

The Department of State refers the Embassy of Canada to the Embassy's Note No. 135, dated November 13, 1991, regarding the recent announcement of the Government of Canada's decision to consent to the transit of Canadian internal waters in Dixon Entrance by U.S. submarines proceeding to and from the Southeast Alaska Submarine Noise Measurement Facility (SEAFAC) in Behm Canal, Alaska.

U.S. submarines en route to and from the Behm Canal Facility will transit submerged in U.S.-claimed waters of the Dixon Entrance. Although Canada claims some of the same waters, the United States does not accept the Canadian position on the location of the maritime boundary. The U.S. view is that the maritime boundary in the Dixon Entrance should be a line equidistant between Canadian and U.S. land territories.

Consent of the Government of Canada was never sought for the transits of the submarines. Consequently, while, in view of U.S.-Canadian mutual defense interests, the United States did consult Canada concerning the transits, the United States cannot accept that its authority to transit these waters is premised on Canada's consent to those transits.

Department of State,
Washington,

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I would be grateful for your confirmation that the above channels will be used by the United States for notification to Canada in the case of any nuclear accident of concern to our two countries.

Yours sincerely,

J. Stenberg for
Jonathan T. Fried
Counsellor
Congressional and
Legal Affairs