



Department of State **TELEGRAM**

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ACTION INT-08

INFO OCT-01 IO-13 L-03 EA-11 PM-08 RSR-01 RSC-01 SS-14

INR-09 /069 W

P 261430Z JAN 73  
FM HICOMTERPACIS SAIPAN  
TO COMTWELVE SAN FRANCISCO  
SECSTATE  
JCS/SECDEF  
WHITE HOUSE  
CINCPAC  
USUN NEW YORK

DEPARTMENT OF STATE / CDC/MR	
REVIEWED BY <u>Hoey</u>	DATE <u>FEB. 26 1987</u>
RDS <input type="checkbox"/> or XDS <input type="checkbox"/> EXT. DATE _____	
TS AUTH. _____	REASON(S) _____
ENDORSE EXISTING MARKINGS <input type="checkbox"/>	
DECLASSIFIED <input type="checkbox"/> RELEASABLE <input checked="" type="checkbox"/>	
RELEASE DENIED <input type="checkbox"/>	
FA or FOI EXEMPTIONS _____	

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FROM STATUS LNO 18  
PASS TO DEPARTMENT INTERIOR FOR OSN (ACTION) AND DASTA (INFO)  
STATE FOR EA, IO/UNP, L/UNA  
COMTWELVE FOR AMB WILLIAMS  
DEFENSE FOR USD/ISA  
WHITE HOUSE FOR HOLDRIDGE (NSC)  
JUSTICE FOR OLC (MARCUSE)

SUBJECT: RESOLUTION (HJR 3) DECLARING ENEN-KIO ATOLL (WAKE ISLAND)  
PART OF MICRONESIA  
REF: STATUS LNO 006

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AT REQUEST OF CONGRESSMAN POLYCARP BASILIUS (PALAU), CHAIRMAN OF HOUSE COMMITTEE ON JUDICIARY AND GOVERNMENTAL RELATIONS, I MET INFORMALLY, IN LINE WITH OSN INSTRUCTIONS, WITH COMMITTEE YESTERDAY JAN 25 ON SUBJECT RESOLUTION. (COPY FORWARDED OSN). PRESENT WERE CHAIRMAN BASILIUS AND REPS ATAJI BALOS (MARSHALLS, AUTHOR OF THE RESOLUTION), AND RESIO MOSES (PONAPE), TOGETHER WITH PEACE CORPS ATTORNEY RICHARD WILLIAMS FROM PONAPE, COUNSEL TO THE COMMITTEE.

PRINCIPAL INTEREST SHOWN WAS IN OBTAINING INFORMATION ON BACKGROUND OF U.S. ACQUISITION OF WAKE ISLAND. I OUTLINED GENERAL CONTEXT OF ACQUISITION AND COMMENTED THAT AT NO TIME HAD WAKE BEEN

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A PART OF JAPANESE MANDATED AREA, I.E. TT, INSOFAR AS I AWARE. I NOTED U.S. CIVILIAN AVIATION USE, JAPANESE CONQUEST AFTER PEARL HARBOR, AND EVENTUAL U.S. RE-CONQUEST.

COMMITTEE HAS ASKED FOR SPECIFIC INFORMATION IN TERMS OF FOLLOWING QUESTIONS BY WILLIAMS ON ITS BEHALF; HANDED TO ME SUBSEQUENTLY:

1. WHAT WAS THE EXTENT OF THE SPANISH CLAIM TO WAKE ISLAND? WERE THERE ANY PERMANENT SETTLEMENTS OR PERMANENT INSTALLATIONS?
2. WHAT WAS THE EXTENT OF THE MARSHALLESE CLAIM TO WAKE

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ISLAND? WERE THERE ANY PERMANENT SETTLEMENTS OR PERMANENT INSTALLATIONS?

3. WHEN WAS THE FIRST PERMANENT U.S. INSTALLATION MADE? HAVE THERE BEEN ANY PERMANENT U.S. SETTLEMENTS?

4. WHAT IS THE EFFECT OF ANNEXATION OF UNINHABITED LAND UNDER INTERNATIONAL LAW?

DURING MY INFORMAL MEETING WITH COMMITTEE, I STRESSED LONG EFFECTIVE U.S. OWNERSHIP OF WAKE ISLAND, AND I OBSERVED THAT COMMITTEE'S INTERESTS APPEARED RELATED TO TIME AND TERRITORY FOR WHICH CLEAR RECORDS MAY NOT EXIST. I SAID I WOULD HOWEVER REQUEST ANY PERTINENT AVAILABLE MATERIAL, THAT MIGHT BE HELPFUL TO COMMITTEE IN CLARIFYING SITUATION.

ACCORDINGLY I WOULD APPRECIATE ANY MATERIAL OR OTHER INFORMATION OR COMMENTS WHICH I COULD PASS TO COMMITTEE.  
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