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MASTER OF DEFENCE STUDIES

NORAD – Is the Sky the Limit?

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TABLE OF CONTENTS

Table of Contents	i
Abstract	ii
Introduction	1
Chapter 1 – Early Continental Defence Cooperation	4
Chapter 2 – The Roots of NORAD	13
Chapter 3 – NORAD Renewals and Revisions	26
Chapter 4 – Post 9/11 Continental Defence Initiatives	38
Chapter 5 – The Complementary Defence Initiative	58
Conclusion	64
Bibliography	67

ABSTRACT

The 9/11 terrorist attacks resulted in a renewed focus on the defence and security arrangements made by the Governments of Canada and the United States. A shared vulnerability to homeland attacks has raised suggestions that continental defence and security linkages be integrated so as to strengthen and improve responsiveness. One proposal forwarded to permit the integration of Canadian and United States defences is to expand upon the cornerstone of the bi-national defence relationship using the construct of the North American Aerospace Defence (NORAD) Agreement. It is a simplistic and flawed assertion that the structure and procedures that have been used to integrate the aerospace defences of the continent can be transposed to the land and maritime elements. NORAD's organizational construct, which was implemented to address airspace threats and has evolved to ensure the aerospace defences of North America, should not be the model upon which Canada and the United States attempt to further integrate their defences. The promulgation by Canada of its National Security Policy, integrated International Policy and Defence Policy Statements and the Canadian Forces' transformational organizational changes, demonstrate the resolve of the Canadian Government to ensuring the defence of the nation and the shared defence of the North American continent. This paper contends that improved defence cooperation between Canada and the United States should not be based upon the NORAD command structure. Options to improve surveillance of the continent may be focused upon NORAD, as it fits well with the Command's mission, but the forthcoming renewal of the NORAD Agreement should not include expansion into the maritime and land realms. The security environment that confronts Canada and the United States necessitates improved coordination but in the efforts to improve cooperative continental defence the 'sky' should be the limit for NORAD.

INTRODUCTION

*NORAD has enjoyed bi-national success in reducing the seams and gaps within the aerospace domain over the last 46 years. It is now recognized that the end state for the future is a command that can address all domains. The NORAD concept can be expanded to integrate all domains in a coherent military strategy that will seal our common seams and gaps.*¹

The terrorist attacks of 11 September 2001 have resulted in a renewed focus on the defence and security arrangements made by the Governments of Canada and the United States for the North American continent. A shared vulnerability to homeland attacks has raised suggestions that their defence and security linkages be integrated so as to strengthen and improve responsiveness. One proposal forwarded to permit the integration of Canadian and United States defences is to expand upon the cornerstone of the bi-national defence relationship using the construct of the North American Aerospace Defence (NORAD) Agreement. NORAD was implemented in an age when both Canada and the United States recognized that North America could not be effectively defended by either country alone and that to address the common threat, presented by Soviet long-range bombers with payloads of atomic weapons, the nations would have to cooperate in the air defence of the continent. The asymmetric threats that have emerged in the post-Cold War period, and in particular after 9/11, have refocused attention on the necessity of cooperative continental defence. The desire to expand NORAD's operational scope, missions and tasks to include maritime, land and civil support domains to address these new threats reflects the fact that "NORAD has a proven record as an integrated bi-national command that would appear to be the logical home

¹ Bi-National Planning Group, *Interim Report on Canada and the United States (CANUS) Enhanced Military Cooperation*. (Peterson Air Force Base, Colorado: Bi-National Planning Group, 2004), ii.

for a centralized, multi-environment, bi-national command.’’² This statement’s simplistic assertion that the structure and procedures that have been used to integrate the aerospace defences of the continent can be transposed to the land and the maritime element is flawed.

NORAD’s organizational construct, which was implemented to address airspace threats and has evolved to ensure the aerospace defences of North America, should not be the model upon which Canada and the United States attempt to further integrate their defences. This paper will examine the roots of cooperative continental defence, detail the founding of NORAD and track how the Agreement has been revised and renewed to address changes in the threat environment. After examining the founding and evolution of NORAD the efforts to secure improved defence coordination in the aftermath of 9/11 will be detailed. The recent military organizational changes of the United States, as well as the promulgation by Canada of its first National Security Policy, integrated International Policy and Defence Policy Statements and the Canadian Forces’ (CF) transformational organizational changes will be detailed. An option to improve the cooperation between the Canadian and United States militaries proposed by a bi-national military planning group will be examined and commented upon. This paper will conclude that the Canadian Government has in post 9/11 policy acknowledged its responsibility to ensure its own defence and the shared defence of the North American continent. The improved defence cooperation that Canada seeks with the United States should not be based upon the NORAD command structure. Options to improve surveillance of the continent may be focused upon NORAD as it fits well with the Command’s mission but the NORAD Agreement should not include the maritime and land

² James Ferguson, “NORAD Renewal – Much Ado About...,” in The Canadian Institute’s *One Issue, Two Voices – Security and Sovereignty: Renewing NORAD*, Issue 3, (Washington: The Woodrow Wilson International Center for Scholars, 2005), 11.

realms. The security environment that confronts Canada and the United States necessitates improved coordination but in the efforts to improve cooperative continental defence the 'sky' should be the limit for NORAD.

CHAPTER 1

EARLY CONTINENTAL DEFENCE COOPERATION

Canadian and United States defence cooperation in North America began with comments made by the two countries' political leaders as the threat of another war in Europe loomed in the late 1930s. A statement made by United States President Franklin D. Roosevelt in Chautauqua, New York in August 1936, only two weeks after he had conducted the first state visit by a President of the United States to Canada, portended the consequences for any potential aggressor who threatened the security of North America. President Roosevelt said "Our closest neighbors are good neighbors. If there are remoter nations that wish us not good but ill, they know that we are strong; they know that we can and will defend ourselves and defend our neighbourhood."³ This statement was followed up by what became reciprocal statements from President Roosevelt and Prime Minister William Lyon Mackenzie King in Kingston and Woodbridge, Ontario in 1938 and the commitment that the United States made to the defence of Canada has been termed the 'Kingston Dispensation' by Dr. Michael Fortmann and Dr. David G. Haglund.⁴ At Queen's University on 18 August, President Roosevelt declared, "The Dominion of Canada is a part of the sisterhood of the British Empire. I give to you assurance that the people of the United States will not stand idly by if domination of Canadian soil is threatened by any other Empire."⁵ In response, on 20 August in Woodbridge, Prime Minister Mackenzie King acknowledged that Canada had

³ C.P. Stacey, *Canada and the Age of Conflict - Volume 2: 1921-1948 - The Mackenzie King Era* (Toronto: University of Toronto Press, 1981), 225-226.

⁴ Dr. Michel Fortmann and Dr. David G. Haglund, "Canada and the Issue of Homeland Security: Does the 'Kingston Dispensation' Still Hold?," *Canadian Military Journal* 3, no. 1 (Spring 2002): 17-18.

⁵ James Eayrs. *In Defence of Canada, Vol II, Appeasement and Rearmament*. (Toronto: University of Toronto Press, 1965), 183.

obligations “as a good and friendly neighbour, and one of these is to make sure that our country is made immune from attack or possible invasion as we can reasonably be expected to make it, and that, should the occasion ever arrive, enemy forces should not be able to pursue their way either by land, sea or air to the United States across Canada.”⁶ The threat that confronted Canada and the United States at that time was not a direct one against the continent but the statements acknowledged that “each country understood that it had a ‘neighbourly’ obligation to the other, not only to refrain from any activities that might imperil the security of the other, but also to demonstrate nearly as much solicitude for the other’s physical security needs as for its own.”⁷ However, this did not immediately result in any tangible cooperative planning or bi-national initiatives to improve the defences of the continent. The coming of the Second World War would serve as the catalyst that would necessitate Canada and the United States entering into formal defence cooperation.

With Canada’s early entry into the Second World War and the United States maintenance of neutrality, the need for the two countries to collaborate and cooperate to ensure the defence of the continent was not realized until shortly after the capitulation of France to the Nazis in May 1940. The Canadian Government took the initiative to have its military staff enter into consultation with the United States military on defensive arrangements for North America. The United States was initially not receptive to the Canadian request but President Roosevelt authorized on 3 July “secret and informal staff conversations, on the basis of no commitments being made.”⁸ These conversations and the

⁶ Eayrs, 183. See also C.P. Stacey, 226-228.

⁷ Fortmann and Haglund, 17.

⁸ Stacey, 310.

direct initiative of President Roosevelt, after he had received a letter from Jay Pierrepont Moffat, the United States Minister in Ottawa, that identified that the Canadian public was receptive to the development of a formal joint defence arrangement with the United States, led to the 18 August 1940 Ogdensburg Declaration.⁹ The critical development highlighted in the joint statement released following the meeting of President Roosevelt and Prime Minister Mackenzie King at Ogdensburg, New York was that the two countries had agreed to the establishment of a Permanent Joint Board on Defence (PJBD). The PJBD was to serve as the highest-level defence forum between Canada and the United States, responsible for discussions and negotiations concerning the most complex defence challenges. The PJBD Canadian and United States Co-Chairs were to serve only in an advisory capacity and report directly to the Prime Minister and the President, respectively.¹⁰

The first task given to the PJBD was “to commence immediate studies relating to sea, land and air problems and to consider in the broad sense the defence of the north half of the Western Hemisphere.”¹¹ The development of detailed plans for the defence of North America became the focus of the PJBD and their efforts produced two plans that both caused considerable controversy over the issue of command and control of forces. The United States as the disproportionately larger and more powerful partner was anticipating that Canada would vest to them command in all circumstances that necessitated a combined defensive response. However, the Canadians would not concede command to the United

⁹ Stacey, 311.

¹⁰ Department of Foreign Affairs, *The Fundamentals of Canada US Defence Relations*, http://www.dfaic-maeci.gc.ca/foreign_policy/canada-us-defence-relations-en.asp; Internet; accessed 24 February 2006.

¹¹ House of Commons, Standing Committee on External Affairs and National Defence, *Minutes of Proceedings and Evidence*, no. 57, First Session of the Thirty-Third Parliament, 1984-85-86, 3.

States. The agreed command and control relationships established as a result of negotiation was an acceptance of United States 'strategic direction' if the Nazis were to force Great Britain to surrender and that 'coordination was to be effected by mutual cooperation' in the event of the United States entering hostilities against the Axis powers.¹² The acceptance of the Canadian position for the command and control of combined forces was not the solution preferred by the United States but it was an early manifestation of the importance that Canada placed in asserting its national sovereignty in its cooperative defence arrangements. Canada established that it would exclusively retain command over its own military forces.

The PJBD served the countries well over the course of the Second World War as it involved itself in efforts to improve defence production and the development of numerous infrastructure projects. The requirement to deliver the defence material manufactured in Canada and the United States to allies across the Atlantic and Pacific Oceans highlighted the importance of Canada's geography and resulted in the deployment of a considerable number of United States military personnel building roads and runways for Staging Routes in Canada's North.¹³ The manner in which the military personnel of the United States conducted themselves led Canada's High Commissioner in London to complain in 1943, "Canada has been too preoccupied with her own war effort to cope with the Americans who unfortunately under the cover of the needs of war are acting in the Northwest as if they owned the country."¹⁴ The sensitivity Canadians had over maintaining that at least the

¹² Stacey, 314.

¹³ Joseph T. Jockel, "Old Fears and New: Canadian and North American Air Defense," in *Strategic Air Defense*, ed. Stephen J. Cimballa, 47-66 (Wilmington: Scholarly Resources, 1989), 47.

¹⁴ Joseph T. Jockel, *No Boundaries Upstairs: Canada, the United States and the origins of North American Air Defence* (Vancouver: University of British Columbia Press, 1987), 13.

appearance of sovereignty was being respected by United States military forces deployed in the North led to the appointment of a Special Commissioner for Defence Projects in the Northwest. This officer was to ensure “that no commitments are made and no situation allowed to develop as a result of which the full Canadian control of the area would be in any way prejudiced or endangered.”¹⁵ Before the conclusion of the war the two governments entered into negotiations to ensure that United States infrastructure facilities built in Canada’s North would revert to Canadian control at the cessation of hostilities and that the repatriation of United States military personnel would occur quickly.¹⁶ The Canadian Government was sensitive to sovereignty issues and had taken concrete measures to address these concerns.

Even prior to the end of the Second World War the PJBD was considering the defence arrangements that would be necessary for post-war continental defence. The United States position was that Canada in the future may be requested to assume defence responsibilities for the Northwest Staging Route, including its weather and communications facilities. The Canadians were concerned that with the United States taking an active interest in their defence preparations that pressure would be exerted with future requests. The Canadians at the first PJBD meeting held following the end of the Second World War highlighted the fact that the forum was ‘Permanent’. The approach that the Canadian members adopted to the development of a joint defence plan in their discussions on the formal expansion of military cooperation with the United States was cautious.¹⁷ The

¹⁵ Stacey, 362-363.

¹⁶ Jockel, “Old Fears and New.”, 48.

¹⁷ Stacey, 406-407.

Canadian Cabinet in December 1945 approved broad principles that were to serve in the development of defence cooperation with the United States which included that “in joint planning with the United States, Canada should accept full responsibility for all such defence measures within Canadian territory as the moderate risk to which it is exposed may indicate to be necessary.”¹⁸ The PJBD established a new body, the Canada-United States Military Cooperation Committee (MCC), to manage and coordinate the joint military planning of Canadian and United States military forces. The responsibility to draft the Basic Security Plan (BSP), the first post-war continental defence plan, fell to the MCC.

An interesting situation developed when General Guy Henry, the senior United States Army member of the PJBD, presented a paper to the Board in January 1946. The paper, which General Henry did not want widely distributed because its content far exceeded the mandate that the United States Joint Chiefs of Staff (JCS) had given to him, included a statement of defence principles for the drafting of co-operative defence plans. The contentious proposal was the provision for the emergency establishment of a unified and combined command, the Canada-United States of America Chiefs of Staff (CANUSA). The MCC in a draft memorandum to the PJBD incorporated the CANUSA command concept and the JCS upon receipt of the draft, fearful of the precedent of establishing Canada as an equal partner in the command of combined forces, responded by admonishing General Henry and instructing the MCC to forget about the concept of CANUSA.¹⁹

¹⁸ John J. Collins, “The Strategic Air Defense of North America: A Canadian Viewpoint,” in *Strategic Air Defense*, ed. Stephen J. Cimbala, 95-120 (Wilmington: Scholarly Resources, 1989), 104.

¹⁹ Jockel, *No Boundaries Upstairs*, 15-16.

The MCC did manage to frame the principles that were to guide the planning for the joint cooperative defence of the continent. The two governments announced in a joint statement on 12 February the five principles, which were to frame cooperative defence planning, and identified that the basis for continental defences was to include:

an interchange of personnel to promote better understanding;

cooperation and exchange of observers for military exercises and weapons tests and developments;

standardization of arms, equipment, and organization and methods of training;

mutual and reciprocal availability of military, naval, and air facilities in each country; and

*the sovereign control of each country over activities within its boundaries in all cooperative projects.*²⁰

The MCC did achieve success in developing a draft BSP, which was originally a component part of the 35th Recommendation of the PJBD. However, owing to the detail of the proposal and the fact that the planners had gone further than Canadian officials had intended, the PJBD was forced to revise their entire submission. The Canadian Government's Cabinet Defence Committee, in an effort to clarify issues relating to defence planning that the MCC was conducting for the BSP, stipulated that a difference between proposals that were only being planned and those proposals that were to be implemented, had to be noted.²¹ The Canadian Chiefs of Staff Committee (COSC) and the JCS agreed upon the draft Plan. The draft Plan established the broad terms for the cooperative military tasks that had to be undertaken and established that "coordination of the military efforts of the United States and

²⁰ Collins, 104-105.

²¹ Jockel, *No Boundaries Upstairs*, 16. According to Jockel, the Air Interceptor and Air Warning Plan to the draft BSP would have, if implemented, established Fortress North America.

Canada shall be effected by mutual cooperation except when unified command is determined to be appropriate.”²² Canadian and Americans, even though the MCC had established that “all defence plans must be regarded as somewhat utopian and as goals to be attained in the event of an emergency”²³ viewed the BSP in wholly different manners. This fact was pointed out by Brooke Claxton, the Canadian Minister of National Defence, when he identified to Dean Acheson, the American Co-Chair of the PJBD, that the BSP and its appendixes “had been accepted by the Canadian COSC as being ‘for planning purposes only’ whereas the United States approach reflected a view that the BSP was an action document.”²⁴ The Canadian Government was concerned that defence initiatives that were not necessary would consume its limited resources but it fully realized that to counter the emergent threat of the Soviet Union it would have to combine and cooperate with the United States.

The MCC, in the future threat scenarios that it had incorporated into the BSP, had postulated that the Soviet Union was capable of conducting a limited invasion of Canada’s North with the potential intent of conducting subsequent operations. The fundamental requirement for an effective air defence system to prevent a Soviet invasion was established.²⁵ Apprehension about the Soviet’s intentions and their increased capabilities, as demonstrated in their detonation of an atomic weapon on 29 August 1949 and their development of a strategic bomber directly copied from an American aircraft, expedited the

²² Jockel, *No Boundaries Upstairs*, 18. Jockel further clarifies that unified commands could be established by the COSC or the JCS. A local commander, with the Chiefs confirmation, could also establish a unified command in the event of an emergency.

²³ Jockel, *No Boundaries Upstairs*, 28.

²⁴ Collins, 108.

²⁵ Stacey, 408.

development of an extensive continental air defence network.²⁶ The United States had an interest in Canada not being a defence liability as it confronted the threat posed by the Soviet Union and recognized that Canada was incapable of making itself defensible from attack. The United States also realized that to defend itself it would require Canadian territory and airspace.

²⁶ David Cox, *Canada and NORAD, 1958-1978: A Cautionary Retrospective* (Ottawa: Canadian Centre for Arms Control and Disarmament, 1985), 7. The Soviets in the early 1950s deployed the TU-4 Bull which was their version of the B-29.

CHAPTER 2

THE ROOTS OF NORAD

The early 1950s saw numerous cooperative initiatives implemented to develop the continent's air defence capabilities. Two important Study Groups were conducted by the Massachusetts Institute of Technology; the Project Charles Study of 1950-1951 was convened to examine the technology that would enable air defence and the Lincoln Summer Study Group of 1952, which also included the United States Defense Department, was initiated to identify promising, technically feasible air defence measures.²⁷ The Project Charles Study Group's recommendations recognized the benefit that would be achieved in extending the existing radar network coverage in the United States but were dismissive of the potential of a radar network in the Canadian North because of its extreme weather and inaccessibility.²⁸ In 1951, the Canadian Government agreed to cooperate with the United States in the construction of a Continental Air Defence Radar System, which the United States had initiated along latitude 50° North. The two nations formed a Radar Extension Plan Steering Committee and agreed to the construction of the Pinetree Radar Chain. It was eventually completed in 1954 and at that time comprised 39 radar sites, which provided for warning and the control of interceptor aircraft.²⁹

The United States in December 1952, issued National Security Council Memorandum 139 (NSC-139) which noted that the threat presented by the Soviet Union's combination of

²⁷ Collins, 109. See also Jockel, *No Boundaries Upstairs*, 61-63. The Lincoln Laboratory was established as a permanent laboratory for air defence research.

²⁸ Jockel, *No Boundaries Upstairs*, 62.

²⁹ House of Commons, Standing Committee on External Affairs and National Defence, *Minutes of Proceedings and Evidence*, no. 57, First Session of the Thirty-Third Parliament, 1984-85-86, 4.

long-range bombers and atomic weapons necessitated the deployment of “an extended early warning system capable of providing three to six hours of warning of aircraft approaching the United States from any likely direction of attack.”³⁰ NSC-139 was the impetus for the Distant Early Warning (DEW) Line and when the United States presented its proposal for the testing of necessary equipment in the Canadian North to the PJBD in January, 1953, Canada agreed to allow the United States, at its own expense, to construct an experimental radar station. As a concession though, Canada insisted that a Canada-United States Military Study Group (MSG) be established to examine air defence issues and to study the feasibility of a DEW system.³¹

The development of the DEW Line was hampered by a change in the United States Administration which had to contend with the Soviet threat scenario envisioned in NSC-139 balanced against fiscal concerns and conflicting advice from the JCS as to the benefits of adopting a defensive system instead of purely focusing on the development of offensive capabilities.³² The Canadian position at that time was in opposition to the construction of the DEW Line primarily out of concern that Canada’s sovereignty would be affected by a considerable United States military presence in the North and that the early warning system would not be capable of effecting an active defence against Soviet bombers.³³ After rancorous debate in the United States, National Security Council Memorandum 159 (NSC-159) was issued on 22 July 1953 and it acknowledged that “the present continental defense

³⁰ Cox, 7.

³¹ Jockel, *No Boundaries Upstairs*, 70-71.

³² Jockel, *No Boundaries Upstairs*, 71-72.

³³ Cox, 8.

programs are not now adequate either to prevent, neutralize or seriously deter the military or covert acts which the Soviet Union is capable of launching.”³⁴ One critical theme within NSC 159 was the degree to which it recognized the important role that Canada had to play in the development of continental air defence and the fact that measures were needed to expedite the deployment of air defence measures:

*It seems clear however that since the success of our distant early warning system and the consequent effective deployment of defensive measures, both military and civil, depend upon the speed with which Canadian cooperation might be brought into play, an approach on the highest levels to bring home to the Canadian Government the urgency and the character of the threat is needed... progress in joint defense appears to be blocked in some cases by failure to establish a common appreciation of the threat and by domestic, political and economic considerations.*³⁵

The Soviet Union’s detonation of a hydrogen bomb on 12 August 1953 further exacerbated the inadequacies of the air defences of the continent. The Canadians were motivated by this and NSC-159 to take the initiative to construct a warning system based on a concept that the Lincoln Summer Study Group had investigated and determined to be technologically feasible. In November 1953, the Canadians advised that they were going to design, finance and build a double Doppler radar fence for the Mid-Canada Line.³⁶ The Canadian Government was hoping that their investment in this lower cost defensive measure would demonstrate their resolve to the defence of the continent by the fact that they had implemented a defensive system that they had deemed necessary. It was also hoped that the

³⁴ Cox, 7.

³⁵ Cox, 8.

³⁶ Collins, 109 and House of Commons, Standing Committee on External Affairs and National Defence, *Minutes of Proceedings and Evidence*, no. 57, First Session of the Thirty-Third Parliament, 1984-85-86, 4.

commitment would allow the Canadian Government to identify to the United States that if it wanted to construct a more capable system, and bear the costs, that the Canadians had already made their contribution to collective air defence.³⁷ The McGill Fence as it became known was comprised of 98 stations constructed along latitude 55° North. It became operational in 1958 and was only capable of providing warning as it could only detect that aircraft had passed over its array.

The agreement to construct the DEW Line came after the MSG tabled on 3 June 1954 its study of the feasibility of the proposed system. It was proposed to construct the DEW Line along latitude 69° North so that an additional three hours of warning could be achieved over the capabilities of the Pinetree Radar Chain. With the combined capabilities of the DEW Line providing advance warning, the McGill Fence confirming the main penetration air corridors and the Pinetree Radar Chain, it was conceivable that interceptor aircraft could be flown to the northern limit of radar coverage at the opportune time to successfully attack incoming Soviet bombers.³⁸ The MSG identified that a DEW Line was “necessary if the development of the Air Defense System is to be kept abreast of anticipated improvements in Soviet capabilities to attack by air the vital areas of Canada and the United States.”³⁹ The Canadian Government informed the United States in September 1954 that it would consent to the construction of the United States funded DEW Line. The formal agreement was signed on 5 May 1955. The conditions that were to govern the construction of the DEW Line were designed to ensure that Canadian sovereignty in the North was respected and included that

³⁷ Jockel, *No Boundaries Upstairs*, 82.

³⁸ Collins, 110.

³⁹ Jockel, *No Boundaries Upstairs*, 82.

the sites for the radar stations were to be selected by both governments, that Canadian law was to apply and that the Canadian Government was to retain legal title to the sites.⁴⁰ The massive construction effort that the United States oversaw and bore full financial costs for was declared technically ready for operations on 15 July 1957.⁴¹ With the air defence warning systems functioning or under construction, the degree to which the interceptor response of the two country's air forces could be coordinated was the next issue that had to be resolved.

The idea for a post-war Canada-United States air defence command was proposed for the first time in 1946. The Royal Canadian Air Force (RCAF) and United States Air Force (USAF) had entered into close cooperation in the early 1950s. In December 1950, the RCAF Member on the PJBD proposed that “the air defence of those Canada-United States vital areas which are contiguous is a common problem and should be taken care of by an integrated Canada-United States air defence system.”⁴² The most serious impediment to this initiative was that the United States first had to establish its own unified continental air defence command. It would not be until 1 September 1954 that the Continental Air Defence Command was established and given operational control or “the authority to direct the tactical air battle, control fighters, specify conditions of alert, station early warning elements, and deploy the command combat units.”⁴³ The PJBD made three key Recommendations to

⁴⁰ Jockel, *No Boundaries Upstairs*, 83.

⁴¹ Collins, 110-111.

⁴² Jockel, *No Boundaries Upstairs*, 53.

⁴³ Joseph T. Jockel, “The Military Establishments and the Creation of NORAD,” in *Canada's Defence: Perspectives on Policy in the Twentieth Century*. eds. B.D. Hunt and R.G. Haycock, 163-178 (Toronto: Copp Clark Pitman, 1993), 164.

better integrate the air defences of the continent. In 1951, PJBD Recommendation 51 / 4 provided for the crossing of the international boundary by interceptor aircraft if they were the only nation's aircraft that were capable of intercepting a hostile aircraft. The interceptor aircraft were to act under the operational control of the country in which airspace they were operating and were not to destroy hostile aircraft without the permission of that country.⁴⁴ The following year PJBD Recommendation 51 / 6 was approved by the governments of Canada and the United States and it permitted the interceptor aircraft of both country's to be deployed at airfields in the other nation in the event of an air defence emergency.⁴⁵ The United States was not wholly satisfied with the limitations that PJBD Recommendation 51 / 4 placed on their autonomy to engage hostile aircraft in Canadian airspace and in January 1953, the RCAF and USAF presented to the PJBD a proposal to address the issue. PJBD Recommendation 53 / 1 encapsulated this proposal and did not restrict cross-border interceptions to just being against hostile aircraft. It authorized cross-border interceptions by either nation, recognized that the Rules of Engagement of the airspace in which the interceptors were operating had to be followed and that operational control was to be vested by the country over any interceptor aircraft operating in its airspace.⁴⁶ The governments with their approval of the PJBD Recommendations were acknowledging the procedures that were essential to ensure the tactical coordination of the air defences of the continent. The RCAF and the USAF were realizing that to optimize the operational coordination of their air defence forces the integration of their command structure would be essential.

⁴⁴ Jockel, "The Military Establishments," 163.

⁴⁵ Jockel, *No Boundaries Upstairs*, 54-55.

⁴⁶ Jockel, *No Boundaries Upstairs*, 57 and Jockel, "The Military Establishments", 165-166.

The MSG was to play a key role in the efforts of the RCAF and the USAF to integrate their air defence forces. A briefing that was presented to the MSG on February 1955 by a RCAF/USAF planning group which had been tasked to prepare a plan for the air defence of the continent, proved to be crucial. The RCAF/USAF planning group in its examination of air defence capabilities determined that the critical issue for continental air defence was “that forces deployed to defend against attack from one direction (for instance from the North) are not now under one commander, which imposes severe practical limitations in day-to-day training and in our capability to conduct a properly coordinated air battle in case of actual attack.”⁴⁷ Seizing on this issue the MSG formed an ad hoc study group comprised of RCAF and USAF officers to examine methods to integrate in peacetime the operational control of elements of the air defence of North America.⁴⁸ The conclusion that the ad hoc study group came to in its December 1956 report was that “a single commander should be appointed and given authority to exercise operational control over all continental air defence forces made available for the air defences of both countries.”⁴⁹ The ad hoc study group recommended that the title for the commander should be Commander-in-Chief, Air Defence Canada–United States (CINCADCANUS), that he should report directly to the COSC and the JCS and that the Deputy CINCADCANUS should not be the same nationality as the CINCADCANUS.⁵⁰ The MSG endorsed the ad hoc study group’s report and committed to bringing the matter to the attention of the higher military authorities in Canada and the United States. The JCS

⁴⁷ Jockel, “The Military Establishments,” 167.

⁴⁸ Jockel, “The Military Establishments,” 171.

⁴⁹ Jockel, *No Boundaries Upstairs*, 102.

⁵⁰ Jockel, “The Military Establishments,” 169 and Jockel, *No Boundaries Upstairs*, 102-103.

approved the report on 6 February 1957 and the COSC did the same on 18 February but they did not at that time submit it to the Cabinet Defence Committee for approval.⁵¹

A Canadian federal election loomed and the considerations that surrounded the operational control of Canadian forces was not to be permitted to enter into the election debate. Prime Minister Louis St-Laurent was confident of victory and chose to defer any commitment to a continental air defence arrangement until after the election.⁵² When the Canadian electorate voted in John G. Diefenbaker as the Prime Minister the decision to enter into the air defence arrangement was left to him. General Charles Foulkes, the Canadian Chief of the COSC, identified to the Prime Minister that the Agreement had been negotiated by the preceding Government and had already been approved by the United States Government. He downplayed, although some contend that he outright deceived the Prime Minister,⁵³ on the fact that the proposed air defence arrangement was “fairly minor, being simply the next logical step in the evolution of Canada-United States defence cooperation.”⁵⁴ Prime Minister Diefenbaker, although he initially did not grasp the political implications of the arrangement, realized the military and political necessity for the swift approval of the arrangement by Canada and signed the document on 24 July 1957.⁵⁵ On 1 August 1957, the Canadian Minister of National Defence, George Pearkes, and the United States Secretary of Defense, Charles Wilson, announced in a brief joint statement that the two nations had

⁵¹ Jockel, *No Boundaries Upstairs*, 103.

⁵² Jockel, *No Boundaries Upstairs*, 103.

⁵³ Jockel, *No Boundaries Upstairs*, 125-126.

⁵⁴ Jockel, “The Military Establishments,” 172.

⁵⁵ Jockel, *No Boundaries Upstairs*, 104-105.

agreed to a system of integrated operational control for their air defences.⁵⁶ Canada and the United States had accepted the terms that would see their air defences integrated under one command on 12 September 1957. The informal manner in which the arrangement was agreed was remedied, at the insistence of the Canadian Department of External Affairs, by the exchange of diplomatic notes between Canada's Ambassador to the United States, Norman Robertson, and the United States Secretary of State, John Foster Dulles, signed on 12 May 1958.⁵⁷ The North American Air Defence Agreement served to formalize the arrangements that had been entered into on 12 September 1957.

Canada entered into the NORAD Agreement because the Soviet Union's nuclear-armed bomber threat necessitated an almost instantaneous response by Canadian and United States interceptors. The command arrangements, operating procedures and squadrons of aircraft had to be established and capable of action because of the limited time available between the detection of an attack and the imposition of a credible defence. The formal NORAD Agreement accepted the proposals of the MSG ad hoc working group in identifying that the critical coordination necessary for the air defence of the continent "could best be met by delegating to an integrated headquarters, the task of integrating operational control over combat units of national forces made available for the air defence of both countries."⁵⁸ The NORAD Agreement established eleven principles that were to provide governance over the NORAD Command. The key amongst these principles were: that the Commander-in-Chief

⁵⁶ Jockel, *No Boundaries Upstairs*, 108-109.

⁵⁷ D.F. Holman, Major-General (Ret.). *NORAD – In the New Millennium*, Contemporary Affairs 5. (Toronto: Canadian Institute of International Affairs, Irwin Publishing, 2000), 37.

⁵⁸ House of Commons, Standing Committee on External Affairs and National Defence, *Minutes of Proceedings and Evidence*, no. 57, First Session of the Thirty-Third Parliament, 1984-85-86, 5.

of NORAD was to operate an air defence concept that had been approved by the two governments and be responsible to the COSC and to the JCS; that air defence formations would be specifically allocated to NORAD and that the command relationship would be limited to operational control; that operational control would not permit aircraft to have their home station changed but did include authority to cross the international boundary; that the appointments of the Commander-in-Chief and the Deputy-Commander-in-Chief had to be approved by both governments and that the two Commanders were not to come from the same country. The Deputy, in the absence of the Commander-in-Chief, would assume command; and that upon the request of either country the terms of the agreement could be reviewed at any time with the maintenance of the terms of the Agreement to be for an initial period of ten years.⁵⁹ Canada had the potential to gain considerably from the close cooperation that the formal structure of the NORAD Command entailed. A critical element within the Agreement was the emphasis placed on full, regular and consistent “consultation between the two governments on all matter affecting the joint defence of North America.”⁶⁰ The Canadians were striving to achieve coherence in the development of air defence programs and training activities and were confident that their voice would be heard within NORAD’s joint command structure.

The first ten years of the NORAD Agreement was a period of tumultuous change. The dire threat assessments made of the Soviet Union’s expanding offensive nuclear capabilities coincided with the signing of the NORAD Agreement and heralded the rapid

⁵⁹ House of Commons, Standing Committee on External Affairs and National Defence, *Minutes of Proceedings and Evidence*, no. 57, First Session of the Thirty-Third Parliament, 1984-85-86, 18.

⁶⁰ House of Commons, Standing Committee on External Affairs and National Defence, *Minutes of Proceedings and Evidence*, no. 57, First Session of the Thirty-Third Parliament, 1984-85-86, 18.

expansion of the capabilities dedicated to continental air defence. Interceptor aircraft and missiles were being developed and manufactured to counter the Soviet Union's bomber fleet but on 4 October 1957 the complexion of the threat was radically changed when the Soviet Union launched Sputnik I. The world's first artificial satellite ushered in the era of intercontinental ballistic missiles, a threat for which NORAD did not possess the capability to detect or the means to counter. The zenith of continental air defence was short-lived. The changes in the threat environment led to considerable political debate and consternation in Canada over air defence capabilities that had been procured to counter the bomber threat and the acquisition of nuclear weapons.

Prime Minister Diefenbaker's lack of comprehension of the subtleties of the command and control relationships that had been established in the NORAD Agreement led to an acrimonious dispute with President John F. Kennedy during the Cuban Missile Crisis. Formal authorization to have Canadian air defence forces within NORAD's operational control raise their alert status was delayed for 42 hours because Prime Minister Diefenbaker believed that the United States had failed to adequately consult with Canada on the issue.⁶¹ The inability of Prime Minister Diefenbaker to make a decision on the acceptance of nuclear weapons for air defence systems and his refusal to discuss the topic within his Cabinet ultimately caused the defeat of his Government.⁶²

The threat that was presented by the Soviet Union's ever growing nuclear arsenal and the radically improved delivery means which it was developing not surprisingly had an

⁶¹ Owen E. Jensen, "The Years of Decline: Air Defense from 1960 to 1980," in *Strategic Air Defense*, ed. Stephen J. Cimbala, 23-45 (Wilmington: Scholarly Resources, 1989), 27-28.

⁶² Cox, 26-33.

impact on the opinion of Canadians. In two separate polls, taken in 1961 and 1964, roughly two-thirds of the Canadians polled approved of Canada's defence becoming more fully integrated with the United States.⁶³ The Government of Prime Minister Lester B. Pearson in its 1964 *White Paper on Defence* reaffirmed the commitment to collective security but adjusted priorities so that international peacekeeping was given the highest priority followed by commitments to the North Atlantic Treaty Organisation, NORAD and then to the defence of Canada.⁶⁴ The result of this defence policy saw the reduction in the capacity and the capability of Canadian based air defences. The United States was at the same time also significantly reducing its active air defences in consequence of the changed Soviet threat. The United States Secretary of Defense, Robert S. McNamara, was not a strong proponent of air defence preferring to have the United States develop offensive capability in its nuclear triad. The result was that the funding authorization for United States air defence forces was halved in 1965.⁶⁵ The Soviet Union's rapid development of intercontinental ballistic missile (ICBM) capability greatly reduced the utility of the conventional air defences that were the mainstay of NORAD. Secretary of Defense McNamara announced, in September 1967, funding for a new program that would see anti-ballistic missiles (ABM) deployed to protect 15 United States cities. The program raised significant opposition in the United States and the scope of the program was significantly reduced to defend land-based nuclear missile

⁶³ William R. Willoughby, *The Joint Organizations of Canada and the United States* (Toronto: University of Toronto Press, 1979), 167.

⁶⁴ Joel J. Sokolsky, "A Seat at the Table: Canada and its Alliances," in *Canada's Defence: Perspectives on Policy in the Twentieth Century*. eds. B.D. Hunt and R.G. Haycock, 145-162 (Toronto: Copp Clark Pitman, 1993), 153.

⁶⁵ Jensen, 29.

silos.⁶⁶ The opposition in the United States paled in comparison to the opposition raised against ABM in Canada then and that still remains to this day. The Canadian stance against ABM was to figure prominently in the negotiations for the first renewal of the NORAD Agreement that was then ongoing.

⁶⁶ Jensen, 37-38.

Chapter 3

NORAD RENEWALS AND REVISIONS

To permit a detailed examination of options available for the pending renewal of the NORAD Agreement an appreciation is required of the reviews and of previously incorporated revisions and their context. The first renewal of the NORAD Agreement came with an exchange of notes on 30 March 1968 and became effective on 12 May 1968. The negotiations were conducted quietly, almost furtively, after discussions by the PJBD and by a joint negotiating team. The release of the text of the renewal to the public came three days after Canada's Parliament had adjourned.⁶⁷ There were three important revisions made to the NORAD Agreement. The renewal period for the Agreement was now to be for a five vice a ten-year period. There could now be a review of the terms of the Agreement upon the request of either country at any time and either government could terminate the Agreement following a period of notice of one year. The Canadian concern about the United States development of an ABM defence system was a discussion point during the negotiations for the renewal and it was the suggestion of the United States Secretary of Defense McNamara to incorporate a statement on Canada's position on ABM.⁶⁸ The ABM clause identified that the Agreement did not involve in any way a Canadian commitment to participate in active ballistic missile defence.⁶⁹ Surprisingly, the reduction in the threat posed by the Soviet Union's bomber force and for which the active air defence forces had been postured, did not in any way factor into the renewal.

⁶⁷ Willoughby, 159.

⁶⁸ Fergusson, "NORAD Renewal – Much Ado About...", 11.

⁶⁹ Willoughby, 159.

One significant event that affected NORAD between 1968 and its renewal in 1973 was the 1971 Canadian *White Paper on Defence*. Reflecting heightened nationalism, the new defence policy declared that Canada would bring the existing NORAD regional air defence boundaries into line with the Canada-United States border as at that time there were six aerospace control regions in North America that in three cases did not correspond to the international border.⁷⁰ The two governments announced on 10 May 1973, the renewal of the NORAD Agreement without alteration but with a term of only two-years until 12 May 1975. The Canadian Federal Government had requested the abridged renewal period because it wanted to conduct public discussions to examine the utility to Canada of remaining within the NORAD Agreement in an era of Mutually Assured Destruction. Assessments of the request acknowledged “the unpreparedness of a minority government to face the discussion over renewal rather than any fundamental change in the strategic situation.”⁷¹ The Canadian diplomatic note for the renewal stated:

*further joint consultations [would] undoubtedly be needed in order that our two governments will be able to consider and decide upon the extent of modernization that will satisfy future requirements for the joint defence of North America, taking into account the evolving strategic situation, including developments in the Strategic Arms Limitation Talks.*⁷²

⁷⁰ Martin Shadwick, “NORAD, Sovereignty and Changing Technology.” *York University Research Programme in Strategic Studies*, Occasional Paper no.3 (Undated), 3. See also Dosé, 8.

⁷¹ Cox, 40-41.

⁷² House of Commons, Standing Committee on External Affairs and National Defence, *Minutes of Proceedings and Evidence*, no. 57, First Session of the Thirty-Third Parliament, 1984-85-86, 19 and Willoughby, 160.

The Canadian Government was highlighting the fact that the air defence system that had been instituted with the NORAD Agreement was incapable of detecting and countering the threat that was now posed by ICBMs.

The result of the Canadian Government's consultation with Canadians came when in January 1975, the Minister of National Defence advised the House of Commons Standing Committee on External Affairs and National Defence that Canada should renew the NORAD Agreement owing to the continuation of a bomber threat, although it was only assessed as minimal. The requirement for the peacetime surveillance and control of Canadian airspace was also highlighted as was recognition by the Government that if Canada were not in the joint air command it would still need similar forces and capabilities the expense of which, if Canada were to attempt to provide with its own resources, would be greater than its present contribution to NORAD. The Government acknowledged that Canadian sovereignty was enhanced by partnering with the United States in NORAD and was equally strong in its conviction that Canada's cooperation with the United States in North American defence was a major element in the maintenance of positive over-all relations between the two countries.⁷³

The NORAD Agreement was renewed by an exchange of diplomatic notes on 8 May 1975 with effect on 12 May 1975. This renewal included recognition that ballistic missiles were the primary threat to North America, acknowledged the need to monitor space activities and to ensure airspace sovereignty, and again included the ABM caveat that Canada would

⁷³ Willoughby, 160-161.

not participate in missile defence.⁷⁴ The changed threat necessitated the amendment of the mission and role of the NORAD Command to now be:

- a. to assist each country to safeguard the sovereignty of its airspace;*
- b. to contribute to the deterrence of attack on North America by providing capabilities for warning of attack and for defence against air attack; and*
- c. should deterrence fail, to ensure an appropriate response against attack by providing for the effective use of the forces of the two countries available for air defence.⁷⁵*

In an effort to assert its sovereignty Canada sought the realignment of the Command's regional boundaries. This realignment would result in Canadian airspace being controlled from centres in Canada and air interception operations being carried out by Canadians.⁷⁶ The infrastructure investments that Canada had to make to permit this realignment of the NORAD control boundaries would be significant in terms of the Canadian defence budget and would take time to be realized. The sentiment of the initiative highlighted Canada's growing nationalism and sense of self.

The 1975 NORAD Agreement renewal had established a term of five years and in 1980 when the term was to end a pending federal election and active debate in Canada as to the merits of maintaining NORAD were issues that impacted upon the renewal negotiations. To accommodate these issues the term of renewal for the 1980 NORAD Agreement was

⁷⁴ House of Commons, Standing Committee on External Affairs and National Defence, *Minutes of Proceedings and Evidence*, no. 57, First Session of the Thirty-Third Parliament, 1984-85-86, 19.

⁷⁵ House of Commons, Standing Committee on External Affairs and National Defence, *Minutes of Proceedings and Evidence*, no. 57, First Session of the Thirty-Third Parliament, 1984-85-86, 20-21.

⁷⁶ Willoughby, 161.

established as only one year.⁷⁷ Extensive public discussions were conducted in Canada concerning Canada's participation in space-based programs the result of which was that in March 1981 an exchange of notes again renewed the NORAD Agreement. The two significant changes that the new Agreement incorporated were that the "A" in NORAD changed from "Air" to "Aerospace" and Canada's caveat against participation in missile defence was removed.⁷⁸ The substitution of the term air by aerospace was in recognition of the growing importance that space deployed assets and other space surveillance technologies were having in the detection and warning of attack. The primary objectives of NORAD were amended to acknowledge the expansion into space from "warning of attack and ... defence against air attack"⁷⁹ to the inclusion of "aerospace surveillance, warning and characterization of aerospace attack and defence against air attack."⁸⁰ The 1981 NORAD Agreement renewal, with this amendment to NORAD's objectives, set the conditions for the development of the Command's Integrated Threat Warning and Attack Assessment (ITWAA) mission. The deletion of the ABM caveat, which had since 1968 been included in the NORAD Agreement, was in recognition of the fact that the United States and the Soviet

⁷⁷ House of Commons, Standing Committee on External Affairs and National Defence, *Minutes of Proceedings and Evidence*, no. 57, First Session of the Thirty-Third Parliament, 1984-85-86, 19 and Holman, 38.

⁷⁸ House of Commons, Standing Committee on External Affairs and National Defence, *Minutes of Proceedings and Evidence*, no. 57, First Session of the Thirty-Third Parliament, 1984-85-86, 19-20.

⁷⁹ House of Commons, Standing Committee on External Affairs and National Defence, *Minutes of Proceedings and Evidence*, no. 57, First Session of the Thirty-Third Parliament, 1984-85-86, 20.

⁸⁰ House of Commons, Standing Committee on External Affairs and National Defence, *Minutes of Proceedings and Evidence*, no. 57, First Session of the Thirty-Third Parliament, 1984-85-86, 20.

Union had signed the ABM Treaty and that the United States had no intention of deploying a ballistic missile defence system that would violate the Treaty's terms.⁸¹

The Soviet Union's ICBMs were for over twenty-years assessed as the primary threat that confronted the continent; however in the early 1980s an old threat re-emerged to enable a new weapons system. The Soviet Union commenced the revitalization of its strategic bomber fleet to enable the delivery of air launched cruise missiles. The threat that air and sea-launched cruise missiles presented to the continent and the deterioration in the resources that had been dedicated to countering air threats resulted in the 1985 North American Air Defence Modernization (NAADM) Agreement.⁸² Canada with NAADM committed to a number of significant initiatives to improve the continent's air defences. The foremost of which was the development of the North Warning System (NWS), a radar warning system that would replace the aging DEW and Pinetree Lines and provide surveillance over the continent's transpolar approaches. Canada as well committed to the improvement of a limited number of airfields in the North to function as Forward Operating Locations, for conventionally-armed interceptors, and for Dispersed Operating Bases, to permit the northerly deployment of Airborne Warning and Control System aircraft required to coordinate the interceptor's operations.⁸³ The Government of Canada was to contribute 50 percent of the estimated \$1.5 billion cost and was to provide 40 percent of the NWS future

⁸¹ R.B. Byers, *Canadian Security and Defence: The Legacy and the Challenges*, Adelphi Papers 214 (London: International Institute for Strategic Studies, 1986), 28.

⁸² David L. Bashow, *Canada and the Future of Collective Defence*, The Martello Papers 19 (Kingston: Centre for International Relations, Queen's University, 1998), 12.

⁸³ House of Commons, Standing Committee on External Affairs and National Defence, *Minutes of Proceedings and Evidence*, no. 57, First Session of the Thirty-Third Parliament, 1984-85-86, 30.

operating and maintenance costs.⁸⁴ The NWS to enable air defence against the revitalized air breathing threat necessitated the construction of 15 long-range radars, 11 of which are based in Canada, and 39 short-range radars positioned on the seventieth parallel, of which 36 are Canadian based.⁸⁵ The decline in the commitment that Canada and the United States had made to the capability of the resources dedicated to the air defence of the continent was addressed by the NAADM Agreement. Notably, in the expenditure arrangements negotiated, Canada reinforced upon the approach that it had taken since the inception of NORAD and ensured that its membership would save considerable costs.

The negotiations for the 1986 renewal of the NORAD Agreement coincided with the discussions and the signing of the NAADM Agreement. The initiatives to reinvigorate the resources committed to counter air-breathing threats were noted in the Minutes of the Standing Committee on External Affairs and National Defence that made recommendations regarding the NORAD Agreement prior to its renewal.⁸⁶ There was concern at the time about the United States Strategic Defence Initiative (SDI), an ABM system proposed by President Ronald Reagan. President Reagan had invited Canada and other allies to participate in research and development for SDI but Prime Minister Mulroney decided “Canada’s own policies and priorities [did] not warrant a government-to-government effort in support of SDI research.”⁸⁷ The response to the United States proposition to participate in

⁸⁴ Danford W. Middlemiss and Joel J. Sokolsky. *Canadian Defence: Decisions and Determinants* (Toronto: Harcourt Brace Jovanovich, 1989), 47.

⁸⁵ Elinor C. Sloan, *Security and Defence in the Terrorist Era* (Montreal: McGill-Queen’s University Press, 2005), 87.

⁸⁶ House of Commons, Standing Committee on External Affairs and National Defence, *Minutes of Proceedings and Evidence*, no. 57, First Session of the Thirty-Third Parliament, 1984-85-86, 28-31.

SDI demonstrated that the Canadian Government viewed that it was not obligated but could make a decision on whether it would cooperate in the research and development of a defence system to counter the principal threat which was presented by the Soviet Union's ICBMs. The 1986 renewal of the NORAD Agreement was made with no substantial amendments and was for a five year period.

The 1991 renewal of the NORAD Agreement was made with the inclusion of a new dimension to the air sovereignty mission and that was cooperation on the aerial surveillance necessary to counter aerial drug-smuggling activities.⁸⁸ The period of renewal was established again as five years. In the intervening years the Canadian Government released its 1994 *Defence White Paper* which owing to the fiscal difficulties that were being experienced identified that Canada's contribution to aerospace surveillance, missile warning, and air defence would be reduced significantly.⁸⁹ The Government of Canada within its defence policy identified its interest in entering discussions with like-minded nations on the potential of expanding the capabilities of NORAD's missile warning function and the potential to develop, in the next century, a space-based surveillance system for North America.⁹⁰ The Government of Canada was content that the global security situation, which had seen a reduction in tensions between the United States and the Soviet Union, and its

⁸⁷ House of Commons, Standing Committee on External Affairs and National Defence, *Minutes of Proceedings and Evidence*, no. 57, First Session of the Thirty-Third Parliament, 1984-85-86, Appendix A, xvii.

⁸⁸ Holman, 38.

⁸⁹ Department of National Defence, Policy Group, *The 1994 White Paper on Defence*, http://www.forces.gc.ca/admpol/eng/doc/white_e.htm; Internet; accessed 10 December 2005, Chapter 5.

⁹⁰ Department of National Defence, Policy Group, *The 1994 White Paper on Defence*, http://www.forces.gc.ca/admpol/eng/doc/white_e.htm; Internet; accessed 10 December 2005, Chapter 5.

continued close cooperation with the United States on continental defence, would permit it to reduce its level of expenditure for defence to address its increasing fiscal deficits.

The Parliamentary Hearings that were conducted coincident to the negotiations for the 1996 NORAD Agreement renewal highlighted that:

*NORAD is one collective-defence arrangement that is very much in Canada's national interest to maintain and nurture. If the Command were not continued, other less formal cooperative arrangements might be workable, but they would most certainly be less effective and more costly than the current one.*⁹¹

The Parliamentary Hearings supported the renewal of NORAD and with an exchange of notes on 26 March 1996 the NORAD Agreement was renewed for another five-year term. The renewed NORAD Agreement was the first major rewrite since 1981 and redefined the mission of the Command to aerospace warning and aerospace control. Aerospace warning was defined to include “the monitoring of all man-made objects in space and the detection, validation and warning of attack against North America by aircraft, missiles or space vehicles.”⁹² Aerospace control was limited to the air dimensions that comprised the aerospace defence of North America and was defined as the surveillance and control of the airspace of Canada and the United States.⁹³ The renewal incorporated a mechanism, harkening back to Canada's insistence in the negotiations for the original NORAD Agreement, for consultation to resolve issues concerning aerospace defence cooperation and

⁹¹ Bashow, 19.

⁹² Department of National Defence, *1996 NORAD Agreement and Terms of References* (Ottawa: Government of Canada, 1996), 3.

⁹³ Department of National Defence, *1996 NORAD Agreement and Terms of References* (Ottawa: Government of Canada, 1996), 3.

a provision for the review and management of the environmental practices that related to NORAD's operation.⁹⁴ The 1996 renewal of the NORAD Agreement surprisingly did not mention National Missile Defence (NMD) which was then the United States contemporary ABM initiative that had secured authority to proceed beyond the technological development stage to system acquisition.

The NORAD Agreement's latest renewal was affected by the exchange notes in June 2000 with the renewal becoming effective on 12 May 2001.⁹⁵ The early commitment to the renewal was based on two facts; the first was that the PJBD considered it prudent to initiate the extension of the Agreement well in advance "to ensure stability for planning and budgeting, and to avoid the risk of complications associated with the United States presidential election period."⁹⁶ The second reason identified for seeking an early renewal was concern surrounding the United States NMD proposal. The position of the Canadian Government was that by entering into an early renewal of the NORAD Agreement, prior to any decision having been made by the United States on the deployment of a NMD system, the status of NORAD not having a NMD mission would be preserved.⁹⁷ Regardless of the

⁹⁴ NORAD Newsroom, *Fact Sheets – NORAD Agreement*, http://www.norad.mil/ndex.cfm?fseaction=home.news_fact_agreement_fs; Internet; accessed 24 February 2006.

⁹⁵ NORAD Newsroom, *Fact Sheets – NORAD Agreement*, http://www.norad.mil/ndex.cfm?fseaction=home.news_fact_agreement_fs; Internet; accessed 24 February 2006.

⁹⁶ House of Commons, Standing Committee on National Defence and Veterans Affairs, *Minutes of Proceedings and Evidence*, 23 March 2000, <http://www.parl.gc.ca/infocomdoc/36/2/NDVA/Meetings/Evidence/ndvaev24-e.htm>; Internet; accessed 24 February 2006.

⁹⁷ House of Commons, Standing Committee on National Defence and Veterans Affairs, *Minutes of Proceedings and Evidence*, 23 March 2000, <http://www.parl.gc.ca/infocomdoc/36/2/NDVA/Meetings/Evidence/ndvaev24-e.htm>; Internet; accessed 24 February 2006.

logic used by the Canadian Government in committing to the early renewal, the key fact was that the NORAD Agreement was renewed unaltered for a term of five years.

The nine renewals of the NORAD Agreement since its inception have demonstrated the commitment that Canada and the United States share in ensuring the air and aerospace defence of the continent. The air forces of Canada and the United States in the early 1950s recognized that their efforts had to be integrated to achieve their air defence missions. The perceptions that Canada and the United States shared about the threat presented by the nuclear armed strategic bombers of the Soviet Union shaped the formation of NORAD. The key concern for the United States has been security whereas in Canada, in perhaps a reflection of its junior partner status in the Agreement, the concern of sovereignty has had to be balanced against the realities of ensuring security. The realization in Canada that it would not be capable of going it alone in providing for the aerospace defences of the country became accepted policy and even then expenditures in the capacity and capability of the forces assigned to NORAD were ever decreased owing to fiscal constraints. The mission of NORAD has evolved to reflect the changing nature of the primary threat to the continent and new technologies have been adopted to improve the capabilities of the Command.

One constant that has endured throughout the renewals of NORAD is the format of the command and control structure negotiated in the original Agreement. The importance of the geography of Canada to the air defence of the continent had been a key consideration when the NORAD Agreement was first introduced. However, with technological advances and the emergence of space surveillance systems, the requirement for the United States to have access to Canada to defend itself was significantly diminished. As well, Canada's historic approach to the expansion of NORAD's assigned mission has been to balance the

proposal against the imperatives of preserving Canadian sovereignty and foreign policy independence. Divergence between Canada and the United States over the development of ABM technologies has been a consistent fact and was likely to jeopardize the future of NORAD had not the terrorist acts of 11 September 2001 unfolded as they did. The attacks against New York and Washington D.C. lead to the resurgence of NORAD's mission in defence of the continent not just from threats penetrating the perimeter but also from the interior of both countries. Select measures that Canada and the United States took in the aftermath of 9/11 to ensure the defence of their homelands will now be examined.

CHAPTER 4

POST 9/11 CONTINENTAL DEFENCE INITIATIVES

The vital importance of NORAD was realized in the immediate aftermath of 9/11 when the integrated command was able to assist in restoring control over the continent's airspace within hours of the terrorists' attacks. The coordination that was demonstrated in the imposition of a modified Security Control of Air Traffic and Air Navigation Aids, which was designed to ground all non-essential aircraft flights, was the result of years of close cooperation and integrated training.⁹⁸ To defend the homeland the air forces of Canada and the United States began cooperating in the conduct of combat air patrols over the continent in support of Operation NOBLE EAGLE. The aerospace defences of the continent were addressed by focussing the capabilities and capacities of NORAD to address external and internal threats. However, the threat posed by terrorism necessitated a broader examination of the security infrastructure of both countries. The Canadian and United States governments have entered into numerous agreements to improve their mutual security since 9/11 and the militaries of the countries have reorganized and entered into arrangements to improve the defences of the continent. The structural changes that have occurred within NORAD with the establishment of United States Northern Command (USNORTHCOM), the institution of the Bi-National Planning Group, Canada's Policy Statements and the stand-up of Canada Command (Canada COM) will now be examined.

In the aftermath of 9/11 the United States has been a nation at war against global terrorism. The United States Government recognizing that the emerging threat presented by

⁹⁸ Leslie Filson, *Air War Over America – Sept. 11 Alters Face of Air Defense Mission* (Tyndall Air Force Base: Headquarters 1st Air Force Public Affairs Office, 2003), 5.

terrorists and others using chemical, biological, radiological, nuclear and high-yield explosive weapons, ballistic and cruise missiles, and electronic and cyber warfare acted by establishing a single unified combatant command for its homeland.⁹⁹ President George W. Bush authorized the formation of USNORTHCOM on 17 April 2002 with the following specified missions:

Conduct operations to deter, prevent and defeat threats and aggression aimed at the United States, its territories and interests within the assigned area of responsibility (AOR); and

*As directed by the president or the secretary of defense, provide defense support of civil authorities including consequence management operations.*¹⁰⁰

USNORTHCOM is comprised of a headquarters with a limited number of permanently assigned forces. The concept for USNORTHCOM's provision of support to civil authorities entails the response of established Joint Task Forces subordinate to the command. A Joint Task Force will not be deployed in response to a disaster unless the emergency exceeds the capabilities of local, state and federal agencies and the intent of their support is that it be limited, localized and specific. The deployment of USNORTHCOM resources is intended to reduce the scope of the disaster to the point where the United States federal agency that has primary responsibility can assume or resume full control of the situation. Without further

⁹⁹ United States Northern Command, *U.S. Northern Command: History*, http://www.northcom.mil/about_us/history.htm; Internet; accessed 24 February 2006.

¹⁰⁰ United States Northern Command, *U.S. Northern Command*, http://www.northcom.mil/about_us/about_us.htm; Internet; accessed 24 February 2006. The USNORTHCOM AOR includes air, land and sea approaches and encompasses the continental United States, Alaska and the surrounding water out to approximately 500 nautical miles. It also includes the Gulf of Mexico, Puerto Rico and the U.S. Virgin Islands.

need for military assistance the USNORTHCOM Joint Task Force will depart leaving the federal agency's experts to complete the task.¹⁰¹

The establishment of USNORTHCOM had some significant impacts upon NORAD. One key impact is that the Commander of USNORTHCOM is also NORAD's Commander. Another significant transformation for NORAD was the decision announced on 26 June 2002 by the United States Secretary of Defense Donald Rumsfeld to close United States Space Command, which had been under the authority of Commander NORAD and to transfer its assets to the new United States Strategic Command (USSTRATCOM) on 1 October 2002.¹⁰² The purpose of the transformed USSTRATCOM was to provide a unified command to focus the interrelated areas of space and information operations with strategic defence and attack missions. Canada, with the Commander NORAD/USNORTHCOM purely focussed on the defence of North America and NORAD's joint command structure, was ideally placed to gain insight into precisely how the United States military was going to transform its homeland defences in the post 9/11 world.

The attacks of September 11, 2001 dramatically altered the North American security situation and in particular the defence posture of the United States. On the first-year anniversary of the tragic events of 9/11 the United States Ambassador to Canada, Paul Celluci, stated "We can't defend North America alone. Canada occupies a huge piece of territory in here in North America and we need Canada's help in defending the air, the land

¹⁰¹ United States Northern Command, *U.S. Northern Command*, http://www.northcom.mil/about_us/about_us.htm; Internet; accessed 24 February 2006.

¹⁰² United States Strategic Command, *History of the United States Strategic Command*, <http://www.stratcom.mil/files/History.pdf>; Internet; accessed 24 February 2006, 74.

and the sea.”¹⁰³ The perception of the Honourable John McCallum, then Minister of National Defence, appearing before the Standing Committee on National Defence and Veterans Affairs (SCONDVA) in November 2003, was that the United States had fundamentally changed its outlook and approach to the defence of its citizens and homeland and that it was “a lasting – not a transitory change – in America’s view of its security and Canada needs to recognize this reality.”¹⁰⁴ The Minister emphasized in his testimony to SCONDVA that:

*If Canada is to preserve a meaningful role in continental defence, not to mention a solid overall partnership with our southern neighbour, then we must be prepared to embrace change in the Canada-United States defence relationship. We must be prepared to rethink our approach to continental defence.*¹⁰⁵

The recognition by the Minister of National Defence that Canada had to reconsider its defence arrangements with the United States was a reflection of the security initiatives and defence reforms that the United States had taken to ensure its homeland security in the immediate aftermath of 9/11.¹⁰⁶ The Government of Canada took note of the fact that Canadians were at that time predisposed to closer defence cooperation with the United States. Also noted was that a significant majority of Canadians supported the country’s commitment to participation in NORAD but viewed Canada as being too reliant on the United States

¹⁰³ Sheldon Alberts, “Celluci Defends Army Links” *National Post*, 11 September 2002, A1.

¹⁰⁴ Department of National Defence, *Minister’s Speeches Archive – Speaking Notes for the Honourable John McCallum, P.C. M.P. Minister of National Defence at the Standing Committee on National Defence and Veterans Affairs*, 6 November 2003, http://www.forces.gc.ca/site/Newsroom/view_news_e.asp?id=1252; Internet; accessed 3 March 2006.

¹⁰⁵ Department of National Defence, *Minister’s Speeches Archive*, 6 November 2003, http://www.forces.gc.ca/site/Newsroom/view_news_e.asp?id=1252; Internet; accessed 3 March 2006.

¹⁰⁶ For a summary of Canadian and United States initiatives to improve continental security since 9/11 see Ben Roswell, “Ogdensburg Revisited – Adapting Canada-U.S. Security Cooperation to the New International Era,” *Policy Papers on the Americas*, Volume XV, Study 5 (Washington: Center for Strategic and International Studies, May 2004), 22-34.

military for its own national defence.¹⁰⁷ This fact undoubtedly influenced the drafting of Canada's National Security and International Policy Statements.

The United States quickly developed the concept for a Department of Homeland Security, establishing it in March 2003, and as with the majority of security initiatives in the post 9/11 period, the corresponding Canadian initiative, the Department of Public Safety and Emergency Protection, was established later, in December 2003.¹⁰⁸ The United States military in its appointment of a single Commander to command both USNORTHCOM and NORAD evidenced potential areas for the expansion of the operational scope of defence cooperation with Canada. NORAD with its long history of integrating the aerospace defences of the continent was viewed by United States officials as the logical headquarters upon which to expand cooperation and integration in maritime, land and civil support domains. An initial concept proposed by the United States was to have NORAD's organizational structure parallel that of USNORTHCOM, but Canadian officials would not agree to any change that would reduce the stature of NORAD by having it subordinate to another command.¹⁰⁹

The Canadian and United States governments were committed to finding initiatives that would enhance the cooperation between their militaries to improve the defence of the

¹⁰⁷ Sarah Noble, "Talking to Canadians About Defence: Giving to Whom You Trust," in *Understanding the Crisis in Canadian Security and Defence*, 9-18 (Toronto; Conference of Defence Associations Institute, March 2005), 11-12.

¹⁰⁸ Ben Roswell, "Ogdensburg Revisited – Adapting Canada-U.S. Security Cooperation to the New International Era," *Policy Papers on the Americas*, Volume XV, Study 5 (Washington; Center for Strategic and International Studies, 2004), 22.

¹⁰⁹ Stephen Cundari et al, *The United States-Canada Strategic Partnership in the War on Terrorism* (Washington: Center for the Study of the Presidency, 2002), http://www.thepresidency.org/pubs/canada_final_report.pdf; Internet; accessed 24 February 2006.

continent. In December 2002, Canada and the United States exchanged diplomatic notes to establish the Bi-National Planning Group (BPG), a structure and concept surprisingly similar to the ad hoc working group of the MSG that developed the original NORAD Agreement.¹¹⁰ The BPG was tasked with conducting a review of all existing Canada-United States defence plans and military assistance protocols and developing contingency plans for Canadian-United States cooperation to counter maritime and land-based threats and incidents as well as natural and man-made disasters. Its mandate included developing the means to share intelligence information between the countries and support provided to civilian agencies to counter the emerging international threat environment.¹¹¹ The BPG's aim was to "determine the changes in concepts, policies, authorities, organization and technology that were required to facilitate improved military cooperation."¹¹² To leverage on the relationship that has been fostered within NORAD the Terms of Reference for the BPG, that were jointly developed by the Chief of the Defence Staff (CDS) and the CJCS, established the Deputy Commander of NORAD as the head of the BPG and the Deputy Commander of USNORTHCOM as the BPG's deputy head.¹¹³ The BPG is co-located with NORAD Headquarters and its initial

¹¹⁰ Bi-National Planning Group, *Interim Report on Canada and the United States (CANUS) Enhanced Military Cooperation*, Appendix 1, 1.

¹¹¹ Department of National Defence, *Minister's Speeches Archive*, 6 November 2003, http://www.forces.gc.ca/site/Newsroom/view_news_e.asp?id+1252; Internet; accessed 3 March 2006.

¹¹² Bi-National Planning Group, *Interim Report on Canada and the United States (CANUS) Enhanced Military Cooperation*, i.

¹¹³ Bi-National Planning Group, *Interim Report on Canada and the United States (CANUS) Enhanced Military Cooperation*, A-3/3.

mandate of two-years has been extended until 12 May 2006.¹¹⁴ This date coincides with the expiry date of the current NORAD Agreement.

Elements of the Canadian population were concerned that the arrangements entered into with the United States for the establishment of the BPG would have Canada's military subsumed under the command of the United States military. To counter this misperception the Minister of National Defence had to comment that the arrangement for the BPG:

*has nothing whatsoever to do with integrating our militaries – the Planning Group is not a military command and has no standing forces assigned to it. The Planning Group protects our sovereignty by placing Canadians in a position to work with the United States on plans and arrangements for defending North America – plans that they would otherwise be developing without us. Prudent planning now and developing agreed arrangements in advance will allow both countries to deal with a crisis rapidly and not waste time figuring out how we can cooperate.*¹¹⁵

Both the Canadian and United States governments must approve any plans formulated by the BPG prior to their implementation and thus Canada's sovereign status as a partner in the agreement is assured. The perception in Canada that any cooperation with the United States military would entail the surrender of Canadian sovereignty was highly apparent when the original NORAD Agreement was signed and would become a very significant factor in the post 9/11 arrangements for the cooperative defence of the continent.

¹¹⁴ Department of National, *Canada and United States Commit to Renewed Defence Cooperation*, 29 November 2004, http://www.forces.gc.ca/site/newsroom/view_news_e.asp?id=1529; Internet; accessed 14 March 2003.

¹¹⁵ Department of National Defence, *Minister's Speeches Archive - Speaking Notes for the Honourable John McCallum Minister of National Defence At a Joint Press Conference To Announce the Canada-US Joint Planning Group*, 9 December 2002, http://www.forces.gc.ca/site/Newsroom/view_news_e.asp?id=473; Internet; accessed 3 March 2006.

The BPG, to determine where the military resources of Canada and the United States should be focussed, conducted a Canada-United States Threat Assessment in 2003. The Threat Assessment determined where gaps and seams existed in the combined plans and strategies for the defence of North America.¹¹⁶ By further examining the gaps and seams the BPG was able to develop eight consequence management scenarios to address concerns that include weapons of mass destruction, terrorists and natural disasters. The BPG was also drafting a bi-national Civil Assistance Plan to deal with these and other scenarios.¹¹⁷ In February 2004, General Ralph Eberhart, the Commander of NORAD and USNORTHCOM, said “My intuition is that we need to take NORAD to the next level, that we in fact need to include some kind of maritime piece to this and probably some kind of civil support.”¹¹⁸

The Canadian Government was actively cooperating with the United States Government in the implementation of security initiatives designed to counter what were assessed as the major threats to their mutual security. The security responsibilities of the federal departments were consolidated under Public Safety and Emergency Preparedness Canada, as lead department, in April 2004, and for the first time in its history, the Government of Canada issued a National Security Policy (NSP), *Securing an Open Society*. The NSP established the Canadian Government’s three core national security objectives as:

¹¹⁶ Captain Daryl Morrell, *Bravo Defence – Close Cooperation in Bi-National Planning Group Supports North American Security*, http://www.vcds.forces.gc.ca/dgsc/pubs/bravo/winter03/Binational_e.asp; Internet; accessed 24 February 2006.

¹¹⁷ Department of National Defence, *Bi-National Planning Group – the Role of the Planning Group*, http://www.cnos.forces.gc.ca/BPG/BPGmain_e.asp; Internet; accessed 24 February 2006.

¹¹⁸ Chris Strohm, “Military Explores Greater Role in Maritime Security,” *Nuclear Threat Initiative*, 4 March 2004, http://nti.org/d_newswire/issues/2004/3/4/c5722d47-d843-4112-a675-c8865da05eff.html; Internet; accessed 27 February 2006.

1. *Protecting Canada and the safety and security of Canadians at home and abroad;*
2. *Ensuring that Canada is not a base for threats to our allies; and*
3. *Contributing to international security.*¹¹⁹

The national security objectives were all framed and justified by the threats that confronted Canada and Canadians. The NSP, in its acknowledgment in the second core national security objective, that Canada could not be permitted to become a base for threats to our allies harkened back to Prime Minister Mackenzie King's assurances made to President Roosevelt in 1938. The commitment to having "a responsibility to manage threats to the security of our allies"¹²⁰ however does not have the same endorsement as the original assurances. The Canadian Government declared that it was "committed to strengthening North American security as a means of enhancing Canadian security."¹²¹

The NSP recognized that defence cooperation between Canada and the United States was being enhanced by the efforts of the BPG and it highlighted its efforts in "working to improve marine security, protecting North America from marine threats."¹²² One significant initiative within the NSP that impacted upon the CF was the Government's establishment of Marine Security Operations Centres (MSOCs), one on each coast. The MSOCs were designed to be lead by the CF Maritime Command, with representative staff from the Canada Border Services Agency, Transport Canada, the Canadian Coast Guard and the Royal

¹¹⁹ Privy Council Office, *Securing an Open Society; Canada's National Security Policy, April 2004*, 16 http://www.pco-bcp.gc.ca/docs/Publications/NatSecurnat/natsecurnat_e.pdf; Internet; accessed 24 February 2006.

¹²⁰ Privy Council Office, *Securing an Open Society; Canada's National Security Policy*, 16.

¹²¹ Privy Council Office, *Securing an Open Society; Canada's National Security Policy*, 16.

¹²² Privy Council Office, *Securing an Open Society; Canada's National Security Policy*, 44.

Canadian Mounted Police. Their intent is to facilitate cooperation between the responsible maritime agencies and improve effectiveness in coastal surveillance and interdiction operations. Another aim with the establishment of the MSOCs is to permit closer cooperation with the United States Coast Guard Operations Centers.¹²³ The focus within the NSP on improving Canada's cooperation with the United States in the maritime domain is a reflection of our two economies' dependence upon a stable maritime trading environment. Canada, with a total coastline of 243,772 kilometres and a vast maritime economic zone encompassing some 11 million square kilometres of ocean, is presented with a daunting security challenge.¹²⁴ This challenge has historically been met by the close cooperation that has been fostered by the Canadian and the United States Navies. The potential for increased cooperation in the maritime domain has long been a consideration and the concept of a 'maritime' NORAD has been proposed by the BPG.

The BPG's broad Terms of Reference and its assigned task of determining the areas in which to improve military cooperation lead it to propose that a future North American defence arrangement should "provide comprehensive, seamless defense for Canada and the United States across all mission areas and all domains, and, when requested, provide bi-national military assistance to civil authorities in either nation."¹²⁵ The concept of a 'maritime' NORAD addressing the maritime domain with Canada and the United States

¹²³ Joel J. Sokolsky, "Canada and North American Maritime Security: The Home and Away Game at Sea," *Policy Options*, (May 2005): 39.

¹²⁴ Captain (N) Peter Avis, "Surveillance and Canadian Maritime Domestic Security," *Canadian Military Journal*, 4, No. 1 (Spring 2003) http://www.journal.forces.gc.ca/engraph/vol4/no1/policy1_e.asp; Internet; accessed 10 December 2005.

¹²⁵ Bi-National Planning Group, *Interim Report on Canada and the United States (CANUS) Enhanced Military Cooperation*, A-3/3.

operating an automated, two-ocean, vessel-monitoring surveillance network was also proposed. The United States Assistant Secretary of Defense for Homeland Security said about the concept:

When we speak of a maritime NORAD we're not talking about just a bilateral relationship modelled on the NORAD agreement we have in the air domain. We're talking about a defense in depth – the ability to detect at a distance on the high seas a weapon of mass destruction, the ability to track (in) real time such threat platforms, (and) the ability to interdict, board and conduct render-safe operations with regard to weapons of mass destruction on the high seas.¹²⁶

The degree of cooperation necessary to achieve this level of continental maritime defence requires the United States to provide Canada with access to satellite and radar data and the sharing of intelligence. The considerable benefit for Canada in a 'maritime' NORAD lies in the cost-savings that would be accrued by the United States provision of surveillance data. Canada could not afford to fund the development and deployment of surveillance systems with comparable capabilities.¹²⁷

The BPG envisioned that future military cooperation between Canada and the United States should be cemented in a Continental Defence and Security Agreement (CDSA).¹²⁸

The degree of integration proposed for the CDSA would see the NORAD concept "expanded

¹²⁶ Paul McHale, Assistant Secretary of Defense for Homeland Security quoted in Samantha L. Quigley, "Homeland Security Defenses Must be Active, Layered", American Forces Information Service News Articles, 9 June 2005, http://www.defenselink.mil/news/Jun2005/20050609_1667.html; Internet; accessed 24 February 2006.

¹²⁷ Phillipe Lagasse quoted by Donna Miles, *Planning Group Weighs Value of 'Maritime' NORAD*, American Forces Information Service News Articles, 9 June 2005, http://www.defenselink.mil/news/Nov2004/n11032004_12004110304.html; Internet; accessed 24 February 2006.

¹²⁸ Bi-National Planning Group, *Interim Report on Canada and the United States (CANUS) Enhanced Military Cooperation*, ii.

to integrate all domains in a coherent military strategy that will seal all our common seams and gaps.”¹²⁹ The heady optimism of the BPG members who were applying sound military judgment to pragmatically address the challenges of defending the continent of North America against the threats of a post 9/11 world was not totally synchronous with political reality, especially in Canada. The level of military cooperation proposed by the BPG was already being downplayed by the Canadian head of the BPG in the week prior to the release of the BPG’s *Interim Report on Canada and the United States Enhanced Military Cooperation* when Lieutenant-General Rick Findley stated “The Department of National Defence/Canadian Forces and the United States Department of Defense recognize that a neighbourhood watch or collective security arrangement is essential. But we need to take it slowly and understand all the ramifications.”¹³⁰ Another challenge that has confounded the development of closer cooperation on defence between Canada and the United States has been the countries’ differing positions on the development of a Ballistic Missile Defence (BMD) system.

President George W. Bush on 17 December 2002 announced that the United States in an effort to defend itself, its deployed forces or friends and allies from a deliberate attack by a limited number of ballistic missiles launched from a rogue state or from any other accidental missile launch would deploy a limited BMD system by the fall of 2004.¹³¹ The

¹²⁹ Bi-National Planning Group, *Interim Report on Canada and the United States (CANUS) Enhanced Military Cooperation*, ii.

¹³⁰ Lieutenant-General Rick Findley quoted in Captain Daryl Morrell, Department of National Defence, *Bravo Defence – Close Cooperation in Bi-National Planning Group Supports North American Security*, 6 October 2004, http://www.vcds.forces.gc.ca/dgsc/pubs/bravo/winter03/Binational_e.asp; Internet; accessed 24 February 2006.

United States had actively sought Canada's participation in the development of BMD and the two nations had formed a BMD Bilateral Information Sharing Working Group in 2000.¹³²

The Canadian Government signalled its intention in May 2003 to conduct formal talks on its involvement in the program and the House of Commons passed a motion in June 2003 that sought to have NORAD responsible for any ABM system developed for the defence of North America.¹³³ The United States was anxious to have a Canadian commitment to participate in BMD and was encouraged by the exchange of letters on 15 January 2004 between the Minister of National Defence and the United States Secretary of Defense identifying mutual interest in negotiating an agreement on BMD. Canada entered into negotiations but so delayed its decision on participation that on 5 August 2004 Canada and the United States had to amend the NORAD Agreement to permit the sharing of the ITWAA data that the Command collected with the United States commands responsible for the BMD mission.¹³⁴

The Canadian Minister of National Defence at that time, the Honourable Bill Graham, stated that the decision had to be made because the Americans were on the verge of developing an missile defence system that would have made NORAD obsolete and the Minister of Foreign Affairs, the Honourable Pierre Pettigrew, stated "It makes good sense to amend the agreement so that this essential NORAD function can be preserved and Canada can continue

¹³¹ United States, Office of the President, *President Announces Progress in Missile Defense Capabilities*, 17 December 2002, <http://www.whitehouse.gov/news/releases/2002/12/20021217.html>; Internet; accessed 17 February 2006.

¹³² Government of Canada, Department of National Defence, *Backgrounder – Canada and Ballistic Missile Defence*, 8 May 2003, http://www.forces.gc.ca/site/newsroom/view_news_e.asp?id=1064; Internet; accessed 17 February 2006.

¹³³ CBC News Online, *Indepth: Canada's Military – NORAD: Continental Defence*, 6 August 2004, <http://www.cbc.ca/news/background/cdnmilitary/norad.html>; Internet; accessed 24 February 2006.

¹³⁴ Department of Foreign Affairs, *Missile Defence – The Basics: Missile Defence Facts and Definitions*, 15 June 2005, http://www.dfait-maeci.gc.ca/foreign_policy/missile-defence-en.asp; Internet; accessed 17 February 2006.

to benefit from the security it provides to our citizens.”¹³⁵ Minister Pettigrew’s concluding remark that “this amendment safeguards and sustains NORAD regardless of what decision the Government of Canada eventually takes on ballistic missile defence”¹³⁶ was an ominous portent of Canada’s final decision on participation.

President Bush and Prime Minister Martin issued a joint statement on 30 November 2004 that identified their commitment to ensuring that North American security arrangements were coherent and effective. A critical point identified in the statement was that the two countries were “working towards renewing the NORAD agreement and investigating opportunities for greater cooperation on North American maritime surveillance and maritime defence.”¹³⁷ The President pressed for Canadian commitment to participate in BMD but a decision was not forthcoming until on 24 February 2006 the Prime Minister announced “After careful consideration of the issue of missile defence, we have decided that Canada will not participate in the United States ballistic missile defence system at this time.”¹³⁸ The decision was not well received by the United States Government but the Minister of National Defence stated “Canada’s decision against participation in the United States ballistic missile defence program is not, and should not be interpreted as, a sign that

¹³⁵ Department of National Defence, *Canada and United States Amend NORAD Agreement*, 5 August 2004, http://www.forces.gc.ca/site/Newsroom/view_news_e.asp?id=1422; Internet; accessed 17 February 2006.

¹³⁶ Department of National Defence, *Canada and United States Amend NORAD Agreement*, 5 August 2004.

¹³⁷ The White House, Office of the Press Secretary, *Joint Statement by Canada and the United States on Common Security and Common Prosperity: A New Partnership in North America*, 30 November 2004, <http://www.whitehouse.gov/news/releases/2004/11/20041130-3.html>; Internet; accessed 10 March 2006.

¹³⁸ Parliament of Canada, *Statement of the Right Honourable Paul Martin*, 24 February 2005, http://www.parl.gc.ca/38/1/parlbus/chambus/house/debates/064_2005-02-24/han064_1200-e.htm; Internet; accessed 10 March 2006.

we are not committed to doing our part in the defence of North America.”¹³⁹ The Canadian Government justified that its commitment to the defence of the continent remained strong by highlighting that the budget that it had released the day prior to the BMD announcement had increased funding to the Department of National Defence by \$12.7 billion over the next five years.

Canada’s International Policy Statement (IPS), *A Role of Pride and Influence in the World*, was tabled in Parliament on 19 April 2005. In the Foreword, Prime Minister Martin acknowledged the key relationship that Canada has with the United States and how the responsibility the government had in carrying out its primary duty of protecting its citizens had “been complicated by the emergence of new threats: rogue states, failed and fragile states, international criminal syndicates, weapons proliferation, and terrorists prepared to act with no concern for the cost in human lives, including their own.”¹⁴⁰ In the section of the IPS titled *Revitalizing our North American Partnership* the acknowledgement that more significant resources must be contributed by the Government of Canada is made.¹⁴¹ The IPS established, as one of the Key Initiatives to protect North American citizens from 21st century threats, the requirement to “Negotiate renewal of the NORAD agreement, while pursuing other measures to strengthen maritime and land defence cooperation with the United

¹³⁹ Department of National Defence, *Minister’s Speeches Archive – Speaking Notes for the Honourable Bill Graham, P.C. M.P. Minister of National Defence at the Standing Committee on National Defence and Veterans Affairs*, 5 April 2005, http://www.forces.gc.ca/site/Newsroom/view_news_e.asp?id+1632; Internet; accessed 3 March 2006.

¹⁴⁰ Department of Foreign Affairs and International Trade, *A Role of Pride and Influence in the World: Overview* (Ottawa: Government of Canada, 2005), Foreword.

¹⁴¹ Department of Foreign Affairs and International Trade, *A Role of Pride and Influence in the World: Overview*, 6.

States.”¹⁴² The Prime Minister identified that the IPS ensured the defence of Canada by establishing:

*the steps we are taking and will take to defend Canada against all threats, to protect the northern portion of our continent and to preserve our sovereignty, including that of the Arctic. Among the reforms is a fundamental restructuring of our military operations under a unified "Canada Command"-a change that will make certain that in a time of crisis, Canada's military has a single line of command and is better and more quickly able to act in the best interests of Canadians.*¹⁴³

Within the Defence component of the IPS, in a section titled *A New Vision for the Canadian Forces*, the transformation of the military’s command structure required for the establishment of Canada COM is shown to be an essential improvement to the defence of Canada. The CF in structuring Canada COM to be the single operational level command headquarters directing operations throughout Canada addresses the Government’s call for the military “to more effectively meet their fundamental responsibility to protect Canadians at home.”¹⁴⁴ Canada COM’s integrated structure incorporating six regional Task Forces will enable the most suitable, best available joint military resources to be deployed to address any contingency nation-wide. The Defence component of the IPS according to the then Minister of National Defence, the Honourable Bill Graham, demonstrated the commitment of the Federal Government to maintaining capable and effective armed forces as:

¹⁴² Department of Foreign Affairs and International Trade, *A Role of Pride and Influence in the World: Overview*, 7.

¹⁴³ Department of Foreign Affairs and International Trade, *A Role of Pride and Influence in the World: Overview*, Foreword.

¹⁴⁴ Department of Foreign Affairs and International Trade, *A Role of Pride and Influence in the World: Defence*, 11.

*The Statement's policy guidance, supported by the defence spending increases announced in Budget 2005, marks the beginning of a long-term process to strengthen our military. The result will be a more relevant, responsive and effective Canadian Forces capable of meeting the increasingly complex needs of the new security environment.*¹⁴⁵

The entrenched concern that Canadians have for the issue of sovereignty in the continental defence relationship was also acknowledged by the Federal Government. The resolve to demonstrate that Canada was prepared to address the requirements of its own national defence in the event of a crisis, which would entail operational cooperation between Canadian and United States military forces, included the caveat that the cooperation would only be carried out under conditions that had been approved by both governments, on a case-by-case basis. The command and control relationship of forces was also a concern but was addressed by the stipulation that “should the forces of either country ever be required to help respond to an emergency situation across the border, these forces would come under the operational control of the home country.”¹⁴⁶

The significant transformation that has occurred within the CF since the release of the NSP and the IPS illustrate the fact that the CDS uses the defence guidance that they each contain to formulate the CF's goals and objectives. With the creation of Canada COM on 1 July 2005 the CF now has one commander tasked with the immediate authority to deploy maritime, land and air assets in their regional areas of responsibility in support of domestic operations. Canada COM ensures that the CF is:

¹⁴⁵ Department of National Defence, *Minister's Speeches Archive – Speaking Notes for the Honourable Bill Graham, P.C. M.P. Minister of National Defence at the Standing Committee on National Defence and Veterans Affairs*, 5 April 2005, http://www.forces.gc.ca/site/Newsroom/view_news_e.asp?id+1632; Internet; accessed 3 March 2006.

¹⁴⁶ Government of Canada, *Canadian Ally – Bi-National Planning Group*, Available from http://www.canadianally.com/ca/nasec/canus_bnpg-en.asp; Internet; accessed 24 February 2006.

Relevant – by providing them with a command structure that is better suited to the defence of Canada and North America in the new security environment;

Responsive – by allowing them to quickly mobilize and deploy personnel to deal with a crisis anywhere in Canada; and

Effective – by considering Canada as a single operational theatre.¹⁴⁷

The CF has wholly embraced its defence of Canada mission. Canada COM is being resourced to enable it to establish and maintain liaison with municipal, provincial and federal authorities so that it can conduct operational planning and support the execution of its assigned operational missions. The authority has also been granted for Canada COM to conduct contingency planning with USNORTHCOM and other United States combatant commands.¹⁴⁸ The degree to which the structure of the CF has been transformed to address the defence of the nation reflects a heightened acceptance of the responsibility that Canada has to ensuring its own national defence. The historic imperatives of preserving Canadian sovereignty and foreign policy independence that had been demonstrated in Canada's approach to previous renewals of the NORAD Agreement have been increasingly applied since 9/11 in the considerations for defence cooperation with the United States. The degree of defence cooperation that would have been acceptable to Canadians in the immediate aftermath of the terrorist attacks has been reduced owing to the passage of time diminishing perceptions of the threat and the acknowledgement that considerable initiatives and measures have been established by the Canadian and United States governments to improve continental security. The emergence of Canada COM with its mission to command and control the

¹⁴⁷ Department of National Defence, *Backgrounder – CANADA COMMAND, BG-05.17*, 28 June 2005, http://www.forces.gc.ca/site/Newsroom/view_news_e.asp?id+1692; Internet; accessed 24 February 2006.

¹⁴⁸ Department of National Defence, *CANFORGEN 012/06 CDS 007/06 311900Z JAN 06 CANADA COMMAND – COMMAND AND CONTROL AUTHORITY* (Ottawa: Government of Canada, 2006), 2.

operational defence of Canada and the continent and its direction to liaise and conduct deliberate planning with USNORTHCOM signals Canada's intent to employ Canada COM to foster the development of closer operational defence cooperation with the United States.

The options for developing closer defence cooperation between Canada and the United States have been reduced with the 13 March 2006 release of *The Final Report* by the BPG. This is because Lieutenant-General Eric Findley, the Canadian Head, and Lieutenant General Joseph Inge, the Deputy Head, can only recommend that the functions of the BPG “be moved to the appropriate strategic and operational levels of the Canadian and United States agencies responsible for the defence and security of our shared continent.”¹⁴⁹ General Rick Hillier, Canada's CDS, had early last year commended the value of the BPG for its bi-national examination of defence issues that transcend borders and the shared approaches to the continent and envisioned the BPG as “an excellent common continental planning staff for USNORTHCOM and CANADA COMMAND.”¹⁵⁰ The BPG had seized on this point and proposed the revitalization of both the PJBD for the conduct of the political level coordination and the MCC for the strategic-national level coordination of issues pertaining to the defence and security of the continent.¹⁵¹ The BPG acknowledged that the PJBD and the MCC with their bi-national focus are distinct from Canada COM and USNORTHCOM which both have a national focus. To ensure the optimization of continental defence

¹⁴⁹ Bi-National Planning Group, *The Final Report on Canada and the United States (CANUS) Enhanced Military Cooperation*, Covering Letter.

¹⁵⁰ Devin Fisher, Tech Sgt, United States NORTHERN COMMAND News Room, “Canada's New Chief of Defence Staff Visits NORAD, USNORTHCOM”, 25 April 2005, http://www.northcom.mil/newsroom/news_release/2005/042505.htm; Internet; accessed 24 February 2006.

¹⁵¹ Bi-National Planning Group, *The Final Report on Canada and the United States (CANUS) Enhanced Military Cooperation*, 32.

cooperation the BPG stresses that particular attention should be given to the coordinating mechanisms that are being formalized between NORAD, Canada COM and USNORTHCOM.¹⁵²

¹⁵² Bi-National Planning Group, *The Final Report on Canada and the United States (CANUS) Enhanced Military Cooperation*, 35.

CHAPTER 5

THE COMPLEMENTARY DEFENCE OPTION

The recommendation found in the BPG's *Interim Report* for the negotiation of a CDSA remains in the BPG's *Final Report* and is labelled as the next logical step towards enhancing the defence and security of the continent after the pending NORAD Agreement renewal.¹⁵³ However, *The Final Report* of the BPG acknowledges that a bi-national, overarching vision for the defence and security organizations is still lacking. The requirement for the development and promulgation of a bi-national, joint strategic vision on the relationship of the military forces of Canada and the United States is a key recommendation of the BPG. The BPG has outlined that the vision should define both the present-day desired command relationship between NORAD, Canada COM and USNORTHCOM and provide a statement on the future relationship of the Commands.¹⁵⁴

The Final Report of the BPG includes four concept proposals for the future relationship of Canadian and United States defence organizations. According to the BPG the concepts have been framed on "the principles that have contributed to the success of NORAD over the past forty-seven years: flexibility; a continental approach to mutual

¹⁵³ Bi-National Planning Group, *The Final Report on Canada and the United States (CANUS) Enhanced Military Cooperation*, i. The 'C' in CDSA is defined in *The Final Report* as "Comprehensive" whereas in *The Interim Report* it was defined as "Continental."

¹⁵⁴ Bi-National Planning Group, *The Final Report on Canada and the United States (CANUS) Enhanced Military Cooperation*, 32.

defense, and Canadians and Americans working side by side to address issues of common concern.”¹⁵⁵ The BPG identifies that bi-national information and intelligence sharing is the paramount consideration in developing a bi-national organization responsible for the function of all-domain warning that is a common element in all four of their defence concepts. The concepts are titled:

Concept 1 – Three Commands – Complementary Missions;

Concept 2 – Single Command for Continental Defense;

Concept 3 – Parallel Commands with a Standing Combined Joint Task Force Responsible to National Commands; and

*Concept 4 – Continental Joint Interagency Task Force.*¹⁵⁶

The level of ambition in terms of the cooperation and integration of the Canadian and United States militaries increases with the progressive number of the concept. The potential for Concepts 2, 3 and 4 to gain acceptance are greatly diminished by concerns with sovereignty that a single command would entail and the violation of the principle of unity of command, as joint task forces can not be commanded by both nations as purported by the BPG.

The proposal found in Concept 1, for NORAD, Canada COM and USNORTHCOM to develop more complementary missions is sound and will be examined in further detail. The concept would have the mission of NORAD expanded beyond its current aerospace role to include the function of all-domain continental warning by virtue of its surveillance capabilities. Canada COM and USNORTHCOM would continue with their nationally

¹⁵⁵ Bi-National Planning Group, *The Final Report on Canada and the United States (CANUS) Enhanced Military Cooperation*, 36.

¹⁵⁶ Bi-National Planning Group, *The Final Report on Canada and the United States (CANUS) Enhanced Military Cooperation*, 35-40.

assigned missions with an acknowledgment that robust coordination mechanisms must be established between the three Commands to limit any seams within the defence of the continent.¹⁵⁷ This concept does not expand the existing NORAD command and control relationship and institutional structure into different elements beyond its historic focus on aerospace. It does not impinge upon any nation's sovereignty as it does not insist on a joint command relationship beyond that which both nations have historically accepted in the NORAD Agreement.¹⁵⁸ The expanded surveillance and warning function proposed for NORAD is feasible with existing technology. The concept fits well with the inclination of both Canada and the United States to strengthen their national defences through unilateral defence Commands. The emphasis on ensuring the establishment and maintenance of robust liaison and coordination measures between the three Commands will ensure their interoperability and is a satisfactory solution to mitigate concerns about gaps and seams in the continental defence. The BPG remains committed to the advocacy of a CDSA to "bring unity of effort among all defense and security organizations including NORAD"¹⁵⁹ but the intent and overarching direction and guidance for any future defence cooperation arrangements still remain as political decisions.

It has long been acknowledged that the negotiations that have been conducted for the renewal of the NORAD Agreement, scheduled to expire in May 2006, have included

¹⁵⁷ Bi-National Planning Group, *The Final Report on Canada and the United States (CANUS) Enhanced Military Cooperation*, 36.

¹⁵⁸ Bi-National Planning Group, *The Final Report on Canada and the United States (CANUS) Enhanced Military Cooperation*, 37.

¹⁵⁹ Bi-National Planning Group, *The Final Report on Canada and the United States (CANUS) Enhanced Military Cooperation*, 42.

discussions on expanding the Agreement beyond its current focus on the aerospace domain. The heads of the BPG, Lieutenant-General Rick Findley, NORAD's current Deputy Commander and Lieutenant General Joe Inge, USNORTHCOM's Deputy Commander, identified that the discussions and negotiations for the 2006 renewal of the NORAD Agreement have included consideration of the "expansion of bi-national cooperation in information sharing, in maritime and land domains, as well as bi-national military assistance to civil authorities in the event of a catastrophic emergency."¹⁶⁰ The Honourable Bill Graham, the Minister of National Defence in the former Government of Prime Minister Paul Martin, had in a March 2005 appearance before SCONDVA stated that it was then:

*an appropriate time to consider the possibility of expanding our current defence cooperation to include maritime and land-based elements. It is unclear, at this time, whether these issues are best tackled within a renewed NORAD or some other forum. But Canada is committed to exploring new and innovative ways to work with the United States in the defence of our continent.*¹⁶¹

The notion that Canada and the United States could consider closer cooperation between their land-based elements is being addressed by the liaison and coordination mechanisms being established by Canada COM and USNORTHCOM. The potential to integrate the land-based defences of the two countries is far more problematic owing to obvious sovereignty concern than the issues that arise when cooperation in the maritime domain are examined. However, consideration that the NORAD Agreement may not be the best forum in which to expand the naval defence cooperation of Canada and the United States militaries was

¹⁶⁰ Lieutenant-General Rick Findley and Lieutenant General Joe Inge, "North American Defence and Security in the Aftermath of 9/11." *Canadian Military Journal*, 6, no. 1 (Spring 2005) 9-16.

¹⁶¹ Department of National Defence, *Minister's Speeches Archive – Speaking Notes for the Honourable Bill Graham, P.C. M.P. Minister of National Defence at the Standing Committee on National Defence and Veterans Affairs*, 5 April 2005, available from http://www.forces.gc.ca/site/Newsroom/view_news_e.asp?id+1632, Internet; accessed 3 March 2006.

highlighted by Vice Admiral J.C.J.Y. Forcier, the Commander of Canada COM who in an appearance before SCONDVA in November 2005 stated he that he would not:

*want NORAD to take over control of marine operations. In other words, if something happened in Canadian waters or in our territorial waters involving the national interest, Canada will make any decision which needs to be taken. I will be in charge through one of the coastal commanders. It will not be a decision taken by the Americans.*¹⁶²

Admiral Forcier's statement is representative of the formidable resolve that the Canadian military has developed with its renewed focus on the defence of Canada. His insistence that situations, which occur in Canada's territorial waters and impact upon national interests will be addressed by Canadians clearly demonstrates a considerable difference between the domains of air and sea. The NORAD Agreement resulted from the necessity for the Canadian and United States air forces to develop common operating procedures to address the requirement for an urgent response to the threat of strategic bombers closing at high speed upon the North American continent. This combined Command was vital to enable a defensive response to aircraft, which with advancing technology became capable of supersonic speeds. The maritime domain does not have the same temporal demands. Nor does the flight of United States aircraft within Canadian airspace have the same sovereignty impact as United States ships sailing in Canadian waters. The transient nature of flight does not compare with the degree of presence that the slow speed of ships creates. The Canadian and United States navies have for decades cooperated and shared information but the notion of integrating their command and control structures into a combined Command by expanding

¹⁶² House of Commons, Standing Committee on National Defence and Veterans Affairs, *Minutes of Proceedings and Evidence*, 22 November 2005, <http://www.parl.gc.ca/InfocomDoc/38/1/NDDN/Meetings/Evidence/NDDNEV60-E.HT>; Internet; accessed 24 February 2006.

the NORAD Agreement into the maritime domain does not conform to Canada's aspirations to defend itself and its interests.

CONCLUSION

Canada and the United States were motivated in the mid-1950s to integrate their air defence organizations to address the threat presented by the Soviet Union's strategic bombers. The cooperative defence arrangements that evolved included the development of common operating procedures and the realization that an integrated command structure with operational control over assigned forces was the essential next step. The Canadian and United States government's negotiation of the NORAD Agreement in 1957 addressed this requirement and established the keystone defence cooperative arrangement that has evolved over the intervening years to address advances in technology and the emergence of new threats. The Canadian Government has consistently viewed that Canada's geographical position in North America has dictated the necessity to maintain a close defence partnership with the United States. This partnership has been tempered by concerns that the United States must make more than just an appearance of respecting Canadian sovereignty and by a significant divergence of opinion with the ABM initiatives of the United States, but the Canadian Government has not historically been prepared to make the financial commitments essential for the CF to singly carry out the defence of the nation.

In the post 9/11 world, with its plethora of threats to the security and defence of North America, the Canadian Government has acknowledged in its National Security Policy and its International and Defence Policy Statements that there exists a requirement to examine new and innovative ways to defend with the United States our shared continent. The BPG that was instituted by the two countries to examine the areas in which to improve military cooperation had a very similar task and composition to the ad hoc working group that proposed the original NORAD Agreement. The BPG in its recommendations to improve

defence cooperation between Canada and the United States has essentially restated the five principles, which were originally devised to frame the negotiations for cooperative defence arrangement some sixty years ago. The efforts of the BPG to expand upon the degree of defence cooperation that Canada and the United States share has also been challenged by the same constraints that emerged in that period. The BPG's proposed concept for the future North American defence arrangement, the CDSA, is also very similar to the CANUSA concept proposed at the time of the original NORAD negotiations. The constraints and limitations that prevented further consideration of CANUSA have stymied further consideration of the CDSA.

The *Three Commands – Complementary Missions* defence concept proposed in the BPG's *Final Report* is likely the way forward for the cooperative defence of the continent. Both governments have, with their institution of Commands responsible for the operational defences of their countries, acknowledged the requirement to focus a more significant amount of national resources to the defence of their homelands. With the initiatives taken by the Canadian and United States government to defend their nations the potential of them instituting an expansion of the defence arrangements into the land and maritime domains, that is similar to the construct of the NORAD Agreement in the aerospace domain, is now highly implausible. The liaison mechanisms that Canada COM and USNORTHCOM institute between themselves and NORAD will be the critical factor that will determine the future cooperation between Canada and the United States in the land and maritime domains.

The events of 9/11 demonstrated the utility of an aerospace defence Command capable of addressing threats from the exterior of the continent's perimeter as well as those

that originate from the interior. The potential to expand the mission of NORAD to improve surveillance over the continent is an excellent initiative that would complement the missions of Canada COM and USNORTHCOM. The Canadian desire to develop a space-based surveillance system for the defence of the North American continent, which can be traced back to the 1994 *White Paper on Defence*, is one mission area that NORAD could assume according to the BPG's *Final Report*. All domain continental warning could be a function assumed by NORAD based on its current surveillance capabilities and with the use of existing technology.

The Final Report of the BPG included the statement that “The upcoming NORAD Agreement renewal (including a *potential* expansion of its mandate into the maritime domain) is an important step towards enhancing the defense and security of the continent.”¹⁶³ The word *potential* was italicized by the BPG's authors and could be an indication of the fact that in a similar manner to its own demise the renewal of the NORAD Agreement will not extend to incorporate the maritime or land domains. If the pending renewal of the NORAD Agreement only has its traditional mission for the aerospace defence of North America expanded to incorporate the surveillance of the continent and does not include an expansion to integrate maritime and land defences it will be borne out that the ‘sky’ is the limit for NORAD.

¹⁶³ Bi-National Planning Group, *The Final Report on Canada and the United States (CANUS) Enhanced Military Cooperation*, i.

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