

C.E.

SP 2-3-42

5/12/75

TO THE CONGRESS OF THE UNITED STATES:

In accordance with Section 613(a)(1)(A) of the Military Construction Authorization Act, 1975, (Public Law 93-552), I have evaluated all the military and foreign policy implications regarding the need for United States facilities at Diego Garcia. On the basis of this evaluation and in accordance with Section 613(a)(1)(B), I hereby certify that the construction of such facilities is essential to the national interest of the United States.

Gerald R. Ford

THE WHITE HOUSE,

May 12, 1975.

Submitted to Congress: 5/12/75 (Hess)

RECEIVED
MAY 16 1975
CENTRAL FILES

(N.7 5/12/75)

THE WHITE HOUSE

WASHINGTON

CONFIDENTIAL - GDSACTION

April 30, 1975

MEMORANDUM FOR: THE PRESIDENT

FROM: HENRY A. KISSINGER *K* *DR7*

SUBJECT: Presidential Determination on Diego Garcia

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.

CONFIDENTIAL - GDS*KH 5/30/90*Declassified
Photocopy from Gerald R. Ford Library

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 Representatives.

Attachments

Tabs A, A-1 and B

Declassified
Photocopy from Gerald R. Ford Library

Original in Presidential
Handwriting

A

Declassified
Photocopy from Gerald R. Ford Library

THE WHITE HOUSE

WASHINGTON

Justification for the Presidential Determination on the Construction of Limited Support Facilities on Diego Garcia

In 1966, the United States signed an agreement with the British Government providing that the islands of the British Indian Ocean Territory would be available for 50 years to meet the defense purposes of both governments. In this context, we concluded in 1972 an Administrative Agreement providing for the establishment of a limited communications station on the small atoll of Diego Garcia in the central Indian Ocean. In February 1974, an agreement was negotiated ad referendum to replace the 1972 agreement and to provide for the construction and operation of a proposed support facility. The British Government announced in December 1974 its agreement with our proposal to expand the facility.

The United States has an important interest in the stability of the Indian Ocean area. In particular, the oil shipped from the Persian Gulf area is essential to the economic well-being of modern industrial societies. It is essential that the United States maintain and periodically demonstrate a capability to operate military forces in the Indian Ocean. Such exercise of our right to navigate freely on the high seas communicates to others the importance we attach to the stability of the region and to continued free access by all nations.

The credibility of any US military presence ultimately depends on the ability of our forces to function efficiently and effectively in a wide range of circumstances. Currently, the US logistics facility closest to the western Indian Ocean is in the Philippines, 4,000 miles away. At a time when access to regional fuel supplies and other support is subject to the uncertainties of political developments, the establishment of modest support facilities on Diego Garcia is essential to insure the proper flexibility and responsiveness of US forces to national requirements in a variety of possible contingencies. The alternative would be an inefficient and costly increase in naval tankers and other mobile logistics forces.

Objections have been raised to this proposal on the grounds that it will prompt an increase in the Soviet presence in the Indian Ocean and give rise to an arms race in the region. Clearly, both we and the Soviets are aware of the military presence of other nations, but it would be incorrect to assume that Soviet actions are determined exclusively by the level or nature of our

Declassified
Photocopy from Gerald R. Ford Library

force presence. The growth of Soviet naval presence in the Indian Ocean from 1968 to the present can most convincingly be ascribed to the pursuit of their own national interests -- including the continuing expansion of the Soviet Navy in a global "blue water" role -- rather than to US force presence as such.

A distinction must also be drawn between facilities and force presence. The proposed construction on Diego Garcia would enhance our capability to provide support to US forces operating in the Indian Ocean. However, there is no intent to permanently station operational units there, and the installation would not imply an increase in the level of US forces deployed to that region. We have, on several occasions, expressed our willingness to consider constructive proposals for arms restraint in the Indian Ocean, but we do not believe that construction on Diego Garcia should be contingent upon the outcome of discussions on such proposals. In our view, these are two separate issues.

The Diego Garcia proposal has been criticized by a number of regional states which favor the concept of a special legal regime limiting the presence of the great powers in the Indian Ocean, as expressed in the several Indian Ocean Zone of Peace resolutions adopted in the United Nations General Assembly. United States policy has consistently been to oppose measures that would constitute an unacceptable departure from customary international law concerning freedom of navigation on the high seas.

We are aware of the concern expressed by some states of the region, but we do not share their conviction that the construction of support facilities on Diego Garcia will result in an arms race or that these facilities will somehow represent a threat to their interests. On the contrary, it is our belief that such facilities will contribute to the maintenance of healthy balance essential to the preservation of regional security and stability. It is our considered judgment that the legitimate differences in perspective between ourselves and certain other nations with respect to Diego Garcia are susceptible to reasoned discussion within a framework of mutual respect and need not inhibit the development of satisfactory relations with the states of the region.



Declassified
Photocopy from Gerald R. Ford Library

THE WHITE HOUSE

WASHINGTON

Justification for the Presidential Determination on the Construction of Limited Support Facilities on Diego Garcia

In 1966, the United States signed an agreement with the British Government providing that the islands of the British Indian Ocean Territory would be available for 50 years to meet the defense purposes of both governments. In this context, we concluded in 1972 an Administrative Agreement providing for the establishment of a limited communications station on the small atoll of Diego Garcia in the central Indian Ocean. In February 1974, an agreement was negotiated ad referendum to replace the 1972 agreement and to provide for the construction and operation of a proposed support facility. The British Government announced in December 1974 its agreement with our proposal to expand the facility.

The United States has an important interest in the stability of the Indian Ocean area. In particular, the oil shipped from the Persian Gulf area is essential to the economic well-being of modern industrial societies. It is essential that the United States maintain and periodically demonstrate a capability to operate military forces in the Indian Ocean. Such exercise of our right to navigate freely on the high seas communicates to others the importance we attach to the stability of the region and to continued free access by all nations.

The credibility of any US military presence ultimately depends on the ability of our forces to function efficiently and effectively in a wide range of circumstances. Currently, the US logistics facility closest to the western Indian Ocean is in the Philippines, 4,000 miles away. At a time when access to regional fuel supplies and other support is subject to the uncertainties of political developments, the establishment of modest support facilities on Diego Garcia is essential to insure the proper flexibility and responsiveness of US forces to national requirements in a variety of possible contingencies. The alternative would be an inefficient and costly increase in naval tankers and other mobile logistics forces.

Objections have been raised to this proposal on the grounds that it will prompt an increase in the Soviet presence in the Indian Ocean and give rise to an arms race in the region. Clearly, both we and the Soviets are aware of the military presence of other nations, but it would be incorrect to assume that Soviet actions are determined exclusively by the level or nature of our

Declassified
Photocopy from Gerald R. Ford Library

force presence. The growth of Soviet naval presence in the Indian Ocean from 1968 to the present can most convincingly be ascribed to the pursuit of their own national interests -- including the continuing expansion of the Soviet Navy in a global "blue water" role -- rather than to US force presence as such.

A distinction must also be drawn between facilities and force presence. The proposed construction on Diego Garcia would enhance our capability to provide support to US forces operating in the Indian Ocean. However, there is no intent to permanently station operational units there, and the installation would not imply an increase in the level of US forces deployed to that region. We have, on several occasions, expressed our willingness to consider constructive proposals for arms restraint in the Indian Ocean, but we do not believe that construction on Diego Garcia should be contingent upon the outcome of discussions on such proposals. In our view, these are two separate issues.

The Diego Garcia proposal has been criticized by a number of regional states which favor the concept of a special legal regime limiting the presence of the great powers in the Indian Ocean, as expressed in the several Indian Ocean Zone of Peace resolutions adopted in the United Nations General Assembly. United States policy has consistently been to oppose measures that would constitute an unacceptable departure from customary international law concerning freedom of navigation on the high seas.

We are aware of the concern expressed by some states of the region, but we do not share their conviction that the construction of support facilities on Diego Garcia will result in an arms race or that these facilities will somehow represent a threat to their interests. On the contrary, it is our belief that such facilities will contribute to the maintenance of healthy balance essential to the preservation of regional security and stability. It is our considered judgment that the legitimate differences in perspective between ourselves and certain other nations with respect to Diego Garcia are susceptible to reasoned discussion within a framework of mutual respect and need not inhibit the development of satisfactory relations with the states of the region.

3

Declassified
Photocopy from Gerald R. Ford Library