

“Missile Base in Turkey”
Scored Negotiation

**Packet for the
United States**

**DEPARTMENT OF STATE INTERNAL BRIEFING MEMORANDUM
LEGAL AFFAIRS**

-- CONFIDENTIAL --

TO: Negotiating Team Lawyers
FR: Alice Townley, Assistant General Counsel
DATE: January 19, 2024
RE: Missile Defense Negotiations with Turkey

I am assigning you to represent the State Department in the negotiations tomorrow with Turkey and its National Security Council. Here is the background for your discussions. I have also attached a letter from Military Affairs (attached).

We have decided to relocate the Missile Defense base to Turkey. We have begun discussions with them and have agreed upon a location, which is classified. There are a few big picture terms that need to be negotiated immediately.

First, there is the issue of rent (leasing the land). We prefer of course to pay no or little rent, particularly given the circumstances here. The Missile Defense project is designed to protect all of our NATO allies, relying on U.S. know-how and military personnel. Between you and me, they should be offering to pay us. In addition, Turkey is a NATO member and should contribute the land for free as part of its NATO commitment. This is a key point for the U.S. as it could set a precedent for future base negotiations. Even a small rent commitment could send the wrong message.

Second, there is the issue of the size of the base. We have agreed upon the location, but have not yet finalized how large the base will be. For security reasons, we would prefer to have as large a base as we can safely and sufficiently defend. The additional space provides an important "buffer" to protect the base. Turkey is very sensitive to this point, because it is of course their land.

Third, we need to begin construction immediately. We are not sure how Turkey feels about this point, but it is critical for us to begin as soon as possible. As you can see from the latest reports, Iran continues to move forward on its nuclear ambitions and could have missile capabilities soon. Also, politically it is important for us to demonstrate a new direction on this project as soon as we can.

Fourth, we want to make sure that we negotiate a long lease term. It is very difficult for us to commit all of the resources and effort necessary to build the base and then have the risk of removing it in the short term. This will be another difficult issue for Turkey, we suspect, but it is critical to us. We must have assurances that the base will remain for decades.

Fifth, there is the issue of which firms will perform the construction of the base. For national security and political reasons, we would prefer to use U.S. companies only. We do recognize that this could be a point of contention because construction could mean hundreds of jobs. There are also complex politics at play here for future projects.

Sixth, military leadership has made very clear that they prefer to have U.S. control of the chain of command. If defense missiles are to be fired, there is very little time to react. Having NATO command or others involved in the decision-making process is unacceptable to us and would create enormous problems. This is another issue that could create bad precedent for future deals.

Seventh, we will need as many soldiers as we can get to maintain and protect the base. Not sure how Turkey might feel about this as sometimes receiving countries appreciate the added revenue that soldiers bring. Some, however, fear that too many soldiers put undue pressure on local communities and create additional problems.

Eighth, in accordance with Article II of the NATO Status of Forces Agreement, we are bound to follow the laws of the receiving country, Turkey. This means that we are subject to Turkish criminal and civil codes. No point in raising this if they don't since it is already a part of the NATO agreements and there is no flexibility with the law.

Ninth, for national security reasons, we will require that all non-military personnel working at the base will be U.S. citizens. This is a non-negotiable matter for us.

To assist your negotiations, we have put together the attached points grid. You may not show the grid or discuss point totals with the other side until after the agreement is signed.

You will only receive points for options that are listed on the grid. For example, if you negotiate a deal that has no rent, your team will receive 100 points. For each issue, you may only have one option from the list. Of course **if you fail to negotiate an agreement within the time given, your team will receive 0 points.** All agreements must be in writing and signed by both teams. Also, the agreement must include a point total for each team.

Points Grid for State Department

ISSUE	OPTIONS (ONLY ONE PER ISSUE)	POINTS
Rent	No Rent	80
	50% market rate	40
	At market rate	-40
	At market rate plus 20% surcharge	-80
Size of Base	500 hectares	80
	350 hectares	40
	200 hectares	-40
	100 hectares	-80
Timing of Construction	w/n 60 Days	60
	w/n 120 Days	30
	w/n 180 Days	0
	w/n 240 Days	-30
Lease Term	50 years	80
	30 years	40
	15 years	-40
	10 years	-80
Construction Contracts	U.S. Contractors Only	40
	U.S. Contractors (with any subs)	20
	Open Bidding	-20
	Turkish Contractors Get Preference	-40
Chain of Command	United States Only	50
	Any NATO Involvement	-100
Number of U.S. Soldiers	1,000	40
	750	20
	500	-20
	250	-40
Sovereignty	Turkish Law	0
Press Conference	Announcement Held in Ankara	-20
Personnel	American Citizens Only	40



United States Department of State
Bureau of Consular Affairs
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January 15, 2024

Ms. Sally Xiong
Assistant to the Deputy Chief of Staff
The White House

BY MESSENGER ONLY

RE: Missile Defense Base in Turkey

Dear Ms. Xiong,

I am writing to update you on the latest developments concerning the interceptor missiles project in Europe ("Missile Defense") that you and I have been discussing.

During President Obama's recent trip to Poland, the administration committed to pursue alternative sites for Missile Defense. Instead of Poland and the Czech Republic, both of which are highly provocative options from Russia's perspective (as you and I have discussed), the administration has begun talks with Turkey for a suitable site there.

The State Department will be assigning our lawyers to negotiate with Turkey's National Security Council on the preliminary terms of the deal. We hope to iron out at least the main items quite soon. We have created a rigid points system to evaluate specific options and guide our legal counsel on the matter.

I will keep you updated on the progress. Please let me know if you have any questions or need anything further in the meantime.

Sincerely,

James Jackson

James Jackson
Military Affairs Coordinator