

No. 8340

**UNITED STATES OF AMERICA
and
CANADA**

**Exchange of notes (with annex) constituting an agreement
concerning ground-to-air communications facilities for
defense purposes. Ottawa, 1 December 1965**

Official text : English.

Registered by the United States of America on 29 September 1966.

**ÉTATS-UNIS D'AMÉRIQUE
et
CANADA**

**Échange de notes (avec annexe) constituant un accord relatif
à des installations de communications sol-air à des fins
de défense. Ottawa, 1^{er} décembre 1965**

Texte officiel anglais.

Enregistré par les États-Unis d'Amérique le 29 septembre 1966.

No. 8340. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND CANADA CONCERNING GROUND-TO-AIR COMMUNICATIONS FACILITIES FOR DEFENSE PURPOSES. OTTAWA, 1 DECEMBER 1965

I

The American Ambassador to the Canadian Secretary of State for External Affairs

EMBASSY OF THE UNITED STATES OF AMERICA

No. 223

Ottawa, December 1, 1965

Sir :

I have the honor to refer to discussions in the Permanent Joint Board on Defense and between representatives of the United States Air Force and the Royal Canadian Air Force concerning the establishment, operation and maintenance of certain ground-to-air communications facilities in northern Canada, new facilities which would contribute substantially to communications reliability in the event of attack.

I understand that representatives of our two Governments have agreed that the proposed communications facilities would be established, operated and maintained on sites which were originally made available pursuant to : (1) the agreement concerning the Continental Radar Defense System signed at Washington on August 1, 1951 ;² (2) the agreement concerning the establishment in Canada of a Warning and Control System Against Air Attack signed at Washington on May 5, 1955 ;³ or (3) the agreement concerning Leased Bases in Newfoundland signed at Washington on February 13 and March 19, 1952.⁴

The proposed communications facilities would utilize existing communications circuits including cable, tropospheric scatter and radio relay types of ground communication.

¹ Came into force on 1 December 1965, by the exchange of the said notes.

² United Nations, *Treaty Series*, Vol. 233, p. 109.

³ United Nations, *Treaty Series*, Vol. 241, p. 179.

⁴ United Nations, *Treaty Series*, Vol. 174, p. 267.

I now have the honor to request that the Canadian Government approve the establishment, operation and maintenance of certain existing ground-to-air communications facilities and additionally proposed facilities in accordance with the conditions set forth in the Annex to this note. It is understood that, to the extent feasible but in no way derogating from the expressed conditions of this present agreement, the proposed facilities shall be operated as an integral part of the main activities of the respective sites on which they are or are to be located.

If the conditions set forth in the Annex and in this note are acceptable to your Government, I have the honor to propose that this note, the Annex thereto, and your note in reply to that effect shall constitute an agreement between our Governments which shall enter into force on the date of your reply for a period of ten years and shall continue in force thereafter until terminated either by mutual agreement or as hereinafter provided. Following the ten year period, if either Government concludes that the communications facilities, or any portion thereof, are no longer required, and the other Government does not agree, the question of continuing need shall be referred to the Permanent Joint Board on Defense. In considering the question of need, the Permanent Joint Board on Defense shall take into account the relationship of the facilities to any other similar installations established in the mutual defense interest of the two countries. Following consideration by the Permanent Joint Board on Defense, either Government may decide either that any portion of the facilities should be closed or that this Agreement should be terminated ; in which case, following twelve months' written notice of such decision being given to the other Government, those installations shall be closed or this Agreement shall be terminated, as the case may be ; and the arrangements set forth in Paragraph 5 of the Annex regarding ownership and disposition of property shall apply.

Accept, Sir, the renewed assurances of my highest consideration.

W. W. BUTTERWORTH

Enclosure :
Annex.

The Honorable Paul Martin
Secretary of State for External Affairs
Ottawa

A N N E X

STATEMENT OF CONDITIONS TO GOVERN THE ESTABLISHMENT, OPERATION AND MAINTENANCE OF GROUND-TO-AIR COMMUNICATIONS FACILITIES IN NORTHERN CANADA

1. All costs of the establishment, operation and maintenance of the ground-to-air communications facilities shall be the responsibility of the United States.