

the scope of the proposed construction. Canadian officials shall have the right of inspection during construction. Proposals for subsequent construction, or major alterations, shall be discussed with the appropriate Canadian authorities.

5. Construction

- (a) Procedures for awarding contracts for construction of the communications 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.
- (b) Rates of pay and working conditions will be set after consultation with the Canadian Department of Labour, in accordance with the Canadian Fair Wages and Hours of Labour Act.

6. Procurement of Electronic Equipment

The Canadian Government reaffirms the principle that electronic equipment at installations on Canadian territory should, as far as practicable, be manufactured in Canada. The question of practicability must, in each case, be a matter for consultation between the appropriate Canadian and United States agencies to determine the application of the principle. The factors to be taken into account shall include availability at the time period required, cost and performance. For the purpose of applying these principles to the BMEWS Project, the BMEWS Project Office shall be used as far as possible as the instrument for effective consultation between the Canadian and United States agencies concerned.

7. Canadian Law

Nothing in this Agreement shall derogate from the application of Canadian law in Canada, provided, that if in unusual circumstances its application may lead to unreasonable delay or difficulty in the establishment, maintenance, or operation of the communications facilities, United States authorities may request the assistance of Canadian authorities in seeking appropriate alleviation. Canadian authorities shall give sympathetic consideration to any such request submitted by United States authorities.

8. Operation and Manning

- (a) Where the establishment in Canada of new communications facilities is necessary, the question of manning and operation, including the extent of Canadian participation, shall be determined by agreement between appropriate agencies of the two Governments. It is understood that the systems contractor of the United States may be required to operate some or all of such facilities for at least an initial two-year period. It is also understood that Canada reserves the right, on reasonable notice, to take over the operation and manning of any or all of the communications installations located in Canada in connection with BMEWS. Canada will ensure the effective operation, in association with the United States, of any installations it takes over.
- (b) The United States may station military and civilian personnel under the control and command of United States military authorities at the sites; the numbers of personnel to be stationed at any particular site