

5. Provisions regarding cooperation relating to habitat of stocks of Pacific salmon subject to the Treaty shall be as set out in Attachment E.

6. The obligations under this Agreement shall be subject to the obtaining of specific legislative authority from the United States Congress for the Northern Boundary and Transboundary Rivers Restoration and Enhancement Fund and the Southern Boundary Restoration and Enhancement Fund. Such Congressional action (i.e., authorization and appropriation) lies within the discretion of the Congress. Nevertheless, the United States Government shall undertake to seek such legislative authority at an early date. In the event that the United States Government does not make initial funds available for the Funds by December 31, 1999, or in the event that additional installment payments to these Funds are not made by the end of U.S. fiscal year 2001 or by the end of U.S. fiscal year 2002, or in the event that total payment for the two Funds is not made available by the end of U.S. fiscal year 2003, all of the obligations under this Agreement shall be suspended until such funds are available, unless our two Governments agree otherwise.

7. Each Government shall take the necessary steps to implement the obligations under this Agreement consistent with its national laws. In particular, implementation of this Agreement by the United States Government shall be contingent on a determination that the Agreement satisfies the legal requirements under the United States' Endangered Species Act. The United States' Government shall fulfil those requirements as expeditiously as possible consistent with United States' law and shall keep the Government of Canada informed