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SUBJECT: DIEGO GARCIA: ANNUAL TALKS AND FUTURE OPTIONS

1. (U) CLASSIFIED BY PM A/S ERIC D.  
NEWSOM. REASON 1.5 (B).

2. (U) THIS IS AN ACTION REQUEST. SEE PARAGRAPH 7 OF MAIN  
TEXT (NOT PARAGRAPH 7 OF QUOTED TEXT).

3. (U) THE US-UK ANNUAL POLITICAL-MILITARY TALKS ON DIEGO  
GARCIA WERE HELD IN WASHINGTON MAY 12-13. US SIDE ONLY  
TALKS WERE HELD ON MAY 11. THE VERBATIM TEXT OF THE  
OFFICIAL MINUTES IS CONTAINED IN PARAGRAPH 4. A SUMMARY OF  
THE US SIDE MEETING IS CONTAINED IN PARAGRAPH 5 AND A  
SUMMARY OF INFORMAL DISCUSSIONS HELD WITH THE UK DELEGATION  
ON THE POTENTIAL IMPACT OF A COURT CASE IN A LONDON HIGH  
COURT IS CONTAINED IN PARAGRAPH 6.

4. (U) BEGIN QUOTED TEXT OF VERBATIM MINUTES FOR THE 1999  
POL-MIL TALKS:

OFFICIAL MINUTES: POLITICAL-MILITARY DISCUSSIONS BETWEEN

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UNITED STATES DEPARTMENT OF STATE  
REVIEW AUTHORITY: FRANK H PEREZ  
DATE/CASE ID: 10 AUG 2006 200503422

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THE UNITED STATES AND THE UNITED KINGDOM, HELD IN  
WASHINGTON, MAY 12-13 1999

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INTRODUCTORY REMARKS  
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1. CAPT SCOTT JONES, REPRESENTING THE U.S. SIDE IN THE ABSENCE OF ASSISTANT SECRETARY ERIC D. NEWSOM, OFFERED WELCOMING REMARKS TO THE DELEGATION FROM THE UNITED KINGDOM AND REITERATED THE STRATEGIC IMPORTANCE THAT THE UNITED STATES PLACED ON OPERATIONS ON DIEGO GARCIA. HE ALSO THANKED HER MAJESTY'S GOVERNMENT FOR THE CLOSE COOPERATION ON ALL ISSUES RELATING TO DIEGO GARCIA AND IN PARTICULAR, THE SWIFT APPROVAL OF THE B-52 BASING ON THE ISLAND IN CONNECTION WITH THE RECENT CRISIS IN IRAQ. CAPTAIN JONES ALSO NOTED THAT THE LARGE SIZE OF THE UNITED STATES DELEGATION REFLECTED THE GROWING AWARENESS AND INTEREST OF VARIOUS UNITED STATES GOVERNMENT AGENCIES IN DIEGO GARCIA.

2. COMMISSIONER JOHN WHITE, REPRESENTING THE UK SIDE, REFLECTED UPON THE CLOSE COOPERATION BETWEEN THE TWO GOVERNMENTS ON ISSUES RELATING TO DIEGO GARCIA OVER THE YEARS AND HOPED FOR CONTINUED WARM RELATIONS. MR. WHITE ALSO BRIEFED THE DELEGATIONS ON AN INCREASING AWARENESS BY VARIOUS GROUPS IN THE ENVIRONMENTAL STATUS OF DIEGO GARCIA, NOTING ITS UNIQUE CORAL FORMATIONS AND RELATIVELY PRISTINE CONDITION OF THE ARCHIPELAGO. ALTHOUGH THIS ATTENTION MAY SOMETIMES BE UNWELCOME, BOTH GOVERNMENTS HAVE AN OBLIGATION TO BE SENSITIVE TO PRESERVING THE ENVIRONMENTAL HERITAGE OF THE CHAGOS ISLANDS.

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POLITICAL OVERVIEW  
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3. COMMISSIONER WHITE PROVIDED THE DELEGATIONS A POLITICAL OVERVIEW OF DIEGO GARCIA FROM THE PERSPECTIVE OF THE UNITED KINGDOM AND DISCUSSED FOUR SIGNIFICANT ISSUES:

-- A WHITE PAPER RECENTLY PRESENTED TO PARLIAMENT SUMMARIZING THE RESULTS OF A FOREIGN AND COMMONWEALTH OFFICE LED REVIEW OF GOVERNMENT POLICY ON THE OVERSEAS TERRITORIES. COMMISSIONER WHITE SUMMARIZED THE POTENTIAL IMPACT ON THE BRITISH INDIAN OCEAN TERRITORY. HE REPEATED HER MAJESTY'S GOVERNMENT'S CONTINUING OBLIGATION TO PROVIDE FOR THE DEFENSE OF THE TERRITORIES AND DISCUSSED CERTAIN ASPECTS OF ARRANGEMENTS FOR BRITISH CITIZENSHIP WHICH WOULD NOT ALLOW THE RIGHT OF ABODE IN THE UNITED KINGDOM FOR PERSONS WHO OWE THEIR CITIZENSHIP TO THEIR TIES WITH THE BRITISH INDIAN OCEAN TERRITORY. COMMISSIONER WHITE ALSO REPORTED THAT CHANGES TO BIOT LAW THAT WOULD BE NEEDED TO DECRIMINALIZE PRIVATE CONSENSUAL HOMOSEXUAL ACTS. COMMISSIONER WHITE AGAIN REVIEWED THE UNIQUE AND VALUABLE ASPECTS OF THE CHAGOS ARCHIPELAGO THAT REQUIRE SPECIAL CONSERVATION AND ATTENTION BY THE UNITED KINGDOM, INCLUDING THE WORLD-WIDE ISSUE OF CORAL BLEACHING THAT ALSO AFFECTED DIEGO GARCIA.

-- COMMISSIONER WHITE ALSO REVIEWED THE STATE OF BILATERAL RELATIONS BETWEEN THE UNITED KINGDOM AND MAURITIUS SINCE LAST YEAR'S TALKS IN LONDON, NOTING THAT AT TIMES MAURITIUS SEEMED TO PRESS THE ISSUE OF SOVEREIGNTY OVER THE CHAGOS ISLANDS MORE AGGRESSIVELY THAN WAS CONSIDERED APPROPRIATE BUT THAT AFTER A RECENT DEMARCHE TO THE GOVERNMENT OF MAURITIUS, RELATIONS HAD IMPROVED.

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-- COMMISSIONER WHITE THEN REVIEWED THE POTENTIAL IMPACT OF A COURT CASE CHALLENGING THE BIOT IMMIGRATION ORDINANCE AND IMMIGRATION POLICY WHICH GOVERNS ACCESS TO THE CHAGOS ISLANDS AND NOTED THAT IT WOULD BE ADDRESSED IN MORE DETAIL DURING INFORMAL DISCUSSIONS FOLLOWING THE POLITICAL-MILITARY TALKS. COMMISSIONER WHITE EMPHASIZED THE VERY REAL POSSIBILITY OF A FUTURE CHANGE IN THE PRESENT POLICY BEING REQUIRED.

-- FINALLY, COMMISSIONER WHITE RAISED THE ISSUE OF THE NUMBERS OF AIRCRAFT WHICH WERE DEPLOYED TO DIEGO GARCIA IN CONJUNCTION WITH THE CRISIS IN IRAQ, AND HOW TIMELY NOTIFICATIONS AS REQUIRED BY THE 1980 BARTHOLOMEW-MOBERLY MEMORANDUM WERE NOT ALWAYS MADE. COMMISSIONER WHITE SUGGESTED THAT MAXIMUM NUMBERS OF AIRCRAFT OUGHT TO BE DESIGNATED IN FUTURE BARTHOLOMEW-MOBERLY NOTIFICATIONS IN ORDER TO PREVENT POSSIBLE POLITICAL EMBARRASMENTS ASSOCIATED WITH THESE DEPLOYMENTS IF THE FOREIGN AND COMMONWEALTH OFFICE IS NOT PROPERLY ADVISED.

4. CAPTAIN JONES EXPRESSED GRATITUDE FOR THE OVERVIEW PROVIDED BY COMMISSIONER WHITE AND REAFFIRMED THE INTENTION OF THE UNITED STATES GOVERNMENT TO BE A GOOD TENANT ON DIEGO GARCIA, INCLUDING TAKING STEPS TO MINIMIZE ANY ADVERSE AFFECT ON THE FRAGILE MARINE AND CORAL ENVIRONMENT ON THE ISLAND. CAPTAIN JONES ALSO NOTED THAT U.S. ECOLOGICAL CONCERNS ON DIEGO GARCIA WERE SIMILAR TO THOSE OF THE UNITED KINGDOM AND THAT THE US-SIDE WOULD PROVIDE MORE DETAIL REGARDING ONGOING ENVIRONMENTAL PROJECTS EFFORTS LATER IN THE TALKS. WITH RESPECT TO MAURITIUS, CAPTAIN JONES NOTED THAT THE UNITED STATES HAD RECEIVED REQUESTS FROM THE GOVERNMENT OF MAURITIUS REGARDING THE STATE OF RUNWAY CONDITIONS, THE USE OF DIEGO GARCIA AS AN EMERGENCY LANDING SITE, AND Y2K COMPLIANCE ON THE ISLAND, BUT INDICATED THAT THE US DOES NOT PROVIDE SPECIFIC INFORMATION ABOUT THE ISLAND TO MAURITIUS OR ANY OTHER COUNTRY. CAPTAIN JONES ALSO NOTED THAT THE UNITED STATES WOULD NOT AGREE TO ROUTINE REQUESTS TO LIST DIEGO GARCIA AS AN ALTERNATE OR EMERGENCY RUNWAY SITE, BUT THAT ANY AIRCRAFT DECLARING AN ACTUAL IN-FLIGHT EMERGENCY WOULD BE ALLOWED TO LAND. CAPTAIN JONES ALSO REAFFIRMED THE LONG-STANDING POLICY OF THE UNITED STATES TO AVOID BEING USED AS A WEDGE TO COME BETWEEN THE GOVERNMENT OF MAURITIUS AND THE UNITED KINGDOM ON MATTERS RELATING TO SOVEREIGNTY OF THE CHAGOS ISLANDS, AND THAT IT VIEWED THESE CLAIMS AS A BILATERAL MATTER BETWEEN THE UK AND MAURITIUS. CAPTAIN JONES INDICATED THAT THE US SIDE WAS LOOKING FORWARD TO THE INFORMAL DISCUSSIONS ON THE POSSIBLE IMPACT OF A CHANGE IN IMMIGRATION POLICY AND HOW IT MIGHT AFFECT US OPERATIONS ON THE ISLAND. REGARDING ADHERENCE TO THE BARTHOLOMEW-MOBERLY NOTIFICATIONS, CAPTAIN JONES WAS UNAWARE OF THE BREAKDOWN

IN COMMUNICATIONS NOTED BY THE COMMISSIONER, AND WAS GRATEFUL FOR A COPY OF A DECEMBER 3, 1998, LETTER THE FOREIGN AND COMMONWEALTH OFFICE HAD PASSED TO THE AMERICAN EMBASSY IN LONDON ON THE MATTER. CAPTAIN JONES PROMISED TO LOOK INTO THE SITUATION AND AGREED THAT IT WOULD BE USEFUL TO INTRODUCE BARTHOLOMEW-MOBERLY NOTIFICATIONS THAT SPECIFIED A MAXIMUM NUMBER OF AIRCRAFT SO THAT FREQUENT COMMUNICATIONS ADVISING OF SMALL CHANGES IN THE TOTAL NUMBERS COULD BE AVOIDED.

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REMARKS BY THE COMMANDING OFFICER OF THE NAVAL FACILITY  
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5. CAPTAIN ROBERT CUNNINGHAM PRESENTED AN OVERVIEW OF

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OPERATIONS ON THE ISLAND SINCE THE LAST POLITICAL-MILITARY TALKS, NOTING THAT ONE OF HIS PRIORITIES HAD BEEN TO IMPROVE THE COMMAND RELATIONSHIPS BETWEEN HIS OFFICE AND THE TWENTY-SIX TENANT COMMANDS ASSOCIATED WITH THE NAVAL FACILITY. HE ALSO DESCRIBED THE DESIGNATION OF THE NAVAL FACILITY COMMANDING OFFICER AS THE OFFICIAL REPRESENTATIVE OF THE COMMANDER-IN-CHIEF OF THE U.S. PACIFIC COMMAND ON DIEGO GARCIA, AN ACTION THAT WILL STREAMLINE HIS COORDINATION OF THE VARIED ACTIVITIES ON THE ISLAND. CAPTAIN CUNNINGHAM ALSO NOTED THAT A REORGANIZATION INITIATIVE BY THE PACIFIC FLEET COMMAND KNOWN AS "REGIONALIZATION" WILL ALSO IMPROVE THE COMMAND'S RELATIONSHIP WITH ITS ADMINISTRATIVE COMMANDER, COMMANDER NAVAL FORCES, JAPAN, AND OTHER ELEMENTS UNDER THE PACIFIC COMMAND. CAPTAIN CUNNINGHAM THEN OUTLINED THE BERTHING SHORTAGE ON DIEGO GARCIA. HE NOTED THAT A VISIT WAS MADE TO DIEGO GARCIA BY THE DEPARTMENT OF DEFENSE QUALITY OF LIFE TEAM, WHO IDENTIFIED A SHORTFALL OF APPROXIMATELY 500 ROOMS. ONE MEASURE TO HELP ALLEVIATE THE NEAR-TERM BERTHING SHORTAGE WAS THE DEPLOYMENT OF AIR-CONDITIONED TENTS KNOWN AS "HARVEST EAGLE" BY THE US AIR FORCE. HARVEST EAGLE HAS BEEN PERMANENTLY ASSIGNED TO DIEGO GARCIA. CAPTAIN CUNNINGHAM ALSO DESCRIBED IMPROVEMENTS TO THE FIL-MAU VILLAGES MADE BY THE CONSTRUCTION OF SUPER SEA (SOUTH EAST ASIA) HUTS BY NAVY SEABEES DEPLOYED TO THE ISLAND. CAPTAIN CUNNINGHAM ALSO NOTED EFFORTS UNDERWAY TO CONSTRUCT A HINDU

TEMPLE ON THE ISLAND AS A STEP IN ACCOMMODATING THE VARIOUS RELIGIOUS FAITHS REPRESENTED ON DIEGO GARCIA.

6. CAPTAIN CUNNINGHAM EXPRESSED SATISFACTION WITH THE ASSISTANCE OF THE BRITISH REPRESENTATIVE ON THE ISLAND IN SECURING A RESOLUTION OF WHETHER DRIVING LICENSES FOR WORKERS FROM THE REPUBLIC OF THE PHILIPPINES WOULD BE VALID IN THE BRITISH INDIAN OCEAN TERRITORY.

7. DESCRIBING STEPS TAKEN TO ADDRESS ENVIRONMENTAL ACTION ITEMS FROM PREVIOUS POLITICAL-MILITARY TALKS, CAPTAIN CUNNINGHAM DESCRIBED HIS COMMAND'S EFFORTS TO REPLANT SCAVY TO PREVENT COASTLINE EROSION, THE REOPENING OF A NURSERY ON DIEGO GARCIA, AND WORK TO RE-SOD LAWNS ON GROUNDS SURROUNDING VARIOUS FACILITIES.

8. CAPTAIN CUNNINGHAM THEN DESCRIBED THE ONLY NEAR-TERM CONSTRUCTION PROJECT PLANNED ON THE ISLAND, AN AIRCRAFT INTERMEDIATE MAINTENANCE (AIMD) FACILITY.

9. CAPTAIN (SELECT) KATHRYN HOBBS, RESPONSIBLE FOR LOGISTICAL AND CONTRACT OVERSIGHT OF DIEGO GARCIA AT THE HEADQUARTERS OF THE PACIFIC FLEET, ADDED TO CAPTAIN CUNNINGHAM'S OVERVIEW BY DESCRIBING THE STATUS OF NEGOTIATIONS OF A NEW BASE OPERATING SUPPORT (BOS) CONTRACT. SHE PROVIDED DETAILS OF THE INNOVATIVE METHODS BY WHICH THIS CONTRACT IS EXPECTED TO SAVE OVER \$20 MILLION OVER THE NEXT SEVERAL YEARS.

10. COMMISSIONER WHITE WAS GRATEFUL FOR THE OVERVIEW OF BASE OPERATIONS AND CONTRACT NEGOTIATIONS, BUT WONDERED HOW THE COST-CUTTING MEASURES DESCRIBED BY CAPTAIN (SELECT) HOBBS WOULD AFFECT THE MORALE OF THE CIVILIAN WORKFORCE ON THE ISLAND. HE NOTED THAT COST-SAVING EFFORTS MIGHT BE FOR NAUGHT IF IT RESULTED IN A DECREASE IN THE EXPERIENCED WORKERS ON THE ISLAND OR A LACK OF EFFICIENCY CAUSED BY UNHAPPINESS OF THE CONTRACTED WORKERS. IT WAS NOTED THAT ONE ECONOMIZING PROPOSAL OFFERED BY THE COMPANY SECURING THE NEW CONTRACT WAS TO CHANGE WORKER VACATIONS TO THEIR NATIVE COUNTRY FROM ONCE EVERY YEAR WITH THIRTY DAYS VACATION TO ONCE EVERY TWO YEARS THAT WOULD INCLUDE

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SIXTY DAYS VACATION. COMMISSIONER WHITE WONDERED IF THIS

PROPOSAL MIGHT RESULT IN A DECREASE IN THE MORALE OF THE CONTRACTED WORK FORCE. COMMISSIONER WHITE, NOTING THE TIGHT EMPLOYMENT MARKET IN MAURITIUS, ACKNOWLEDGED THAT THE CONTRACTOR WOULD SEEK MORE WORKERS IN THE REPUBLIC OF THE PHILIPPINES BUT WAS CONCERNED THAT THIS MIGHT HAVE AN IMPACT ON RELATIONS WITH MAURITIUS.

11. CAPTAIN (SELECT) HOBBS ASSURED THE UK DELEGATION THAT THE PACIFIC FLEET WOULD CLOSELY MONITOR THESE FACTORS AND MONITOR CONTRACTOR PERFORMANCE AS THE NEW CONTRACT CAME INTO EFFECT. SHE ALSO INDICATED THAT ALTHOUGH THE CONTRACTOR HAD CLOSED THE EMPLOYMENT OFFICE IN PORT LOUIS, REGULAR RECRUITING VISITS TO MAURITIUS WOULD BE CONTINUED AND THAT IF ECONOMIC CONDITIONS CHANGED, PACIFIC FLEET OVERSIGHT WOULD ENSURE THE CONTRACTOR HIRED WORKERS FROM MAURITIUS IN ACCORDANCE WITH LONG-STANDING POLICY.

12. BIOT ADMINISTRATOR LOUISE SAVILL INDICATED THAT SHE WAS MAKING ENQUIRIES INTO THE MATTER OF THE PHILIPPINE DRIVERS LICENSES TO SEE WHETHER THERE WAS A BILATERAL AGREEMENT ON MUTUAL RECOGNITION OF DRIVING LICENSES BETWEEN THE PHILIPPINES AND THE UK.

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REMARKS BY THE BRITISH REPRESENTATIVE  
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13. COMMANDER PETER WHITE OFFERED AN OVERVIEW OF HIS ONE-YEAR TOUR ON DIEGO GARCIA AND PRAISED THE CLOSE COOPERATION BETWEEN HIS ADMINISTRATION AND THE US NAVAL FACILITY ON A NUMBER OF ISSUES, INCLUDING SEARCH AND RESCUE, CONSTRUCTION EFFORTS BY NAVY SEABEE BATTALIONS, AND MILITARY SEALIFT COMMAND FOR THEIR HELP IN CARRYING OUT ADMINISTRATIVE OPERATIONS. COMMANDER WHITE THEN OPINED THAT ALTHOUGH THE SUPER SEA HUTS THAT HAD BEEN CONSTRUCTED FOR THE FIL-MAU WORKERS WERE A SIGNIFICANT IMPROVEMENT OVER PREVIOUS HOUSING, THE OVERALL LIVING CONDITIONS OF THESE WORKERS WAS SUBSTANDARD. HE ALSO NOTED THAT SEVERAL EXPERIENCED WORKERS ON THE ISLAND WOULD NOT RENEW THEIR EMPLOYMENT CONTRACTS BECAUSE OF PROPOSALS THAT WOULD ALLOW THEM TO RETURN HOME ONLY ONCE EVERY TWO YEARS. COMMANDER WHITE NOTED NUMEROUS VIP VISITS TO THE ISLAND, INCLUDING

SOME WHERE THE DIGNITARIES WERE ACCOMPANIED BY THEIR SPOUSES. (NOTE: PRESENT POLICY ON THE ISLANDS PROHIBITS SPOUSAL VISITS AND VISITORS TO THE ISLAND ARE NOT ALLOWED TO BE ACCOMPANIED BY SPOUSES.)

14. CAPTAIN JONES NOTED THAT IT WAS US POLICY THAT SPOUSES OF VIPS OFTEN ACCOMPANIED DIGNITARIES ON OFFICIAL VISITS AND THAT DIEGO GARCIA WAS NOT A "DESTINATION" BUT A TRANSIT STOP. IN THOSE CASES WHERE IT IS IMPRACTICAL FOR AN ACCOMPANYING SPOUSE TO DIVERT FROM DIEGO GARCIA, THE VIPS CAN BRING THEM TO THE ISLAND BUT THEY SHOULD BE SENSITIVE TO THE POTENTIAL IMPACT THESE VISITS MIGHT HAVE ON THE MORALE OF THOSE WHO CANNOT SEE THEIR SPOUSES DURING THEIR UNACCOMPANIED TOUR ON DIEGO GARCIA.

15. CAPTAIN CUNNINGHAM OBSERVED THAT THE FREQUENT HIGH-LEVEL VISITS TO DIEGO GARCIA WERE AN INDICATION OF THE GROWING INTEREST WITHIN THE US MILITARY OF THE IMPORTANCE AND POTENTIAL OF DIEGO GARCIA.

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SPECIAL PROJECTS  
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16. DR. PETER DAVIS FROM THE UNIVERSITY OF CALIFORNIA AT SAN DIEGO PRESENTED A FOLLOW-UP PRESENTATION TO HIS REPORT OF THE PREVIOUS YEAR INVOLVING THE INSTALLATION OF A SEISMIC MONITORING STATION THAT WOULD BE PART OF GLOBAL NETWORK. THE INFORMATION FROM THESE STATIONS IS USED FOR A VARIETY OF SCIENTIFIC PURPOSES, INCLUDING TSUNAMI PREDICTION, NUCLEAR DETONATION DETECTION, AND SEISMIC ACTIVITY MONITORING. SINCE RECEIVING AGREEMENT FROM THE UNITED KINGDOM AT THE 1998 POLITICAL-MILITARY TALKS TO BEGIN PLANNING SUCH AN INSTALLATION, DR. DAVIS DESCRIBED HIS VISIT TO THE ISLAND, SITE SELECTION, AND PRESENTED DETAILS OF THE PROPOSED INSTALLATION. THE INSTALLATION WOULD INVOLVE A SMALL SHELTER SUNK INTO THE GROUND WITH A VERY LOW PROFILE. DR. DAVIS REVEALED THAT THESE PLANS AND SITE LOCATION AND BEEN APPROVED IN PRINCIPLE BY THE BRITISH REPRESENTATIVE AND THE COMMANDING OFFICER OF THE NAVAL FACILITY AND THAT HIS ORGANIZATION WAS NOW PREPARING THE NECESSARY PAPERWORK FOR A BUILDING PERMIT REQUIRED BY BIOT

TO BEGIN CONSTRUCTION. DR. DAVIS EXPECTED CONSTRUCTION OF THE PROJECT TO BEGIN IN OCTOBER.

17. COMMISSIONER WHITE INDICATED THAT THE UK WAS SATISFIED WITH THE PROPOSAL TO DATE AND LOOKED FORWARD TO THE PROJECT'S COMPLETION.

18. CAPTAIN JONES REVIEWED THE PROGRESS OF EFFORTS TO REACH AGREEMENT ON AN EXCHANGE OF NOTES ALLOWING THE UNITED STATES TO INSTALL A HYDROACOUSTIC MONITORING STATION ON DIEGO GARCIA THAT WOULD BE PART OF THE COMPREHENSIVE TEST BAN TREATY (CTBT) MONITORING NETWORK. HE INDICATED THAT THE US SIDE HAD RECENTLY FORWARDED A FURTHER AMENDED DRAFT TO THE UK AND WAS KEEN TO CONCLUDE THE AGREEMENT AS SOON AS POSSIBLE.

19. COMMISSIONER WHITE AND SUSAN MCCRORY, LEGAL ADVISOR FOR THE FOREIGN AND COMMONWEALTH OFFICE, OFFERED COMMENTS THAT THE UK SIDE HAD ON CERTAIN PARAGRAPHS IN THE DRAFT REVISIONS PROPOSED BY THE US SIDE AND SUGGESTED POSSIBLE ADJUSTMENTS THAT MIGHT MAKE THE LANGUAGE AGREERABLE TO ALL IN THE NEAR FUTURE. THESE SUGGESTIONS INVOLVED ALTERATIONS TO PARAGRAPHS 4, 10, AND 11 OF THE DRAFT DOCUMENT.

20. CAPTAIN JONES FELT THAT THE CONCERNS EXPRESSED BY THE UK SIDE COULD BE QUICKLY REVIEWED BY THE US AGENCIES INVOLVED AND REQUESTED THAT THE UK PUT ITS RESPONSE TO THE US PROPOSALS IN WRITING AS SOON AS POSSIBLE. THE UK SIDE AGREED TO DO THIS IN THE NEAR FUTURE.

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ENVIRONMENTAL ISSUES  
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21. LIEUTENANT COLONEL LARRY STEELE, REPRESENTING THE PACIFIC AIR FORCE, BRIEFED THE DELEGATION ON EFFORTS UNDERWAY TO REMOVE JET FUEL FROM THE AIRFIELD AQUIFER CAUSED BY FUEL SPILLS WHEN AN UNDERGROUND FUEL PIPE RUPTURED. TO DATE, 215,000 GALLONS HAD BEEN RECOVERED AND A MULTI-MILLION DOLLAR SURVEY HAD RECENTLY BEEN CONCLUDED. COLONEL STEELE ASSURED THE DELEGATION THAT THE AIR FORCE WAS COMMITTED TO COMPLETE REMEDIATION OF THE SPILL AND

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WOULD CONTINUE TO DEDICATE STATE-OF-THE-ART METHODS TO THE EFFORT, ESTIMATING THAT THE PROJECT WOULD BE COMPLETED IN 24-36 MONTHS. COLONEL STEELE ALSO INDICATED THAT A COPY OF THE RECENT SURVEY WOULD BE FORWARDED TO THE UK AS SOON AS IT WAS COMPLETED.

22. COMMANDER WHITE NOTED THAT CLEAN-UP ACTIVITY HAD CEASED WHEN THE B-52S RECENTLY DEPLOYED TO DIEGO GARCIA DURING CONTINGENCY OPERATIONS AND WONDERED WHEN THESE EFFORTS WOULD BE RESUMED.

23. COLONEL STEELE ACKNOWLEDGED THAT THE CAPACITY OF THE RECOVERY EQUIPMENT HAD BEEN REDUCED TO 60 PERCENT DURING THE CONTINGENCY OPERATIONS BECAUSE OF THE NEED TO REMOVE PIPING FROM THE RUNWAY AND USE THE FUEL LINES TO REFUEL AIRCRAFT AND THAT AS SOON AS THE PRESENT CONTINGENCY WAS OVER, FULL EFFORTS WOULD RESUME.

24. CAPTAIN JONES RAISED THE ISSUE OF CERTAIN MAINTENANCE ACTIONS TO PREPOSITIONING SHIPS BASED IN DIEGO GARCIA THAT INVOLVED HULL CLEANING AND HYDRO-BLASTING OF TOPSIDE AREAS OF THE SHIPS. CAPTAIN JONES NOTED THAT CLEAN HULLS ON THESE SHIPS WERE CRITICAL TO NATIONAL SECURITY BECAUSE IT ENABLED THESE STRATEGIC CARGOES TO BE DELIVERED IN A TIMELY MANNER.

25. WILLIAM STORZ, REPRESENTING THE MILITARY SEALIFT COMMAND, DESCRIBED THESE MAINTENANCE ACTIONS IN FURTHER DETAIL, AND WENT ON TO DISCUSS A RECENT ENVIRONMENTAL SURVEY CONDUCTED TO MEASURE THE EFFECTS THESE ACTIVITIES MIGHT HAVE ON THE LAGOON. ALTHOUGH RESULTS FROM THE SURVEY WERE NOT COMPLETE, PRELIMINARY FINDINGS REVEALED A PRISTINE MARINE ENVIRONMENT IN THE DIEGO GARCIA LAGOON, INCLUDING FLOURISHING DEEP-WATER CORAL. MR. STORZ ALSO TOOK PAINS TO SHOW THE DIFFERENCE BETWEEN THE TWO MAINTENANCE ACTIONS, INDICATING THAT HULL CLEANING WAS A PROCESS WHERE NATURAL MARINE GROWTH WAS REMOVED FROM THE SHIP'S HULL AND CRITICAL TO THE VESSEL'S ABILITY TO MEET MISSION REQUIREMENTS, WHILE HYDRO-BLASTING WAS A MORE ROUTINE MAINTENANCE OPERATION. CONDUCTING HYDRO-BLASTING IN DIEGO GARCIA RATHER THAN IN SINGAPORE SAVED THE MILITARY SEALIFT COMMAND OVER A MILLION DOLLARS ANNUALLY.

26. COMMANDER WHITE RESPONDED THAT THE HULL CLEANING PROCESS INVOLVED DIVING WHICH WAS PROHIBITED UNDER BIOT LAW, IN PART BECAUSE THERE WAS NO DECOMPRESSION CHAMBER IN THE TERRITORY. HE NOTED THAT DIVING ASSOCIATED WITH THE HULL CLEANING OPERATIONS HAD OCCURRED WITHOUT THE REQUIRED NOTIFICATIONS TO HIS ADMINISTRATION AND THAT THE CO OF THE NAVAL FACILITY HAD ALSO BEEN UNAWARE THAT DIVING OPERATIONS WERE ONGOING.

27. CAPTAIN JONES ASSURED THE DELEGATION THAT THE US SIDE HAD REVIEWED THESE PROCEDURES IN SOME DETAIL AND THAT INTERNAL PROCEDURES WERE BEING COMPLETED THAT WOULD ENSURE THAT MISSION-ESSENTIAL DIVING OPERATIONS IN ORDER TO KEEP THE PREPOSITION HULLS IN A STATE OF MISSION READINESS WOULD OCCUR AND THAT IN THE FUTURE, APPROPRIATE NOTIFICATIONS REQUIRED UNDER BIOT LAW WOULD BE MADE.

28. COMMANDER WHITE NOTED ENVIRONMENTAL REPORTS WHICH INDICATED UP TO 80 PERCENT OF SHALLOW WATER CORAL IN THE CHAGOS ISLANDS HAD DIED AS PART OF THE WORLDWIDE EFFECT FROM THE RISE IN SEA WATER TEMPERATURES CAUSED BY EL NINO. HE NOTED FURTHER, HOWEVER, THAT BECAUSE OF THE SLOW WATER TURNOVER RATE IN THE LAGOON, IT HAD NOT SUFFERED THE SAME DAMAGE OBSERVED ELSEWHERE IN THE CHAGOS ISLANDS. HE THEN

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DESCRIBED IN SOME DETAIL THE UNIQUE NATURE OF THE DIEGO GARCIA LAGOON. HE OBSERVED THAT DURING HYDRO-BLASTING PROCEDURES, A RUNOFF OF OIL, DIRT, RUST, AND PAINT CHIPS WAS ALLOWED INTO THE LAGOON. NOR HAD HE BEEN SATISFIED ON A LATER OCCASION WHEN A DEMONSTRATION OF A FILTRATION SYSTEM WAS CARRIED OUT.

29. REPRESENTATIVES FROM THE MILITARY SEALIFT COMMAND INDICATED THAT THEY WERE REVIEWING ALTERNATIVE METHODS TO IMPROVE THE HYDRO-BLASTING PROCEDURES TO PREVENT RUNOFF AND WERE ALSO EXPLORING ALTERNATIVE LOCATIONS WHERE THIS OPERATION COULD BE PERFORMED WITHOUT HAVING AN ADVERSE IMPACT ON MAINTENANCE COSTS.

30. CAPTAIN JONES ASSURED THE DELEGATION THAT THE UNITED STATES SHARED THE DELEGATION'S DESIRE TO PRESERVE THE UNIQUE CHARACTER OF THE LAGOON IN DIEGO GARCIA AND OF THE

US COMMITMENT TO MINIMIZE ADVERSE IMPACTS ON THE ENVIRONMENT ASSOCIATED WITH ITS DEFENSE ACTIVITIES ON THE ISLAND. THE MILITARY SEALIFT COMMAND ASSURED THE DELEGATION THAT HYDRO-BLASTING IN THE LAGOON WOULD NOT BE CONDUCTED UNTIL SUCH TIME AS THE ENVIRONMENTAL REPORT WAS COMPLETED AND THE FULL EFFECTS OF THESE ACTIVITIES ANALYZED, AT WHICH TIME THE INFORMATION WOULD BE PRESENTED TO THE UK SIDE AND BRITISH REPRESENTATIVE AND AN INFORMED DECISION ON HOW TO PROCEED COULD BE MADE.

31. BOTH SIDES AGREED THAT CONCERN FOR THE ENVIRONMENT, CONSISTENT WITH THE OPERATIONAL NECESSITY OF MILITARY OPERATIONS ON DIEGO GARCIA, WOULD REMAIN A HIGH PRIORITY AND THAT APPROPRIATE NOTIFICATIONS AND PROTOCOLS WERE ESSENTIAL.

32. COMMISSIONER WHITE SHARED OTHER ENVIRONMENTAL REPORTS ON DIEGO GARCIA AND NOTED THAT HER MAJESTY'S GOVERNMENT HAD RECEIVED PRESSURE TO LIST THE CHAGOS ISLANDS AS A WORLD HERITAGE SITE THAT COULD INCREASE INTEREST IN VISITS TO THE ISLANDS. TO DATE, HIS GOVERNMENT HAD RESISTED THESE EFFORTS, BUT IT WAS INDICATIVE OF INCREASING WORLDWIDE ATTENTION ON THE ENVIRONMENTAL CONDITION OF THE ARCHIPELAGO.

33. CAPTAIN JONES AGREED THAT IT WOULD NOT BE USEFUL TO THE US USE OF DIEGO GARCIA TO LIST THE ISLANDS AS A WORLD HERITAGE SITE AND THAT THE COMBINED EFFORTS OF THE UNITED STATES AND THE UNITED KINGDOM TO PRESERVE THE CONDITION OF THE ISLANDS WOULD NOT BE HELPED BY THE INCREASED ATTENTION THAT MIGHT BE BROUGHT IF DIEGO GARCIA WAS LISTED AS A SITE.

34. CAPTAIN CUNNINGHAM SHARED A PAPER THAT DESCRIBED THE DETAILED STEPS HIS COMMAND WAS TAKING TO MANAGE THE NATURAL RESOURCES ON THE ISLAND AND UPDATED THE DELEGATION ON THE FERAL CAT PROBLEM.

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LEGAL ISSUES  
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35. CAPTAIN JONES SUMMARIZED THE UNITED STATES GOVERNMENT POSITION ON SEEKING PRIMARY JURISDICTION FOR PERSONNEL SUSPECTED OF COMMITTING OFFENSES ON DIEGO GARCIA, NOTING THAT THIS WAS A GENERAL CONGRESSIONAL MANDATE AS WELL AS AN ISSUE OF UNIT MORALE AND DISCIPLINE. CAPTAIN JONES ALSO EXPRESSED THE CONCERN OF THE UNITED STATES AT THE POTENTIAL COSTS TO PROVIDE FOR ADEQUATE DEFENSE OF INDIVIDUALS WHERE PRIMARY JURISDICTION IS NOT GRANTED. WHILE ACKNOWLEDGING THE PRIMARY JURISDICTION OF THE UK AS

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DESCRIBED IN THE 1966 EXCHANGE OF NOTES, CAPTAIN JONES INDICATED THAT MILITARY COMMANDERS WOULD BE LIKELY TO CONTINUE TO SEEK PRIMARY JURISDICTION WHEN APPROPRIATE AND PLEDGED THAT THE US-SIDE WOULD SEEK TO IMPROVE FEEDBACK ON THOSE CASES WHERE PRIMARY JURISDICTION HAD BEEN GRANTED.

36. SUSAN MCCRORY POINTED OUT THE ISSUES OF EXCLUSIVE, CONCURRENT, AND PRIMARY JURISDICTION WERE DESCRIBED IN THE 1966 EXCHANGE OF NOTES, AND COMMISSIONER WHITE INDICATED THAT THE UK WOULD CONTINUE TO REVIEW THESE REQUESTS ON A CASE-BY-CASE BASIS AND WOULD ALSO TAKE INTO CONSIDERATION THE OUTCOME OF PREVIOUS CASES WHERE PRIMARY JURISDICTION HAD BEEN GRANTED.

37. REVIEWING RECENT CASES IN WHICH MERCHANT MARINERS HAD BEHAVED IMPROPERLY ON THE ISLAND OR BEEN STRANDED WHEN UNEXPECTED POOR WEATHER DEVELOPED, CAPTAIN JONES ASSURED THE UK DELEGATION THAT THE UNITED STATES WAS RESPONSIBLE FOR ALL SUCH PEOPLE AND THEY WOULD REPAIR ANY DAMAGE OR MEET ANY COSTS ARISING AS A RESULT OF INCIDENTS INVOLVING MEMBERS OF THE US ARMED FORCES OR CIVILIAN SEAMEN ON THE PRE-POSITIONED SHIPS. CAPTAIN JONES ALSO INDICATED THAT THE US SIDE HAD REVIEWED THESE PROCEDURES AND WOULD TAKE STEPS TO ENSURE THAT FUTURE INCIDENTS WERE MINIMIZED. CAPTAIN CUNNINGHAM DESCRIBED PROCEDURES HE HAD IMPLEMENTED TO PROVIDE SHELTER FOR SEAMEN WHO MIGHT BE STRANDED ON THE ISLAND DUE TO POOR WEATHER.

38. COMMISSIONER WHITE EXPLAINED THAT THE UK HAD REVIEWED ITS POSITION ON THE ISSUE OF SOVEREIGN IMMUNITY AND JURISDICTION OF THE UNITED STATES MERCHANT VESSELS IN DIEGO GARCIA. THE UK NOW ACCEPTS THAT UNITED KINGDOM WOULD NOT BE ENTITLED BY VIRTUE OF THE EXCHANGE OF NOTES TO

BOARD OR SEARCH SUCH VESSELS NOR TO EXERCISE CONTROL OVER ACTIVITIES ON BOARD SUCH VESSELS. HE HANDED OVER A PAPER TO THIS EFFECT. CAPTAIN JONES EXPRESSED THE GRATITUDE OF THE US SIDE TO RECEIVE THIS NEWS WHICH RESOLVED A LONG-STANDING DIFFERENCE OF OPINION ON THE ISSUE.

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TELEPHONE USAGE  
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39. CAPTAIN JONES REVIEWED THE US GOVERNMENT POSITION ON THE USE OF DSN LINES FOR MORALE TELEPHONE CALLS, ACKNOWLEDGING THAT THE EXISTING ARRANGEMENT ALLOWS FOR THE USE OF TWO INCOMING DSN LINES AND NO OUTGOING LINES FOR HEALTH, MORALE, AND WELFARE CALLS. ALTHOUGH IT IS DEPARTMENT OF DEFENSE POLICY IN OTHER AREAS TO USE THESE LINES FOR MORALE PURPOSES, THE UNITED STATES UNDERSTANDS THE EXCLUSIVE CONCESSION THAT CABLE AND WIRELESS HAS ON DIEGO GARCIA. BASED ON DISCUSSIONS ON THIS ISSUE EARLIER IN THE YEAR, CAPTAIN JONES INDICATED THAT THE MILITARY SERVICES THAT DEPLOY TO DIEGO GARCIA ARE EXPLORING CREATIVE OPTIONS THAT MIGHT BE USED TO APPROACH CABLE AND WIRELESS DIRECTLY ON THIS MATTER. UNDERSTANDING THAT CABLE AND WIRELESS HAS OFFERED TO FURTHER REDUCE TELEPHONE RATES IF THE US-SIDE REMOVED THE TWO INCOMING DSN LINES, CAPTAIN JONES INDICATED THAT THE US-SIDE WAS NOT PREPARED TO REMOVE THE LINES.

40. COMMANDER WHITE NOTED THAT CABLE AND WIRELESS DONATED \$5000 WORTH OF TELEPHONE CARDS THROUGH THE RED CROSS TO SERVICE PERSONNEL ON THE ISLAND, AND THAT IT FREQUENTLY SPONSORED ACTIVITIES WHICH PROVIDED ADDITIONAL CARDS TO

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PARTICIPANTS. HE ALSO NOTED THAT THE PRESENT PHONE RATE HAD BEEN REDUCED TO \$1.20 PER MINUTE TO CALL THE UK OR THE US.

41. CAPTAIN JONES EXPRESSED GRATITUDE FOR THESE EFFORTS BY CABLE AND WIRELESS AND INDICATED THAT THE US WOULD CONTINUE TO ABIDE BY THE EXISTING AGREEMENTS WHILE EXPLORING DIRECT APPROACHES TO CABLE AND WIRELESS. HE ALSO NOTED THAT THE MORALE OF DEPLOYED SERVICE PERSONNEL WAS A SIGNIFICANT READINESS ISSUE FOR THE UNITED STATES. COMMISSIONER WHITE SAID HE HOPED THAT A SOLUTION TTTO THIS

PROBLEM COULD BE FOUND WHICH WAS BENEFICIAL TO ALL POTENTIAL USERS ON THE ISLAND.

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OTHER ISSUES  
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42. FOLLOWING UP FROM AN ITEM DURING THE 1998 TALKS, CAPTAIN JONES PROPOSED MODIFYING THE EXISTING POLICY OF ROUTINELY DENYING ACCESS TO THIRD COUNTRIES SO THAT ALLIES COOPERATING WITH THE UNITED STATES AND THE UNITED KINGDOM IN MILITARY OPERATIONS WOULD BE ROUTINELY GRANTED ACCESS TO DIEGO GARCIA FOLLOWING THE APPROPRIATE CONSULTATIONS. COMMISSIONER WHITE INDICATED THAT THIS PROPOSAL WOULD REQUIRE FURTHER STUDY IN LONDON AND WAS CONCERNED ABOUT THE POSSIBLE POLITICAL REPERCUSSIONS IF SOME ALLIES WERE GRANTED ROUTINE ACCESS TO THE ISLAND AND OTHERS WERE NOT. (NOTE: NOT PART OF TRANSCRIPT -- THE PRESENT POLICY OF ROUTINELY DENYING ACCESS TO THIRD PARTIES IS EMBODIED IN THE ORIGINAL EXCHANGE OF NOTES AND HAS BEEN USED ALMOST WITHOUT EXCEPTION FOR OVER TWO DECADES. ALL REQUESTS FOR DIPLOMATIC CLEARANCE INTO DIEGO GARCIA BY THIRD PARTIES ARE A MATTER OF CONSULTATION BETWEEN DOS AND LONDON. IN DESERT STORM AND OTHER COALITION-RELATED OPERATIONS IN THE ARABIAN GULF, DIEGO GARCIA BECAME ESSENTIAL FOR OUR ALLIES [AUSTRALIA, CANADA, AND NEW ZEALAND] TO SUPPORT COMBINED OPERATIONS. ALTHOUGH DIPLOMATIC CLEARANCE WAS GRANTED AFTER CONSULTATIONS WITH LONDON, NOT BEING ABLE TO IMMEDIATELY ASSURE OUR ALLIES THAT THEY COULD HAVE ACCESS TO THE ISLAND WAS SOMETIMES CUMBERSOME. THE PROPOSED CHANGE STILL REQUIRES CONSULTATION BETWEEN LONDON AND WASHINGTON ON THIRD PARTY ACCESS. THE PROPOSED CHHANGE WOULD ALLOW THOSE COUNTRIES COOPERATING WITH THE US/UK IN MULTINATIONAL OPERATIONS WHERE DIEGO GARCIA SUPPORT WAS ESSENTIAL TO PRESUME CLEARANCE APPROVAL INSTEAD OF PRESUME DISAPPROVAL. END NOTE)

43. REGARDING THE VISITATION POLICY ON THE ISLAND, CAPTAIN JONES REAFFIRMED THE US SIDE POSITION THAT ROUTINE SPOUSAL VISITS TO DIEGO GARCIA WERE NOT APPROPRIATE BECAUSE OF THE SHORTAGE OF BERTHING, AVAILABLE FACILITIES, CONTINGENCY OPERATIONS, AND THE UNACCOMPANIED NATURE OF DUTY TOURS.

44. CAPTAIN JONES EXPRESSED THANKS FOR THE SEXUAL HARASSMENT PAPERS THE UK SIDE HAD PROVIDED REGARDING LAWS AND POLICIES IN THE BIOT.

45. COMMISSIONER WHITE PROPOSED THAT IN ACCORDANCE WITH THE POLICY OF ALTERNATING THE LOCATION OF THE POLITICAL-MILITARY TALKS, THAT YEAR 2000 TALKS BE CONDUCTED IN LONDON. CAPTAIN JONES AGREED.

//S//  
CAPTAIN SCOTT JONES, USN  
US DEPARTMENT OF STATE

//S//  
COMMISSIONER JOHN WHITE  
BRITISH INDIAN OCEAN TERRITORY

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END VERBATIM TEXT OF OFFICIAL MINUTES

5. (C/DO NOT PASS TO UK) US SIDE MEETINGS:

THE 1999 TALKS SAW THE LARGEST US DELEGATION TO THESE POL-MIL DISCUSSIONS, REFLECTING A GROWING INTEREST BY VARIOUS AGENCIES IN ACTIVITIES ON DIEGO GARCIA. BESIDES STATE DEPARTMENT, THIS YEAR'S TALKS WERE ATTENDED BY REPRESENTATIVES FROM DIEGO GARCIA, COMNAVFOR JAPAN, CINCPACFLT, PACAF, OPNAV, OSD, MSC, AND THE UNIVERSITY OF CALIFORNIA. IN ADDITION TO COORDINATING THE NORMAL PRESENTATIONS, THE US SIDE DISCUSSED THREE SIGNIFICANT ISSUES REGARDING ACTIVITIES ON DIEGO GARCIA: MAINTENANCE ACTIONS ON MSC SHIPS, JURISDICTIONAL ISSUES, AND THE USE OF DSN LINES FOR MORALE CALLS. DETAILS OF THESE DISCUSSIONS AND US AGREEMENTS ARE DISCUSSED BELOW.

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MSC MAINTENANCE ACTIVITY  
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-- IN THE PAST YEAR, THE BRITREP ON THE ISLAND HALTED SCAMPING (HULL CLEANING) AND HYDRO-BLASTING ACTIVITIES IN THE DIEGO GARCIA LAGOON. SCAMPING REQUIRES THE USE OF DIVERS AND BIOT LAW PROHIBITS DIVING, PARTLY BECAUSE THERE IS NO LONGER A DIVE LOCKER OR DECOMPRESSION CHAMBER ON THE

ISLAND. PROVISIONS ARE MADE TO ALLOW DIVING OPERATIONS FOR "MISSION ESSENTIAL" OPERATIONS, BUT THESE REQUIRE NOTIFICATION OF THE BRITREP. THE BRITREP HAD NOT BEEN NOTIFIED THAT DIVING OPERATIONS WERE TAKING PLACE AND THE CO OF THE NAVAL FACILITY WAS ALSO UNAWARE THAT DIVING OPERATIONS WERE OCCURRING.

[REDACTED]

BUT THAT APPROPRIATE NOTIFICATIONS MUST BE MADE. MSC AGREED TO INSTRUCT LOCAL MPS COMMANDERS TO FOLLOW BIOT PROCEDURES FOR NOTIFICATION AND TO KEEP THE CO OF THE NAVAL FACILITY FULLY INFORMED. MSC ALSO AGREED TO LOOK INTO WHAT ADDITIONAL SAFETY MEASURES FOR DIVERS MIGHT BE POSSIBLE IN VIEW OF THE LACK OF EMERGENCY MEDICAL DIVING FACILITIES ON DIEGO GARCIA.

-- HYDRO-BLASTING IS A PROCEDURE BY WHICH HIGH-PRESSURE WATER IS DIRECTED AGAINST TOPSIDE AREAS TO REMOVE DIRT, RUST, AND SEA SALTS BEFORE PRESERVATION. THE BRITREP STOPPED HYDRO-BLASTING WHEN HE OBSERVED THESE OPERATIONS RESULT IN THE RUNOFF INTO THE LAGOON OF PAINT CHIPS, RUST, DIRT, AND OILS, DESPITE THE PRESENCE OF A FILTRATION SYSTEM DESIGNED TO PREVENT SUCH AN OCCURANCE. THOUGH CORAL BLEACHING, A WORLDWIDE PHENOMENON BROUGHT ABOUT IN PART BY RISING SEA WATER TEMPERATURES CAUSED BY EL NINO, SEEMED TO BE LESS EVIDENT IN THE DIEGO GARCIA LAGOON THAN ELSEWHERE IN THE CHAGOS ISLANDS, IT WAS DECIDED TO CURB FURTHER HYDRO-BLASTING OPERATIONS UNTIL AN ENVIRONMENTAL ASSESSMENT IS COMPLETE, AT WHICH TIME THE ISSUE MIGHT BE

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JURISDICTIONAL ISSUES  
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-- IN 1998/99 JURISDICTIONAL ISSUES INVOLVING U.S. SERVICE PERSONNEL AROSE WHICH HIGHLIGHTED THE DIFFERENCES BETWEEN U.S. POLICIES OF AGGRESSIVELY PURSUING JURISDICTION WHEN SERVICE COMMIT CRIMES ABROAD, AND UK DETERMINATION TO EXERCISE ITS RIGHT TO RETAIN PRIMARY JURISDICTION WHEN VIOLATIONS OF BIOT LAW HAVE OCCURRED. THE US SIDE AGREED TO CONTINUE TO PRESS FOR JURISDICTION IN APPROPRIATE CASES BUT WOULD ENDEAVOR TO PROVIDE MORE FEEDBACK TO THE BRITREP ON ACTIONS TAKEN.

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USE OF DSN LINES FOR MWR CALLS  
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-- THE US-SIDE REVIEWED THE STATE OF PLAY ON THE USE OF DSN LINES TO MAKE MORALE CALLS OFF THE ISLAND. THE EXISTING AGREEMENT WITH THE UK ALLOWS FOR TWO INCOMING LINES AND ZERO OUTGOING LINES. AFTER DISCUSSIONS ON THE ISSUE IN DECEMBER 1998, THE UK ADVISED US THAT THE MILITARY ON THE ISLAND WERE FREE TO NEGOTIATE DIRECTLY WITH BRITISH CABLE FOR A BETTER DEAL. THE US-SIDE AGREED THAT IT WOULD CONTINUE TO STUDY OPTIONS TO APPROACH BRITISH CABLE.

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POSSIBLE CHANGES TO BIOT IMMIGRATION LAW  
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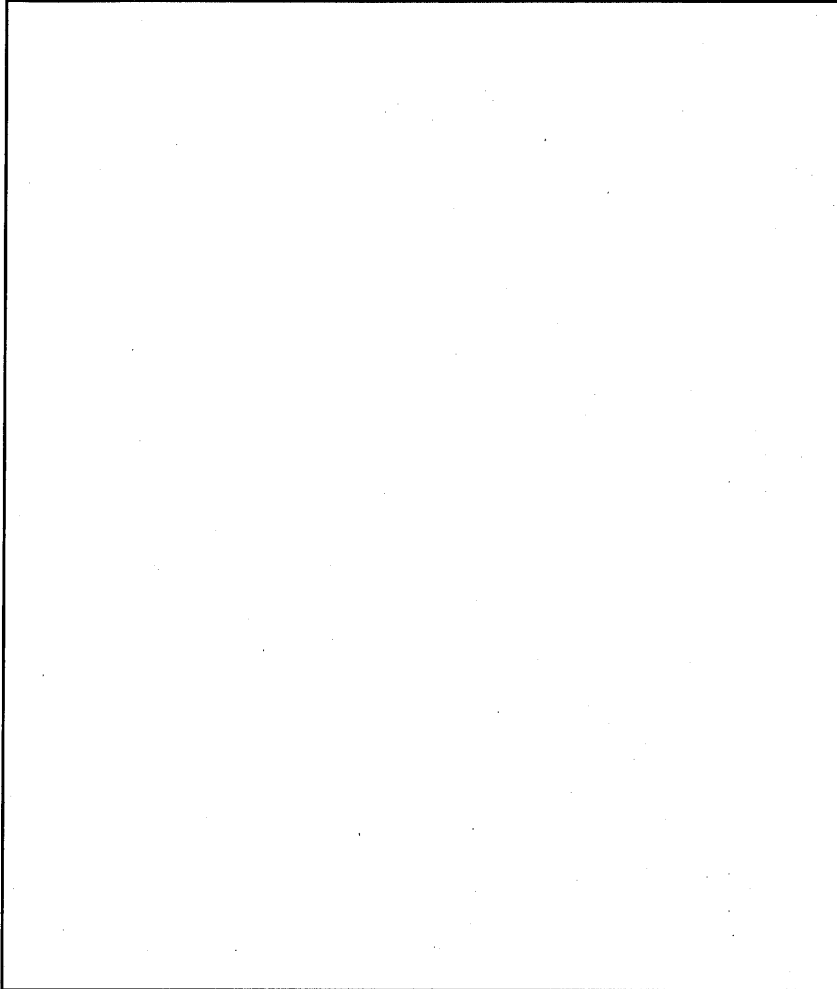
6. (U) IN POST TALK DISCUSSIONS REGARDING THE FUTURE OF DIEGO GARCIA, COMMISSIONER WHITE REVIEWED THE STATUS OF A PENDING CASE IN LONDON COURTS THAT CHALLENGES EXISTING UK IMMIGRATION LAWS. AN ILLOIS HAS ARGUED THAT HE SHOULD BE ALLOWED TO RESETTLE TO THE CHAGOS ISLANDS AND THAT THE PRESENCE OF CITIZENS THERE WOULD NOT INTERFERE WITH THE MILITARY USE OF THE ISLANDS. INTERESTED STUDENTS OF THE HISTORY OF THE AREA WILL RECALL THAT THE UK REMOVED ALL THE ILLOIS--A GROUP OF PEOPLE WHO HAD WORKED VARIOUS COPRA PLANTATIONS ON SEVERAL OF THE ISLANDS BEFORE THE 1966 US-UK AGREEMENT--IN THE EARLY 1970S. [REDACTED]

[REDACTED]  
AND THE UK CHOSE TO SETTLE THEM IN MAURITIUS AND THE SEYCHELLES. [REDACTED]  
[REDACTED]

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9. (U) DEPARTMENT POINT OF CONTACT FOR DIEGO GARCIA  
MATTERS IS CAPTAIN GREGORY CRUZE, USN, TEL: (202) 647-4059,  
FAX: (202) 647-4055, E-MAIL: CRUZEGD@STATE.SGOV.GOV.  
TALBOTT  
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