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NEW US-UK AGREEMENTS ON DIEGO GARCIA

(Talking Points for Admiral Peet With SecDef, 7 March 1974)

*John* Indian Ocean 323.3 (Jan-Mar) 1974 Doc 6478-0011

**Background.** A State-Defense team, with representation from ISA and Navy, concluded negotiations in London last week on a new agreement for the expansion of Diego Garcia. The agreement and related documents are now here for ad referendum approval.

- **Title.** The British would not accept any formulations referring to a general maritime and air facility, as we proposed. Agreement was eventually reached on "US Navy Support Facility," indicating that the Navy will be the responsible US operating service, but with the understanding that other US and UK services will be able to enjoy full use of the facility.
- **Area.** The British insisted that the new agreement, like its 1972 predecessor, identify a specific area for US construction, with HMG free to construct its own facility either inside or outside that area. The proposed draft adopts the UK formulation, but with strengthened provisions regarding (1) US access outside the specific area, and (2) consultation by HMG to avoid interference with US use.
- **Purpose.** We persuaded the British to broaden 1972 language to support the defense requirements of both governments, not just ships and aircraft; and to drop a very restrictive paragraph limiting this purpose.
- **Finance.** The US will bear all construction costs, but will be reimbursed for out-of-pocket expenses resulting from use by visiting UK units.
- **Use.** The text incorporates the earlier agreed formula that use by US ships and aircraft under normal circumstances will involve simple notification locally; use in other circumstances will be a matter for joint decision.
- **Supplementary Letters.** The British desired a detailed annex regarding construction, requiring formal amendment in the event of any changes. We persuaded them to accept a unilateral US diplomatic letter informing HMG of presently planned construction, with a requirement on our part to consult in the event of additions.
- **General.** Despite British desires to keep the agreement bland for presentational purposes, the draft achieves sufficient operational flexibility for US forces. The US will be able to construct outside the delimited area, should this be required, under provisions of the governing 1966 US/UK agreement regarding the British Indian Ocean Territory as a whole.

**Conclusion.** With a new Labor Government in office, it is important for the US to maintain the momentum of negotiations. If you agree, we will advise State that DoD accepts the ad referendum text. Navy and General Counsel concur; the Joint Staff and Air Force have been informed. State will consult the Foreign Affairs Committees of Congress prior to signature as an executive agreement. Future changes would therefore not require Congressional approval.

December 31, 1980  
Director, OASD (ISA) FMA

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