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THE WHITE HOUSE  
WASHINGTON

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ACTION

April 30, 1975

MEMORANDUM FOR: THE PRESIDENT  
FROM: HENRY A. KISSINGER *HK*  
SUBJECT: Presidential Determination on Diego Garcia *DR7*

Secretary Schlesinger has recommended that you sign a Determination to make available funds for construction of limited facilities on Diego Garcia in the Indian Ocean (Tab B). This Determination is required under the provisions of the Military Construction Act, already passed into law.

These funds will be used to expand our communications station into a fleet support facility with a deepened anchorage, increased fuel storage and an improved airfield.

This modest expansion will enhance our ability to maintain and support military forces in the Indian Ocean. Without this expansion the flexibility and responsiveness of U.S. forces in an area crossed by crucial shipping routes would be constrained by the remoteness of our nearest logistic facilities, which are in the Philippines, 4,000 miles away.

Mr. Lynn believes that as to ship operations, the Navy's analysis indicates that the entire peacetime mission could be supported by diversion of two tankers from other uses -- at about the same cost as development of Diego Garcia. For Navy air operations, there appears to be no reasonable alternative to the use of Diego Garcia. That is, if there is a decision to require extensive air surveillance of the Indian Ocean by the Navy, then the air support portion of the Diego Garcia project should be funded.

The proposed new facilities on Diego Garcia are not linked to plans to station operational units there permanently, nor would the new facilities imply an increase in the level of U.S. forces deployed to that region, although the expansion of these facilities would allow our forces to achieve a rough balance with Soviet forces and facilities in the area, particularly in the period after the Suez Canal reopens.

I do not think the new construction by itself will engender an increase in the Soviet presence in the area. As such, the proposed improvements on Diego Garcia do not prejudice the possibility of discussion with the Soviet Union on mutual force limitations in the area. This is a separate issue.

Several states on the Indian Ocean littoral have expressed understanding and support of our belief that the proposed facilities on Diego Garcia will help to preserve national security and stability in the Indian Ocean. However, the improvements on Diego Garcia will be sharply criticized by a number of other states, prominently including India, which is seeking through the UN to impose limitations on the great power presence in the Indian Ocean. Along with the Soviets we have always opposed such limitations because we see them as conflicting with international law and great power interests in freedom of navigation on the high seas.

Subject to your Determination, the Department of Defense has budgeted \$37.8 million for construction on Diego Garcia through FY 77. However, Public Law 93-552 stipulates such funds may not be obligated until you have:

- Advised the Congress in writing that all military and foreign policy implications regarding the need for U.S. facilities at Diego Garcia have been evaluated by you.
- Certified to the Congress in writing that the construction of any such project is essential to the national interest of the United States.

The law also provides that no funds may be obligated until your Determination has been before Congress for sixty days of continuous session, during which neither House passes a resolution disapproving the project.

I believe -- and Max Friedersdorf agrees -- that there may be considerable Congressional opposition; however, a disapproving resolution will probably not be voted in either House. However, there may be hearings, floor debate and attempts to pass restrictive amendments, and the Congressional opposition will require extensive efforts on the part of Administration spokesmen.

I recommend you approve the request of the Secretary of Defense to sign a Determination to allow funding of limited new facilities on Diego Garcia. The Department of State and ACDA concur. Max Friedersdorf concurs. Jack Marsh concurs.

Mr. Lynn has no objection to the limited construction with the understanding that there is no intent to permanently station operational units or increase the level of U.S. forces in the Indian Ocean. He notes, however, that this proposal encountered substantial opposition in the Senate last year and recommends consultation with key Senate members prior to formal transmission of the Presidential Determination.

#### RECOMMENDATION

That you sign the Determination at Tab A for the President Pro Tempore of the Senate and that at A-1 for the Speaker of the House of Representative

#### Attachments

Tabs A, A-1 and B