106. It is the sense of Congress that any attempt by foreign nations to create distinctions because of their race or religion among American citizens in the granting of personal or commercial access or any other rights otherwise available to United States citizens generally is repugnant to our principles; and in all negotiations between the United States and any foreign state arising as a result of funds appropriated under this title these principles shall be applied as the President may determine.

Racial or religious discrimination.

Sec. 107. (a) No assistance shall be furnished under the Foreign Assistance Act of 1961, as amended, to any country which sells, furnishes, or permits any ships under its registry to carry to Cuba, so long as it is governed by the Castro regime, in addition to those items contained on the list maintained by the Administrator pursuant to title I of the Mutual Defense Assistance Control Act of 1951, as amended, any arms, ammunition, implements of war, atomic energy materials, or any other articles, materials, or supplies of primary strategic significance used in the production of arms, ammunition, and implements of war or of strategic significance to the conduct of war, including petroleum products.

Restriction on assistance to countries.

75 Stat. 424. 22 USC 2151 note.

65 Stat. 645. 22 USC 1611-1611d.

(b) No economic assistance shall be furnished under the Foreign Assistance Act of 1961, as amended, to any country which sells, furnishes, or permits any ships under its registry to carry items of economic assistance to Cuba, so long as it is governed by the Castro regime, or to North Vietnam.

Sec. 108. Any expenditure made from funds provided in this title for procurement outside the United States of any commodity in bulk and in excess of \$100,000 shall be reported to the Committees on Appropriations of the Senate and the House of Representatives at least twice annually: Provided, That each such report shall state the reasons for which the President determined, pursuant to criteria set forth in section 604(a) of the Foreign Assistance Act of 1961, as amended, that foreign procurement will not result in adverse effects upon the economy of the United States or the industrial mobilization base which outweigh the economic or other advantages to United States of less costly procurement outside the United States.

Procurement outside U. S., reports to congressional committees.

75 Stat. 439. 22 USC 2354.

Sec. 109. (a) No assistance shall be furnished to any nation, whose government is based upon that theory of government known as communism under the Foreign Assistance Act of 1961, as amended, for any arms, ammunition, implements of war, atomic energy materials, or any articles, materials, or supplies, such as petroleum, transportation materials of strategic value, and items of primary strategic significance used in the production of arms, ammunition, and implements

Furnishing strategic materials to communist nations, prohibition.

65 Stat. 645. 22 USC 1611-1611d. Economic assistance, Presidential determination. 22 USC 2174. Report to congressional committees. Publication in Federal Register.

of war, contained on the list maintained by the Administrator pursuant to title I of the Mutual Defense Assistance Control Act of 1951, as amended.

(b) No economic assistance shall be furnished to any nation whose government is based upon that theory of government known as communism under the Foreign Assistance Act of 1961, as amended (except section 214(b)), unless the President determines that the withholding of such assistance would be contrary to the national interest and reports such determination to the Foreign Affairs and Appropriations Committees of the House of Representatives and Foreign Relations and Appropriations Committees of the Senate. Reports made pursuant to this subsection shall be published in the Federal Register within seven days of submission to the committees and shall contain a statement by the President of the reasons for such determination.

22 USC 2151 note.

Sec. 110. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, as amended, may be used for making payments on any contract for procurement to which the United States is a party entered into after the date of enactment of this Act which does not contain a provision authorizing the termination of such contract for the convenience of the United States.

Citizens employed outside U. S., loyalty investigations.

Sec. 111. None of the funds appropriated or made available by this or any predecessor Act for the years subsequent to fiscal year 1962 for carrying out the Foreign Assistance Act of 1961, as amended, may be used on or after 60 days from the date of enactment of this Act to make payments with respect to any contract for the performance of services outside the United States by United States citizens unless the President shall have promulgated regulations that provide for the investigation of such citizens for loyalty and security to the extent necessary to protect the security and other interests of the United States: Provided, That such regulations shall require that any such United States citizen who will have access, in connection with the performance of such services, to information or material classified for security reasons shall be subject to such investigation as may otherwise be provided by law and executive order.

Capital project, U. S. approval.

Sec. 112. None of the funds appropriated or made available under this Act for carrying out the Foreign Assistance Act of 1961, as amended, may be used to make payments with respect to any capital project financed by loans or grants from the United States where the United States has not directly approved the terms of the contracts and the firms to provide engineering, procurement, and construction services on such projects.

75 Stat. 433; 77 Stat. 382. 22 USC 2201.

Sec. 113. Of the funds appropriated or made available pursuant to this Act not more than \$10,000,000 may be used during the fiscal year ending June 30, 1967, in carrying out section 241 of the Foreign Assistance Act of 1961, as amended.

Sec. 114. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, as amended, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations.

Underdeveloped countries, construction work.

Sec. 115. None of the funds made available by this Act for carrying out the Foreign Assistance Act of 1961, as amended, may be obligated on or after April 30, 1964, for financing, in whole or in part, the direct costs of any contract for the construction of facilities and installations in any underdeveloped country, unless the President shall, on or before such date, have promulgated regulations designed to assure, to the maximum extent consistent with the national interest and the avoidance of excessive costs to the United States, that none of the funds made available by this Act and thereafter obligated shall be

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80 STAT. 1022

used to finance the direct costs under such contracts for construction work performed by persons other than qualified nationals of the recipient country or qualified citizens of the United States: *Provided, however*, That the President may waive the application of this amendment if it is important to the national interest.

Sec. 116. No assistance shall be furnished under the Foreign Assistance Act of 1961, as amended, to any country that sells, furnishes, or permits any ships under its registry to carry to North Vietnam any of the items mentioned in subsection 107 (a) of this Act.

Sec. 117. None of the funds appropriated or made available in this Act for carrying out the Foreign Assistance Act of 1961, as amended, shall be available for assistance to the United Arab Republic, unless the President determines that such availability is essential to the national interest of the United States.

Sec. 118. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, as amended, may be used to finance the procurement of iron and steel products for use in Vietnam containing any component acquired by the producer of the commodity, in the form in which imported into the country of production, from sources other than the United States or a country designated as a limited free world country by code number 901 in the September 1964 Geographic Code Book compiled by the Agency for International Development, and at a total cost (delivered to the point of production) that amounts to more than 10 per centum of the lowest price (excluding the cost of ocean transportation and marine insurance) at which the supplier makes the commodity available for export sale (whether or not financed by the Agency for International Development).

Restriction on assistance. North Vietnam.

United Arab Republic.

Iron and steel products for Vietnam, procurement restriction.

TITLE II—FOREIGN ASSISTANCE (OTHER)

FUNDS APPROPRIATED TO THE PRESIDENT

PEACE CORPS

For expenses necessary to enable the President to carry out the provisions of the Peace Corps Act (75 Stat. 612), as amended, including purchase of not to exceed five passenger motor vehicles for use outside the United States, \$110,000,000, of which not to exceed \$24,500,000 shall be available for administrative expenses.

22 USC 2501 note.

DEPARTMENT OF THE ARMY—CIVIL FUNCTIONS

RYUKYU ISLANDS, ARMY

ADMINISTRATION

For expenses, not otherwise provided for, necessary to meet the responsibilities and obligations of the United States in connection with the government of the Ryukyu Islands, as authorized by the Act of July 12, 1960 (74 Stat. 461), as amended (76 Stat. 742); services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), of individuals not to exceed ten in number; not to exceed \$4,000 for contingencies for the High Commissioner, to be expended in his discretion; hire of passenger motor vehicles and aircraft; purchase of four passenger motor vehicles, for replacement only; and construction, repair, and maintenance of buildings, utilities, facilities, and appurtenances; \$14,898,000, of which not to exceed \$2,898,000 shall be available for administrative and information expenses: *Provided*, That expenditures from this appropriation may be made outside continental

60 Stat. 810.

80 STAT. 1023

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40 USC 255;
31 USC 529,
70A Stat. 269.

United States when necessary to carry out its purposes, without regard to sections 355 and 3648, Revised Statutes, as amended, section 4774 (d) of title 10, United States Code, civil service or classification laws, or provisions of law prohibiting payment of any person not a citizen of the United States: *Provided further*, That funds appropriated hereunder may be used, insofar as practicable, and under such rules and regulations as may be prescribed by the Secretary of the Army to pay ocean transportation charges from United States ports, including territorial ports, to ports in the Ryukyus for the movement of supplies donated to, or purchased by, United States voluntary nonprofit relief agencies registered with and recommended by the Advisory Committee on Voluntary Foreign Aid or of relief packages consigned to individuals residing in such areas: *Provided further*, That the President may transfer to any other department or agency any function or functions provided for under this appropriation, and there shall be transferred to any such department or agency, without reimbursement and without regard to the appropriation from which procured, such property as the Director of the Bureau of the Budget shall determine to relate primarily to any function or functions so transferred: *Provided further*, That reimbursement shall be made to the applicable military appropriation for the pay and allowances of any military personnel performing services primarily for the purposes of this appropriation.

PRETREATY CLAIMS

79 Stat. 1071. For payments authorized by the Act of October 27, 1965 (Public Law 89-296), \$21,040,000, to remain available for two years from the effective date of this Act.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

ASSISTANCE TO REFUGEES IN THE UNITED STATES

76 Stat. 121.
22 USC 2601 note.
60 Stat. 810. For expenses necessary to carry out the provisions of the Migration and Refugee Assistance Act of 1962 (Public Law 87-510), relating to aid to refugees within the United States, including hire of passenger motor vehicles, and services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), \$51,000,000.

For further reimbursement of expenses incurred by Dade County, Florida, in carrying out the provisions of the Migration and Refugee Assistance Act of 1962 (Public Law 87-510), relating to aid to refugees within the United States, or in otherwise providing aid to refugees within the United States \$1,032,997, to be derived from balances of prior year appropriations under this head.

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

60 Stat. 999.
74 Stat. 792.
60 Stat. 810. For expenses, not otherwise provided for, necessary to enable the Secretary of State to provide, as authorized by law, a contribution to the International Committee of the Red Cross and assistance to refugees, including contributions to the Intergovernmental Committee for European Migration and the United Nations High Commissioner for Refugees; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1946, as amended (22 U.S.C. 801-1158); allowances as authorized by the Overseas Differentials and Allowances Act (5 U.S.C. 3031-3039); hire of passenger motor vehicles; and services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); \$6,050,000, of which not to exceed \$5,050,000

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80 STAT. 1024

shall remain available until December 31, 1967: *Provided*, That no funds herein appropriated shall be used to assist directly in the migration to any nation in the Western Hemisphere of any person not having a security clearance based on reasonable standards to insure against Communist infiltration in the Western Hemisphere.

FUNDS APPROPRIATED TO THE PRESIDENT

INVESTMENT IN INTER-AMERICAN DEVELOPMENT BANK

For subscription to the Inter-American Development Bank for the third installment of the United States share in the increase in the resources of the Fund for Special Operations of the Bank, \$250,000,000, to remain available until expended.

SUBSCRIPTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment of the second installment of the supplementary contributions of the United States to the International Development Association, \$104,000,000, to remain available until expended.

TITLE III—EXPORT-IMPORT BANK OF WASHINGTON

The Export-Import Bank of Washington is hereby authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the project set forth in the budget for the current fiscal year for such corporation, except as hereinafter provided.

61 Stat. 584.
31 USC 849.

LIMITATION ON OPERATING EXPENSES

Not to exceed \$2,108,241,000 (of which not to exceed \$1,330,000,000 shall be for equipment and services loans) shall be authorized during the current fiscal year for other than administrative expenses.

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$4,134,000 (to be computed on an accrual basis) shall be available during the current fiscal year for administrative expenses, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), and not to exceed \$9,000 for entertainment allowances for members of the Board of Directors: *Provided*, That (1) fees or dues to international organizations of credit institutions engaged in financing foreign trade, (2) necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belonging to the Bank or in which it has an interest, including expenses of collections of pledged collateral, or the investigation or appraisal of any property in respect to which an application for a loan has been made, and (3) expenses (other than internal expenses of the Bank) incurred in connection with the issuance and servicing of guarantees, insurance, and reinsurance, shall be considered as nonadministrative expenses for the purposes hereof.

60 Stat. 810.

None of the funds made available because of the provisions of this title shall be used by the Export-Import Bank to either guarantee the payment of any obligation hereafter incurred by any Communist

Extension of credit to communist countries, restriction.

80 STAT. 1025

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76 Stat. 261.
22 USC 2370.

Report to Congress.

country (as defined in section 820(f) of the Foreign Assistance Act of 1961, as amended) or any agency or national thereof, or in any other way to participate in the extension of credit to any such country, agency, or national, in connection with the purchase of any product by such country, agency, or national, except when the President determines that such guarantees would be in the national interest and reports each such determination to the House of Representatives and the Senate within 30 days after such determination.

TITLE IV—GENERAL PROVISIONS

Publicity or propaganda.

Sec. 401. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not heretofore authorized by the Congress.

Inspector General, Foreign Assistance, Expenses.

Sec. 402. None of the funds herein appropriated shall be used for expenses of the Inspector General, Foreign Assistance, after the expiration of the thirty-five day period which begins on the date the General Accounting Office or any committee of the Congress, or any duly authorized subcommittee thereof, charged with considering foreign assistance legislation, appropriations, or expenditures, has delivered to the Office of the Inspector General, Foreign Assistance, a written request that it be furnished any document, paper, communication, audit, review, finding, recommendation, report, or other material in the custody or control of the Inspector General, Foreign Assistance, relating to any review, inspection, or audit arranged for, directed, or conducted by him, unless and until there has been furnished to the General Accounting Office or to such committee or subcommittee, as the case may be, (A) the document, paper, communication, audit, review, finding, recommendation, report, or other material so requested or (B) a certification by the President, personally, that he has forbidden the furnishing thereof pursuant to such request and his reason for so doing.

Senate Majority Secretary, compensation increase, Short title.

Sec. 403. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

Sec. 404. Effective October 1, 1966, the Majority Leader of the Senate is authorized to fix the gross compensation of the Secretary for the Majority at not to exceed \$25,611.05 per annum so long as the position is held by the present incumbent.

This Act may be cited as the "Foreign Assistance and Related Agencies Appropriation Act, 1967."

Approved October 15, 1966.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 2045 (Comm. on Appropriations) and No. 2203 (Comm. of Conference).

SENATE REPORT No. 1663 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 112 (1966):

Sept. 20: Considered and passed House.

Oct. 5: Considered and passed Senate, amended.

Oct. 7: House and Senate agreed to conference report.

政経情報 (その 14 参事部) 秋

講和前補償金の支払いをめぐる動きについて

講和前補償 2,104 万ドルの支払い法案がさる10月5日、米上院本会談を通過し、10月18日米大統領が講和前補償支払法に署名公布したことに伴い、琉球政府では沖縄での「講和前支払い法案」の民立法化を従来検討し続けてきた。

しかし、米陸軍省では、米国防長官から陸軍長官が支払い権限の委任を受け、「琉球人の講和前補償請求の解決(支払い)のための規則」を作り、同規則によって詳細な支払い手続き等を規定し、陸軍長官の代行者として高等弁務官に支払いの委任をした。このため、琉球政府としては、当初立法勧告するつもりであった民立法が不要となった。

同規則は本年3月31日、離沖、帰米した前米民政府司法局長 スキブンス判事の起草に係るものであるといわれている。米民政府では、11月2日沖縄に着任

したアシガ-高等弁務官の就任の土産として、講和前補償請求に対する解決と年内支払いの実施を就任と同時に公表し、同支払いについての布令を別添字じのとおり公布するつもりであった。(注)

しかし、講和前補償金の支払いをめぐる講和前補償獲得期成会では、次の点を難色を示しているため、前記布令の公布が見合わさしている。

- (1) 日本政府からの見舞い金 280 万ドル (10 億円) を請求権の額から差引くことは不合理である
- (2) 講和前補償は米議会で審議されているにも関わらず、D.E が新たに資料を作り査定しているが、これはその必要が認められない。しかも、一度審議され、決定した査定を改定することは、受給者を不必要に刺激し、いたずらに物議を呼びおこし、收拾困難な事態をおこすことは、甚である。
- (3) 支払い業務について D.E が担当することは、すでに 1964 年 8 月 26 日下院議長あての米陸軍長官の提案書に「支

払いは高等弁務官の監督の下で琉球政府がこれにあたる」とされていることから、当然、琉球政府の責任で実施されるべきであって、不合理である。

なお、布令が公布されれば、支払いが開始されることになるが、見とおしとしては、年内に100万ドル、来年1月から3月までの間に400万ドル、3月から6月までの間に400万ドルの支払いが米民政府、DEで準備されているとのことである。

また、米民政府側の方針により再査定または適用除外を厳しく実行した場合、実際に支払われる金額は1,000万ドルを割る見込みであると、講和前補償獲得期成会ではみている。民政府に対し、同期成会は布令とおりに実行すれば政治的困窮を招くものとして強く反対している。

(注) 別添布令(案)については、^{現段階では}取扱いは極秘となっているので、保秘上いづぶん考慮願いたい。

総 理 府

別添(案)

琉球列島米国民政府
高等弁務官室
APO 米軍 96248

高弁布令案 号

琉球人の講和前補償請求
に対する解決について

1945年8月15日後、1952年2月28日
前の期間における合衆国軍隊又はその要
員の活動に伴い、琉球列島住民がこうむ
った損害の補償請求に対して恩恵による
任意の補償支払いが公法89~298によ
って承認されている。

この承認された恩恵による任意の支払い
のために公法89~____の規定によつ
て資金の支出が認可され、かつ、資金の
利用が可能となっている。

これらの請求に対する支払いについて国
防長官は規則を定めている。

国防長官は琉球人の講和前補償^請
求に対して支払いをする権限を被指名人と

総 理 府

しての陸軍長官に委任している。

陸軍長官は上記国防長官の規則に認められたとおり、高等弁務官を指名して請求支払いを代行させている。

(a) 請求解決のための支出法及び国防長官規則中の認可規定に記された諸条件が正しく遵守されるよう保証し、かつ、

(b) これらの請求の確認及び支払について罰則を設けるため適当な法令を定める必要がある。

次の目的が、然るべく立法を制定する必要がある。すなわち、

(a) 請求解決のための支出法及び国防長官規則中の認可規定に明示された諸条件が正しく遵守されることを保証し、かつ、

(b) これらの請求の確認及び支払について罰則をもうけるための立法である。

以上のことにかんがみ、ここに次のとおり布令する。

1. 支払いの対象となる請求

支払いの対象となる請求は琉球における日本軍が降伏した1945年8月15日後から対日講和条約が発効した1952年4月28日前までの期間において米軍又はその要員の作為又は不作為により生じた人身に対する致死傷害若しくは私有財産の使用又は損害若しくは破壊に対して（或る琉球住民がこれまでに高等弁務官に）提出した補償請求に限定される。これらの規則において「米軍要員」とは、軍人及び軍属の双方を含む。

2. 適用除外

次の請求は支払いから除外される。

- a. 上記期間の前後に発生した事故に起因する請求
- b. 請求の事由が生じた当時、琉球住民になつた者の請求
- c. 土地又は地上物件の使用、損害又は破壊及び人身の殺傷に対してこれまでに米軍により既に支払われ又は解決された請求
- d. 市町村の請求

e 日本政府からの分担金によって満足に補償された請求又はその部分

3 罰則

a. 虚偽もしくは不正の請求をした者、或る請求のために虚偽もしくは不正の陳述をした者又は請求が虚偽もしくは不正であること、その他の或る理由で受領者の支払を受ける権利を有しないこと、或いは支払いが請求者もしくは彼の前の権利保有者に日本政府から既に支払われた請求の部分に対するものであることを知りながら当該請求についての支払いを受領し、或いは他人がこれを受領することを何人かの方法で助けた者は何人かを問わず、有罪判決のうち、5,000 円以下の罰金もしくは 12ヶ月以下の懲役又はその両刑に処する。

b. この布令のいかなる規定も米国に対する虚偽の請求の罪（民政府布令第144号の2.2.16条）竊取の罪（同布令2.2.6条及び2.2.6.1条）竊取及び強盗の罪（刑法の235条ないし244条）横領及び不当使用（刑法の252条ない

し255条)その他民政府の諸布令に基づいて罰されるべき罪に対して許追及び処罰することを妨げるものではない。

c. いかなる請求に対しても請求者のための代行者又は代理人がした役務に対する報酬は当該請求に対して支払われる総額の5%を超えてはならない。請求者（その団体を含む。）の合同体のための代行者又は代理人がした役務に対する報酬はその取扱ったすべての請求について支払われる総額の1%を超えてはならない。これらの役務に対して既に支払われた手数料はこれらの認められた額から差引くものとする。いかなる形にせよ上記最大限の額を超えて直接又は間接に報酬を要求し、或るいは受取る者は何人といえども有罪判決のうち、5000 円以下の罰金もしくは 12ヶ月以下の懲役又はその両刑に処する。

4 確認

DE（沖縄管区工兵隊長）は、土地に關するすべての請求の確認にあたって高等弁務官を代行し、民政官はその他のすべて

請求の確認にあたって高等弁務官の代理を勤める。D.Eは確認されたすべての請求を支払ったため琉球政府行政主席に請求する。

5 支払

行政主席は確認された請求を受取った後できるだけ早急に請求者に対する支払いをするものとする。すなわち、期間延長について高等弁務官の認可がない限り、資金を受取ってから90日以内に支払いを済ませるものとする。

受領者が真正な請求者と同一人であることを確認するために充分な注意を払わなければならない。支払いの証明は然るべき領收証の作成及び請求者がこの布令の罰則を充分に承知している旨の供述を含む解決約定書(高等弁務官の認める様式による)の作成によって達成される。行政主席は作成された領收証及び解決約定書を永久保存記録として高等弁務官に送付するものとする。

6 資金

確認された請求に対する支払のための資金はD.Eから行政主席に送られる。この資金は琉球銀行の無利子特別勘定に預託する。

行政主席は受領及び支出にかかるすべての資金について始末を明らかにし、これについて高等弁務官に報告するものとする。これらの資金中のいかなる部分も請求の確認及び支払いに要した事務費の支出に充ててはならない。所定の90日以内又は高等弁務官の認める延長期間内に請求者に支払われないう資金は高等弁務官に返還されるものとする。

7 移転及び譲渡

支払いは請求者の法定相続人に対してすることはできるが、別にいかなる請求の権利もこれを移転し又は譲渡することはできない。

8 施行の処置

行政主席はこの布令の規定を遂行するために必要と思われる訓令を公布しなければならない。

以上

秘
無期限

事務次官

北米局長

参事官

法規課長

北米課長

沖繩講和発効前補償の際
わが方見舞金の取扱について

昭和42.3.31
米北

沖繩講和発効前損失補償のため米側
から見舞金を支払うが開始されたことは、
さきに昭和32年日本政府が行った10億円の
見舞金分の取扱について、必ずしも明白で
なかつたので、かねて北米課長より在米米大使館
ザハレル参事官に説明を求めたことは、
昨3月30日アウストロング書記官より在日米参事官
に対し電話連絡の上、別添のトキング・ペーパー
を送達した。

このトキング・ペーパーによれば、(1)わが方見舞
金相当分を、今回の米国法で認められた総額

GA 6

MR 4

外務省

から実行され、これを米国の国庫に帰属せ
しめることについては、個々のクレイムについて

わが方見舞金において一部満足せしめられたもの
が否かを審査し、一部満足せしめられたものと
請求権の性格から判断して

認められる場合には、その分を差し引いて支払う
て行おう、(2)ただし、わが方見舞金において

満足せしめられた具体的金額は明らかとし得
ないが、差し引き額は、一律に6% (日本政
府に對する補償要求総額4千万ドル金に対し
実際の支払額10億円の占める比率)による、
とすることがあり、とくに不当と見ることはでき
ないと思われ、また、かかる取扱いは

代位
については、信託側請求権者も参加している
琉球合同委員会により合意されたものから

GA 6

外務省

住民の

であり、また、この方法は、調和期成会（Ryukyuan Pre-treaty Association）

を代表して、ヘンディングマンが提案した
という経緯もあるかに承知している。

よって、本件については、とくに日本政府に
して承認と否との意思表示を行たこと

なく、Talking paperを呈したままとしておく
こととした。

なお、いずれにせよ、沖縄の請求権者は、
今回の支払による、おが方見舞金相当額

を受取ったことにはならない。昭和32年5月28日
閣議決定にかかわらず、日本政府より、

請求権者に、見舞金の返済を要求するこ
とは、できぬものと承知される。

42.3.30 付
アハストロフ 表紙に引送付済し。

TALKING PAPER

The Embassy has been furnished by the United States Civil Administration of the Ryukyu Islands the information set forth below concerning the procedures for settlement of claims under the United States legislation concerning claims against the United States by Ryukyans for damages suffered prior to the Treaty of Peace between the United States and Japan which entered into force April 28, 1952.

1. Claims are handled according to the following procedure:

- a. The United States Army District Engineer (Okinawa) examines and validates all real property claims. Funds for validated claims are deposited with the Government of the Ryukyu Islands which determines the proper recipients and effects payment to claimants through the municipalities.
- b. The Civil Administrator of the United States Administration of the Ryukyu Islands examines and validates other claims: those for death, personal injury, tortious property damage and fishery claims. Claims validated by the Civil Administrator are forwarded to the District Engineer for the issuance of a check to the order of the Government of the Ryukyu Islands which determines the proper recipient and effects the payment through the municipalities. An allotment of \$9.1 million has been received for

- 2 -

obligations through June 30, 1967. As of March 20, 1967 a total of \$4.122 million has been deposited with the Government of the Ryukyu Islands for the payment of claims as follows: (1) tort claims \$496,686.64; and (2) real property claims, \$3,626,131.43 for a total of \$4,122,818.07. As of March 23, 1967 only a few municipalities have received money from the Government of the Ryukyu Islands for disbursement to individual claimants.

2. The rates and procedures for deductions on account of ex gratia payments from the Government of Japan were proposed by the Ryukyuan Pretreaty Association and agreed upon by members of the Joint Ryukyuan-American Pre-Peace Treaty Claims Disbursement Committee. The records available locally as to who received solatium payments from the Government of Japan are incomplete. In addition, the available records do not contain specific, useable data such as types of claims, period of land use, date of damage and other necessary data, which are for their use. It was deemed necessary to use a percentage basis in making deductions. The percentage figure was based upon the fact that the solatium paid by the Government of Japan was approximately 6% of the total amount requested of the Government of Japan by the claimants. There are certain categories of claims from which the 6% deduction will not be made. These include

tort claims (death, personal injury and property damage) which were never submitted to the Government of Japan. Additionally, certain categories of claims were presented to the Government of Japan and solatium payments made thereon which are not within the purview of the United States program. These categories include the claims of the municipalities which were disapproved by Congress; and land rental claims for the period August 15, 1945 - January 1, 1947 which were disapproved by the Joint United States-Ryukyuan Committee prior to the submission of claims to Congress; land rental claims for the period July 1, 1950 - April 27, 1952 which were paid pursuant to Civil Administration Proclamation 26 (December 5, 1953); and certain land restoration plans which were not submitted to the Government of Japan. Full agreement has been reached by the Ryukyuan association and members of the Joint US-Ryukyuan disbursement committee upon categories of claims from which the 6% deduction must be made. The District Engineer determines which validated claims have been fully or partially paid by the Government of Japan and makes a 6% deduction prior to the deposit with the Government of the Ryukyu Islands of the amount necessary to pay such validated claims.

Embassy of the United States of America,
Tokyo, March 30, 1967.

処理済

北米局長

参事官
北米課長
総特第1418号

昭和42年4月25日

外務省北米局長 殿

総理府特別地域連絡局長



沖縄講和発効前補償の際のわが方見舞金の取扱い
について

今回米側が沖縄における講和発効前の損失補償のための見舞金を関係者に支払うにあたって、昭和32年に日本政府が支出した10億円の見舞金により満足せしめられた金額(一率6%に相当する額)を差し引いて支払いを行なうむね貴省より非公式に連絡を受けたが、昭和32年5月2日閣議決定(「沖縄関係特別措置費の支出について」)により、米側支出の見舞金と日本政府支出の見舞金との関係については、国会その他に対する関係において一応明確にしておく必要があるものと考えるので、次の点について更に米側の見解を求められるよう依頼する。

要地	要研究	課	英	河	内
相	中	吉	邊	吉	津
川	坂	元	田	中	吉
橋	本	須	須	田	吉
黒	須				

42.4.26

総 理 府

1129

本件は、米側の見舞金に日本政府の支出した約300万ドル(10億円)の見舞金が含まれているとの見解にもとづくものであるか、どうか。

記

- 1 今回の米側の見舞金の支払いに当って、日本政府支出の見舞金に相当する金額を差し引いたことは、米側支給の約2100万ドルの見舞金の中には日本政府が支出した約300万ドル(10億円)の見舞金が含まれているとの見解にもとづくものであるか、どうか。
(本法の米国議会の審議過程における議事録等をみると、日本政府支出の見舞金は米側支給の見舞金には含まれていないようにいわれている)
- 2 日本政府の見舞金により満足せしめられたものとして、特定の項目について米側見舞金の6%に相当する額を一率に天引きしたことは、台風等の災害あるいは白蟻の被害等により日本政府の見舞金受領の証憑書類が滅失あるいは損壊したことによるものかどうか。

総 理 府

別紙

秘
無期限

1. Incidents involving U.S. Forces personnel and Okinawan residents.

(1) The High Commissioner has announced his policy to make public the result of trials by the military court in case of incidents involving U.S. Forces personnel as assailants and the Okinawan residents as the aggrieved.

In this connection, a) Is it correct to understand that such an announcement will be made, at least in principle, on every case which falls within the category described above? b) In what manner will this type of announcement be made in future? c) Will such an announcement contain not only the identification of the assailant and the penalty imposed, but also the summary of the verdict? d) Are there any circumstances under which the Okinawan residents, especially the aggrieved or the members of their families, are admitted to the trials by the military court? e) Is the policy concerning the announcement of the result of the trials by the military court in Okinawa same as that taken by the U.S. authorities in the United States or in other areas where the U.S. Forces are stationed?

(2) We wish to request information on the following incidents, including disciplinary action, if any, taken against the U.S. personnel involved and the steps taken to compensate

the

- 2 -

the aggrieved persons:

(a) The shooting incident involving members of the RASP which occurred in Koza on the night of October 30, 1966.

(b) The stabbing incident occurred at Club Kyukyu in Koza on the night of December 3, 1966.

(c) The trailer incident occurred at Naha port on March 23, 1967.

(3) Is sufficient compensation being paid to the aggrieved of the crimes committed by U.S. Forces personnel?

We wish to have recent examples of payment made in Okinawa in accordance with the U.S. Law No. 10, "Foreign Claim Act" or any other pertinent regulations, and of cases now pending.

(4) What would be the standard answer by the U.S. authorities to a question concerning the reasons why, unlike in Japan proper, the competence of investigation and apprehension of the JRI police does not extend to the U.S. military personnel even when they are off-duty, despite the fact that the current presence of the U.S. Forces in Okinawa is neither based upon the right of conquest?

2. Land owned by the state of Japan and the former Okinawa prefecture.

(1)

(1) We wish to request information on the size of land owned by (a) the state of Japan and (b) the former Okinawa prefecture, which are under the custody of (a) the U.S. military authorities or the USCAR or (b) the GRI.

(2) We wish to have explanation on the actual administration of the above custody, including regulations on the subject.

(3) What are the revenues from the above land and the management expenses of custody therefor?

3. Land used by the U.S. Forces

(1) We wish to request information on the sizes of the land used by the U.S. Forces and of the part of such land where the use for farming is permitted, in each main area of Okinawa.

(2) We would appreciate having yearly statistical data concerning the sizes of the land which has been released by the U.S. Forces and of the land where the use for farming has newly been permitted.

(3) We wish to have brief explanation on the handling of the compensation to be paid to the residents concerned for the land acquired by the U.S. Forces, including the basis for calculation of the amount of compensation and the information concerning the actual functions of the Land Court.

4. Judicial system

(1) We wish to request concrete information on actual operation of the USCAR courts (number of civil and criminal cases handled per year, outline of major cases handled recently, etc.)

(2) Are the chairs of the USCAR court judges normally vacant? Is it a usual procedure to form a court after cases to be handled by that court have already occurred, as was done last year?

(3) There is a view that the decision by Judge Simms of the USCAR court should be interpreted to recognize the right of the GRI courts to review congruity of the ordinances and proclamations with the executive order No. 10713, as amended. We should like to have the authoritative views on this point.

(4) We wish to request information on the progress of the drafting of the Basic Law concerning the Judiciary.

(5) We wish to have explanation on the basic policy of the USCAR for strengthening and improvement of the GRI courts, including the safeguarding of the independence of the judiciary.

5. Control on exit from and entry into Okinawa.

(1) There seem to have been cases where applicants have not received for an unusually long period notice of decision concerning their applications in the case of applications both

for entry to Okinawa and for exit therefrom. What is the usual cause of such delay?

(2) What recourse does an Okinawan citizen applying for exit from Okinawa have when he thinks that his application is being held pending for an unduly long period? How about a Japanese national applying for entry to Okinawa with a similar complaint?

(3) While it is true that no reason is usually given for denial to a foreigner of visa or entry permit, it seems to be a common practice in free countries to give to the applicant the reason for rejecting his application for exit from his own country as the freedom of travel constitutes one of the fundamental rights of citizens. Is this practice being followed in Okinawa?

(4) We understand that the person whose application for exit has been rejected has the right to appeal to the High Commissioner (Ordinance 147, Art. 12). How is this appellation system being operated? Is there any organ established under the High Commissioner similar to the Board of Passport Appeals in the United States? Is the appellant given access to the information on which the denial of exit permit is based? Has such a person recourse also to the judicial proceedings?

6. Pre-peace-treaty indemnity and GOJ ex-gratia payment

(1) We are highly appreciative of the detailed explanatory memorandum on this subject given by the Embassy. Are the claim validation and payment procedures described in the said memorandum consistent, in the view of the Embassy, with the following statement contained in Secretary Ailes' Executive Communication 311 (Jan. 8, 1965) which was discussed by the Subcommittee on the Far East and Pacific of the Committee on Foreign Affairs of the House on July 28, 1965?

"The amount of these solatia has been deducted from the amount of the claims covered by the proposed legislation."

Is it correct to understand in view of the above cited statement that the total amount of claims submitted to the Congress did not contain the portion already satisfied by the GOJ ex-gratia payment of the claims which are now being subjected to the validation procedures? How did the Congress reach the figure of 21,060 thousand dollars in the appropriation act?

(2) Is there any possibility that the amount appropriated by the Congress turns out to be insufficient to cover all the claims duly validated by the procedures described in the Embassy's memorandum? If not, why? If so, what measures would be taken to take care of the lack of funds?

7. Military roads

(1) There was a newspaper report that the U.S. military authorities in Okinawa expressed the view that the so-called "military roads" are property under the control of the U.S. military authorities, and are treated as "within the U.S. bases." We would appreciate receiving the official view of the U.S. authorities on this matter.

(2) We wish to have the military roads which are usually open to the public but, considered as located within military bases identified. Also, are these roads clearly marked to indicate that they are "military roads within military bases" and special regulations are to be applied to these roads?

秘
無期限

タイプ指示	発信用	事務用	計
主 信			1
付			
戻			

発送日 昭和42年5月10日
 発信 タイプ 検査

文書課長 (印) 公 信 案 (分類)

公 信 号 米北 第 292 号 公 信 日 昭和 42 年 5 月 9 日

大 原 政務次官 事務次官 外務審議官 官 房 長

主 管 北米局長 参 事 官 北米課長 主任

起案 昭和 42 年 5 月 2 日 宛 横田 電話番号 171

受信者 総理府特別地域連絡局長 発信者 北米局長

写送付先 (希望発送日) 月 日

件 名 沖縄講和発効前補償の際のわが方見舞金の取扱いについて

GA-2 外務省 回覧番号

9 148

米北第292号

昭和42年5月9日

総理府特別地域連絡局長殿

外務省北米局長

沖縄講和発効前補償の際のわが方見舞金の取扱いについて。

4月25日付電信送特第1418号に因り

4月24日北米課長より在京米大使館パ-ナル書記官に対し、冒頭電信で停同合わせの英セ念々

英千の長について米側の見解を照会中であり、その取扱いを通報し、

GA-4

外務省

ソカ 万六 樽阪

大政事外外蔵官
務務 典房
次次 長長
臣官官審審長長
儀総人(厚計
備備 文会営給
備備
國資長領移長
参(折企
参領旅移

ア 参地中東
長 北西
参北北僞
参一二
参西東洋
参(原

近ア長参参近ア
長 次総経國万
長 参實統國
長 参政技二
長 参協協長 参 國一理
参 参協協規
長 参政経科
長 参軍社専
長 参道内外
長 一二

注意

1. 本電の取扱いは慎重を期せられたい。
2. 本電の主管変更その他については検閲班に連絡ありたい。

347

電信写

総番号(TA) 7671 主管
70年2月19日19時55分 ナハ 発着 米北1
70年2月20日21時25分 本省 着

外務大臣殿 岸 津 總 務 所 長

講和前補償

79号 平 至急

(総務長官へ 79号)

1. いわゆる「講和前補償」につき講和前
人身障害被保障者連盟カワノ・チロウハ
チロウ会長は、主席經由案を6月12日付弁
務官あて書簡をもって、人身障害について
該当者の住所不確定や内題の理解不足の
ため、請求減額の275件につき弁務官の
特別の配慮を求めるところ、右請求に対し
米側は1969年7月8日付カーペンター民

注意

1. 本電の取扱いは慎重を期せられたい。
2. 本電の主管変更その他については検閲班に連絡ありたい。

電信写

政官(寺嶋)の主席あて書簡をもって

(1) 平和条約第19条^(A)により日本政府は、
度建請求権を放棄している。

(2) 右規定の「5 除外例」となっている「
何れかの連合国が制定した法律」に該当
するものとして1965年10月27日の上院合
同会議No.32公報89-296が存続するが、こ
れはPRE-PEACE TREATY CLAIMS REVIEW
COMMITTEE によつて、それ以前に(PREVI-
OUSLY)すでに承認され、かつ認可されて
弁務官が陸軍省に1962年10月に送付した
クレームのみの支払をオーソライズし
たものである。(これを受けて弁務官府令
60号(1967年1月10日)が公布された)。

(3) 下院外文委員会は合同決議案をもつ
て左記(2)による支払を「占領期間」
(1945年8月15日より1952年4月27日まで)

注意

- 1. 本電の取扱いは慎重を期せられたい。
- 2. 本電の主管変更その他については検閲班に連絡ありたい。

電信写

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に関連する「すべての米国の義務の完全かつ最終的を支払いを構成するものである」との見解を視認した。

(三) 従ってカワノ氏の要求は好意的態度は払いえる旨回答した経緯がある。

2. このほど上記クレームが19日の琉球局長会議で取上げられ、米側の回答に拘らず、今後とも上記連盟をバツクアツプすることを了承した旨20日付当地各紙の報道している。

3. 本件に関し、20日午後琉球政府アラガキ法地課長はオカノに対し、要旨次のとおり述べた由。

本件請求は上記米国公報89-296に基づいて2,100万ドルが支払われ解決済みとされているところ、その後補償請求が出て来たものの(同年10月現在で更に増え317件)

注意

- 1. 本電の取扱いは慎重を期せられたい。
- 2. 本電の主管変更その他については検閲班に連絡ありたい。

電信写

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公平の見地から請求滞れ分らなくても、弁務官に対し補償要請を取次いだものであつた(これが上記の如く抑下されたため現在本土政府が)るが、占領期間中に損害を受けた者に対して支払つていざと了解してゐる特別給付金にならつて本件請求を本土政府に要請するラインで局長会議の意見が一応まとめられものである。

和取致之ヲ(関連文書空送)

(3)

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総番号(TA) 7671
70年2月19日19時55分
70年2月20日21時25分
主管
外務省
総務長官殿

総務長官殿 岸 大使 沖繩事務所長

講和前補償

79号 平 至急

(総務長官へ 79号)

1. いわゆる「講和前補償」につき講和前
人身障害被保障者連盟カワノ・チロウハ
チロウ会長は、主席經由宛6月12日付弁
務官あて書簡をもって、人身障害について
該当者の住所不特定や内題の理解不足の
ため、請求済みの275件につき弁務官の
特別の配慮を求めると、右請求に対し
米側は1969年7月8日付カーペンター民

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政官(吉崎)の主席あて書簡をもって
(1) 平和条約が19年^(A)より日本政府は、
関連請求を放棄している。

(2) 右規定の「5 除外例」となっている「
何れかの連合国が制定した法律」に該当
するものとして1965年10月27日の上院全
国会議No.32公報89-296が存続するが、こ
れはPRE-PEACE TREATY CLAIMS REVIEW
COMMITTEEによつて、され以前に(PREVI-
OUSLY)すでに承認され、かつ認可されて
弁務官が陸軍省に1962年10月に送付した
クレームのみを支払いをオンラインとし
てありである。(これを認めて弁務官府令
60号(1967年1月10日)が公布された)。

(3) 下院外交委員会が合同決議をもち
て左記(2)による支払いを「占領期間」
(1945年8月15日より1952年4月27日まで)

○ に関連する「すべての米国の義務の完全かつ最終的な支払いを構成するもの」であるとの見解を承認した。

○ (エ) 従ってカワノ氏の要求は好意的態度は払いえない旨回答した経緯がある。

○ 2. このほど上記クレームが19日の琉球局長会議で取り上げられ、米側の回答に拘らず、今後とも上記連盟をバックアップする意思を了承した旨20日付当地発紙の報道している。

○ 3. 本件に関し、20日午後琉球政府アウガキ土地課長はオカノに対し、要旨次のとおり述べた由。

本件請求は上記米国公報89-296に基づいて2,100万ドルが支払われ解決済みとされているところ、その後補償請求が出て来たとの(毎年10月現在で更に増え317件)

○ 公平の見地から請求認められつつも、弁務官に対し補償要求を取扱いたるものであり(これが上記の如く抑下されたため現在本土政府が)るが、占領期間中に被害を受けた者に対して支払っていることを了解している特別給付金に充てられて本件請求も本土政府に要求するラインで局長会議の意見が一応まとめられるものである。

○ 和取致す(関連文書空送)
(3)

故 講和前の補償を以 身補 政府が総務長官に要請 人未

行政府は二十日、宛に局長を以て、
議で決定した講和前身改未補、これは講和前身改未補償者
償分の補償について、出務長(局長八島長)の閣内

至くもので、政府は九日の閣
長八島長は、その強かなバックアップ
を決定し、二十日に局長の法政
を得た。

四五年八月十六日(戦の翌日) 未償で三十七件、請求額は
から五年四月二十七日(海軍) 五十七万八千八百餘。本
和条約締結日の前日) まで、講和前の人身補償に對し、法
つな未償または未償人にも人身 補償(昭和二十年)によつても
事故の未償件数は、六九年十月 なく、給付金を支給しているが、神
細では六七年に米國公法により補 償金が支払われたもの、期間に
間に含まれなかつた分については、 未償者の申請書、人身補償
加請者が認められず、同じ被害者 別個になどの給付金を支給し、
に差をこらしている。