

CANADA

TREATY SERIES, 1944

No. 1

EXCHANGE OF NOTES

(November 5 and 25, 1943, and January 17, 1944)

BETWEEN

CANADA

AND

THE UNITED STATES OF AMERICA

RECORDING AN AGREEMENT

ON THE CONSTRUCTION AND OPERATION
OF RADIO BROADCASTING STATIONS
IN NORTHWESTERN CANADA

In Force January 17, 1944



OTTAWA
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
KING'S PRINTER AND CONTROLLER OF STATIONERY
1946

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SUMMARY

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- II. Note, dated November 25, 1943, from the Under-Secretary of State for External Affairs of Canada, to the United States Ambassador to Canada.
- III. Note, dated January 17, 1944, from the United States Chargé d'Affaires, to the Under-Secretary of State for External Affairs of Canada



OTTAWA
EDMOND CLOUTIER, CHIEF, P.C. 1944
KING'S PRINTER AND CONTROLLER OF STATIONERY

EXCHANGE OF NOTES (NOVEMBER 5 AND 25, 1943, AND JANUARY 17, 1944) BETWEEN CANADA AND THE UNITED STATES OF AMERICA RECORDING AN AGREEMENT REGARDING THE CONSTRUCTION AND OPERATION OF RADIO BROADCASTING STATIONS IN NORTHWESTERN CANADA.

I

*The United States Chargé d'Affaires to Canada
to the Under-Secretary of State for External Affairs of Canada*

LEGATION OF THE UNITED STATES OF AMERICA

Ottawa, November 5, 1943.

Dear Mr. Robertson:

I understand that the Northwest Service Command, United States Army, feels a need for small broadcasting stations at several isolated garrisons in the Northwest Command. These stations would be similar to those established at various posts in Alaska and in the United Kingdom which are supplied with non-commercial entertainment program material by the Special Service Division, Army Service Forces.

Although there would be no aspect of competition with the Canadian Broadcasting System due to the isolated locations, a special problem has arisen in complying with Canadian laws and policies. As the stations would be operated by military personnel under the direct control of the local commanding officer, effective supervision of the operation could be exercised only through military channels. In order to ensure compliance with Canadian laws and to assure that the stations would be operated in such a manner as to serve the local populace in strict accordance with the desires of the appropriate Canadian authorities, a proposed draft of authorization which would be issued by the Secretary of War if the Canadian Government were to approve the proposal, is enclosed herewith. I have been directed to bring this matter to your attention with the request that the Canadian Government approve the installations as outlined in the enclosure hereto. At the same time I have been directed to say that any stations placed in operation under the authority, if granted, would be closed at any time on the request of the Canadian Government, and in any event, upon the removal of the garrison or the establishment of regular broadcasting facilities. In addition, the United States War Department has said that it would be immediately responsible to the desires of the Canadian Government in any questions arising out of the operation of the proposed stations.

I understand informally that this desire of the Northwest Service Command has been made known to you through Brigadier General W. W. Foster, and that the War Committee of the Cabinet has approved it in principle. If there is any further information you desire in order to reach a final decision in this matter, I should appreciate being informed.

Yours sincerely,

LEWIS CLARK,
Chargé d'Affaires ad interim.

Enclosure

Subject: Military Radio Broadcasting Stations

Commanding General
Northwest Service Command
c/o Postmaster
Seattle, Washington.

1. Reference is made to your letter of 28 September 1943, addressed to the Special Service Division, Information Branch, Radio Section, Los Angeles, California, subject: "Military Radio Broadcasting Stations." With the consent and during the pleasure of the Canadian Government, you are authorized to establish armed forces radio broadcasting stations at Whitehorse, Fort Nelson, Watson Lake, Simpson, Normal Wells, and Northway.

2. The operation of these radio broadcasting stations will be subject to the following conditions:

(a) All applicable provisions of the Canadian Broadcasting Act of 1936, the Radio Act of 1938, and regulations made thereunder shall be observed.

(b) Program material will be restricted to transcriptions prepared for armed forces of the United Nations by the Special Service Division, Army Service Forces, local talent programs of a strictly entertainment character, and such Canadian programs as may be made available by Canadian Government agencies.

(c) Every assistance will be rendered Canadian Government authorities in the provision of wire circuits and other facilities which may be required for the delivery of news or other programs desired by them.

(d) A diligent and continuing survey of public reaction to programs will be maintained to the end that no criticism of any character will be permitted to develop.

(e) The local commanding officer will be held strictly accountable for the exercise of good taste and propriety in the selection of program material and for the complete avoidance of commercialism, sectarianism, and editorializing on political or controversial subjects.

3. Technical details such as power and the choice of frequency, etc., will be arranged through the direct channel established between the Controller of Radio, Military Transport, and the Office of the Chief Signal Officer in the same manner as for all other Army Radio facilities in Canada.

By Order of the Secretary of War.

II

*The Under-Secretary of State for External Affairs of Canada
to the United States Ambassador to Canada*

DEPARTMENT OF EXTERNAL AFFAIRS

Ottawa, November 25, 1943.

Dear Mr. Atherton:

I should like to refer to Mr. Clark's letter of November 5, 1943, in which permission is requested by the United States Government to construct and operate certain radio broadcasting stations in Northwestern Canada.

I am pleased to inform you that the Canadian Government agrees to the construction and operation, by the Government of the United States, of radio broadcasting stations at Whitehorse, Watson Lake, Fort Nelson, Simpson and Norman Wells, subject to the following conditions:

(1) that the stations will be operated directly by the United States Government, and for the sole purpose of bringing entertainment and information to United States and Canadian military and civilian personnel;

(2) that the radio stations will be subject to the provisions of the Canadian Broadcasting Act, 1936, the Radio Act, 1938, the Regulations made under these Acts, and to all other applicable laws and regulations in force in Canada; provided that no fee or tax shall be paid by the United States Government to the Canadian Government in connection with the operation of these stations;

(3) that each station will be operated in accordance with the terms of an annual renewable permit to be issued by the Department of Transport;

(4) that authorization for the operation by the United States Government of the stations may be cancelled at any time by the Canadian Government, and in any case such authorization for operation shall cease with the termination of the war;

(5) that the stations may be used for the broadcasting of Canadian programs and in particular of Canadian news programs, it being understood that the amount of time to be set aside for Canadian programs will be subject to agreement between the Special Commissioner for Defence Projects in the Northwest, and the Commanding Officer of the United States Northwest Service Command;

(6) that the United States Government will make available to the Canadian Government its wire services for the transmission of Canadian news and Canadian programs to the stations;

(7) that the sites, frequencies, power, call letters and other technical details concerning the stations shall be subject to the approval of the Department of Transport and shall be arranged directly through the channel already established between the Controller of Radio of the Department of Transport, Ottawa, and the office of the Chief Signal Officer, Washington, in the same manner as for all other radio facilities of the United States Armed Forces in Canada. Any or all necessary changes in the foregoing particulars shall be dealt with through the same channel;

(8) that the stations will be dealt with after the war in accordance with the exchange of notes of January 27, 1943, between Canada and the United States, covering the post-war disposition of United States defence facilities in Canada;

(9) that any land or leasehold required by the United States Government as sites for the stations shall be acquired by the Canadian Government in its name, and shall be made available to the United States Government without charge.

I trust that the foregoing arrangements will be acceptable to the United States Government.

Yours sincerely,

N. A. ROBERTSON,
Under-Secretary of State for External Affairs.

