

No. 4899

**UNITED STATES OF AMERICA
and
CANADA**

Exchange of notes (with annex) constituting an agreement relating to the augmentation of communications facilities at Cape Dyer, Baffin Island, to support the Greenland Extension of the DEW Line. Ottawa, 13 April 1959

Official text: English.

Registered by the United States of America on 3 October 1959.

**ÉTATS-UNIS D'AMÉRIQUE
et
CANADA**

Échange de notes (avec annexe) constituant un accord relatif à l'agrandissement des installations de communication du cap Dyer, dans l'île de Baffin, pour soutenir le prolongement au Groenland de la ligne DEW. Ottawa, 13 avril 1959

Texte officiel anglais.

Enregistré par les États-Unis d'Amérique le 3 octobre 1959.

No. 4899. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND CANADA RELATING TO THE AUGMENTATION OF COMMUNICATIONS FACILITIES AT CAPE DYER, BAFFIN ISLAND, TO SUPPORT THE GREENLAND EXTENSION OF THE DEW LINE. OTTAWA, 13 APRIL 1959

I

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

No. 235

The Ambassador of the United States of America presents his compliments to the Acting Secretary of State for External Affairs and has the honor to refer to recent discussions in the Permanent Joint Board on Defense and elsewhere concerning the proposed augmentation of communications facilities at Cape Dyer, Baffin Island, to support the Greenland Extension of the DEW Line (DEW EAST). Details concerning the construction and equipment required for this augmentation have been supplied to the appropriate Canadian authorities.

The United States Government now proposes that the establishment and operation of these facilities be authorized by the Government of Canada and be governed, with respect to the matters of construction and telecommunications, by the conditions set forth in the Annex² hereto and, with respect to all other matters, by the relevant conditions included in the exchange of Notes of May 5, 1955³ between the Canadian and United States Governments governing the establishment of a distant early warning system in Canadian territory.

It is understood that any action to be taken by the United States Government in the above regard shall be subject to the availability of funds.

If these conditions are acceptable to the Canadian Government, it is suggested that this Note and the Acting Secretary's reply should constitute an

¹ Came into force on 13 April 1959 by the exchange of the said notes and, in accordance with the provisions thereof, became operative retroactively from 15 January 1959.

² See p. 46 of this volume.

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

agreement which will be deemed to have come into effect on January 15, 1959, and which is to remain in effect for the same period as the agreement between the Canadian and United States Governments of May 5, 1955.

Enclosure :
Annex.

Embassy of the United States of America
Ottawa, April 13, 1959

ANNEX

STATEMENT OF CONDITIONS TO GOVERN THE AUGMENTATION OF COMMUNICATIONS FACILITIES AT CAPE DYER, BAFFIN ISLAND

CONSTRUCTION

Procedures for awarding contracts for construction of the Cape Dyer facilities and for the procurement of construction equipment, construction supplies and related technical services shall be determined by agreement between appropriate agencies of the two governments. Rates of pay and working conditions will be set after consultation with the Canadian Department of Labor, in accordance with the Canadian Fair Wages and Hours of Labor Act.

TELECOMMUNICATIONS

(a) The United States military authorities shall obtain the approval of the Canadian Department of Transport for the establishment and operation of radio stations associated with this project, and shall establish and operate stations so approved in accordance with the terms of licenses issued by the Department of Transport. To enable this action to be taken, appropriate license applications are to be forwarded, through Canadian military channels, to the Department of Transport. That Department will require complete technical data concerning the radio stations, including desired frequency assignments, power, class of emission, bandwidth, number and capacity of circuits, particulars of antenna structures and their marking and lighting, and details of proposed sites. The licenses subsequently issued will include a proviso requiring that non-military traffic may only be handled subject to the approval of the Minister of Transport.

(b) The United States Government agrees that ownership of the facilities in Canada will not be transferred without approval of the Canadian Government. There may be conditions under which Canada would wish to negotiate with the United States for ownership of the installations in Canada, such as a situation in which the system was being used to carry a substantial volume of non-military traffic to and from Canada.

II

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

DEPARTMENT OF EXTERNAL AFFAIRS
CANADA

No. DL-89.

The Acting Secretary of State for External Affairs presents his compliments to the Ambassador of the United States of America and has the honour to refer to the Ambassador's Note No. 235 of April 13, 1959, concerning the proposed augmentation of communications facilities at Cape Dyer, Baffin Island, to support the Greenland Extension of the DEW Line (DEW EAST).

The proposals contained in the Ambassador's Note and the Annex to that Note are acceptable to the Government of Canada, and it is agreed that the Ambassador's Note and this reply should constitute an Agreement between the Canadian and United States Governments which shall be deemed to have come into effect on January 15, 1959, and which is to remain in effect for the same period as the Agreement of May 5, 1955 between the Canadian and United States Governments.

D. V. L.

Ottawa, Canada, April 13, 1959
