

No. 1077

UNITED STATES OF AMERICA
and
CANADA

Exchange of notes constituting an agreement relating to the future operation and maintenance of the war-built land line communication system between Edmonton, Alberta, and Fairbanks, Alaska. Washington, 1 and 31 March 1948

Official text: English.

Registered by the United States of America on 6 March 1951.

ÉTATS-UNIS D'AMÉRIQUE
et
CANADA

Échange de notes constituant un accord au sujet de l'utilisation et de l'entretien futurs du réseau de télécommunication par lignes terrestres construit pendant la guerre entre Edmonton (Alberta) et Fairbanks (Alaska). Washington, 1er et 31 mars 1948

Texte officiel anglais.

Enregistré par les Etats-Unis d'Amérique le 6 mars 1951.

No. 1077. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND CANADA RELATING TO THE FUTURE OPERATION AND MAINTENANCE OF THE WAR-BUILT LAND LINE COMMUNICATION SYSTEM BETWEEN EDMONTON, ALBERTA, AND FAIRBANKS, ALASKA. WASHINGTON, 1 AND 31 MARCH 1948

I

The Canadian Ambassador to the Secretary of State

CANADIAN EMBASSY
AMBASSADE DU CANADA

No. 95

March 1, 1948

Sir:

I have the honour to refer to Canadian-United States discussions which were held in Ottawa from October 31 to November 2, 1946, concerning the future operation and maintenance of the war-built land line communication system between Edmonton, Alberta, and Fairbanks, Alaska.

2. At these meetings it was recommended, subject to the consideration and approval of the Permanent Joint Board on Defence, that a number of facilities from Edmonton to the Alaskan border should be assigned for exclusive use of the United States, the annual rental to be \$271,000.

3. Subsequently at a meeting of the Permanent Joint Board on Defence on November 19-20, 1946, a report of these meetings was considered and approved, and on April 1, 1947, the Canadian Department of Transport made these facilities available to the United States authorities. At the present time the Canadian Government's Operating Agency, the Canadian National Telegraph, who are responsible for the operation and maintenance of the system on Canadian soil, are forwarding monthly accounts for the rental of these facilities to the Commanding Officer, Alaska Communications System, in Seattle, but payments have not been made as formal authority for the lease has not yet been arranged.

¹ Came into force on 31 March 1948, by the exchange of the said notes.

4. The Permanent Joint Board on Defence therefore recommended at the meeting of September 11-12, 1947:

“Communication Circuits of the Alaska Highway

“The Board noted that the United States forces have definite need of the voice and teletype circuits along the Alaska Highway and that the Canadian authorities have made the circuits available. The Board approves this arrangement and recommends that the contract covering it be signed by the competent Canadian authorities as soon as possible, in order that accounts may be paid.”

5. In order that the lease of these facilities may therefore be arranged on a governmental basis, my Government wishes to recommend that this lease be implemented as outlined in Annex I of this note.

6. I should therefore be glad if you would inform me whether your Government is agreeable to these arrangements. Your favourable reply to this note will be considered as constituting an inter-governmental agreement with respect to the facilities outlined in Annex I of this note.

Accept, Sir the renewed assurances of my highest consideration.

H. H. WRONG

The Honourable George C. Marshall
Secretary of State
Washington, D.C.

A N N E X I

Article 1

The Government of Canada agrees to make available to the Government of the United States of America the following communication facilities over the telephone and telegraph lines, owned by the Government of Canada, and located along the Alaska Highway in Canada, between Edmonton, Alberta, and the border of the territory of Alaska and Canada:—

- A. for voice frequency only,
 - (a) Two channels, Edmonton to the said border
 - (b) Two channels, Whitehorse to the said border
 - (c) One channel, Whitehorse to Edmonton.
- B. for standard teletype frequency only
 - (d) Two channels, Edmonton to the said border
 - (e) Three channels, Whitehorse to said border.

Article 2

The Government of the United States of America shall pay the Government of Canada for the use of the said communication facilities the sum of \$271,000, in

United States funds, for the year commencing April 1, 1947. Payments shall in future be made in equal monthly instalments but payment for the period from April 1st 1947 to February 29th 1948, shall be paid in one instalment forthwith upon the conclusion of this agreement.

The Government of the United States of America agrees to pay for the use of such additional communication facilities as may be required by the said Government and as may otherwise be available for use, at such rates and charges as are adopted as standard in respect of the telephone and telegraph lines located along the Alaska Highway in Canada.

The Government of Canada agrees to credit the Government of the United States of America for reductions and readjustments of facilities in accordance with the prevailing rates that are adopted as standard in respect of the telephone and telegraph lines located along the Alaska Highway in Canada, provided that the total annual aggregate payments by the Government of the United States of America do not fall below the amount of \$271,000 per annum above stated.

Article 3

The two Governments agree that the said communication facilities between Edmonton, Alberta, and the Alaska-Canada border, which are a continuation of and connected with similar communication facilities owned by the Government of the United States of America and extending from the said border to Fairbanks, Alaska, are capable of use and operation only if, when and to the extent that the communication facilities owned by the Government of the United States of America and located in Alaska as aforesaid, are simultaneously maintained in use and operation and are available.

It is further agreed between the said Governments that payments reserved under Article 2 hereof shall accrue only if and to the extent that the communication facilities made available hereunder by the Government of Canada are properly maintained for use and operation.

Article 4

The two Governments agree that the portions of telephone and telegraph lines owned by the Government of Canada and located in Canada along the Alaska Highway, shall be maintained by the Government of Canada, and that the said lines owned by the Government of the United States of America and located in the territory of Alaska, shall be maintained by the Government of the United States of America; and that such maintenance shall be carried out in accordance with standard practice.

Article 5

This agreement shall remain in force during the period the telephone and telegraph lines, aforesaid, extending from Edmonton, Alberta, to Fairbanks, Alaska, are maintained by the respective Governments.

Article 6

Supplementary arrangements for the purpose of giving effect to this agreement may be made between the operating departments or agencies of the respective Governments.

Article 7

Subject to the provision of Article 5, this agreement shall remain in force until such time as the two Governments mutually agree that it shall cease or until either Government shall have given one year's notice to the other Government of intention to terminate the agreement.

II

The Acting Secretary of State to the Canadian Ambassador

DEPARTMENT OF STATE
WASHINGTON

Mar. 31, 1948

Excellency:

I have the honor to refer to your note No. 95, dated March 1, 1948, concerning the future operation and maintenance of the war-built land-line communication system between Edmonton, Alberta, and Fairbanks, Alaska. Your note summarized the results of discussions held on this subject in the Permanent Joint Board on Defense and recommended that the lease of these facilities be arranged on a governmental basis as outlined in Annex I enclosed with your note.

I am pleased to inform you that the proposals set forth in your note No. 95 and in Annex I thereto are accepted by this Government. This Government also concurs in the proposal that your note and this reply shall be regarded as constituting the agreement arrived at between the two Governments with respect to the facilities outlined in Annex I of your note.

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

Robert A. LOVETT
Acting Secretary

His Excellency Hume Wrong
Canadian Ambassador