FROM: Tokyo

TO: Secretary of State

NO: 3784, May 21, 4 p.m.

NIACT

SENT DEPARTMENT 3784; REPEATED INFORMATION MOSCOW 118, CINCPAC, COMUS JAPAN UNNUMBERED.

Embassy telegram 3638.

Foreign Office has just informed us of new Soviet note to Japan protesting security treaty and illegal overflights by US aircraft. DOJ intends delay formal reply for few days but Foreign Office spokesman will issue informal statement later this afternoon. Vice Foreign Minister Yamada told us line not yet firm but he thought it would make following points:

(1) Reiterate Japan-US security treaty purely defensive;

(2) Note US assurances that U-2's based in Japan have not engaged in intelligence overflight missions; and

(3) State that GOJ fully respects forms and obligations of international law and practice.

Yamada said two points in Soviet note presented great difficulties for GOJ during present widespread agitation re security treaty. Soviet note:

(A) Obviously refers to intelligence overflights not only by U-2's but also by other US aircraft based in Japan; and

(B) States US government has been warned by Soviet Union more than once before re such intelligence overflights.
Yamada asked as matter of great urgency for information to assist GOJ in preparing its formal reply to Soviet note which would have to be made soon. In particular GOJ believes statement that none of our planes has conducted or will conduct overflights is important together with information re alleged previous Soviet warnings.

While Diet Lower House has passed security treaty, Kishi's position is extremely difficult and he is in trouble. State of public opinion is such that major political crisis could build swiftly. As reference telegram emphasized, Kishi must be in position to make clear that none of our aircraft based in Japan has been engaged in, or will in future carry out, illegal overflights from bases in Japan. I again strongly urge, if we are in position to do so, that we make this clear at once in public statement to be issued by State Department (perhaps as comment on Soviet note). Also request Department send me soonest any background re Soviet allegation re previous warnings to US to which Soviet note refers so that I may pass this on to Foreign Office. If there were previous Soviet warnings did we in our replies deny overflights, admit we had overflown or what?

MACARTHUR

VH:HC/7