

DECLASSIFIED

E.O. 12958, as amended, Sec. 3.5

NSC/Soubers to Smith 09/06/2002

By *[Signature]* Date *01/31/07*

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

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September 16, 1969

National Security Study Memorandum 73

TO: The Secretary of State
 The Secretary of Defense
 The Director of Central Intelligence

SUBJECT: Revisions in U.S. Military Bases Agreement
 with the Philippines

The President has expressed the belief that the United States should be prepared to bring the terms of the U.S. Military Bases Agreement in the Philippines into line with the terms under which we occupy bases in other countries, in order to eliminate any aspects which may give the Philippines legitimate cause to feel that the U.S. enjoys legal or other advantages which it does not possess elsewhere. It is the President's understanding that opinion in the Philippines, both official and non-official, is highly sensitive to what are considered to be inequities, and that U.S. - Philippine relations are rendered more difficult as a result.

The President accordingly has directed that a study be prepared analyzing our treaty and other relationships with the Philippines, and setting forth the changes needed in our Military Bases Agreement to bring the privileges and immunities enjoyed by the United States concerning base rights in the Philippines down to a level comparable with the rights which we possess in other independent countries where there are U.S. bases. In this Study, particular attention should be paid to the questions of length of tenure of bases and procedures for establishing criminal jurisdiction. It is recognized that there are variations in our rights in various countries, but the objective should be to put the Philippines on a most-favored-nation basis.

The Study should also examine the total physical area included within U.S. bases, and the number of such bases, compared with the facilities available in other countries, note being taken of the different

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and strategic missions of the U.S. bases in different countries. Consideration should be given to the release of land in the Philippines which may be surplus to military needs.

The President has directed that the Study be prepared by the Interdepartmental Group chaired by the Deputy Assistant Secretary for Political and Military Affairs in the Department of State, and including representatives of the addressees of this memorandum and the Assistant to the President for National Security Affairs.

The Study should be given priority over the action being taken in response to NSSM 3, and should be submitted to the National Security Council Review Group by October 1.

A handwritten signature in dark ink, appearing to read "Henry A. Kissinger". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Henry A. Kissinger

cc: The Chairman, Joint Chiefs of Staff