

- “3. Notwithstanding paragraph 2, above, our two Governments understand that the provision of funding by the United States Government is subject to the appropriation of funds by the appropriate governmental authority and to related laws and regulations. The United States Government undertakes to seek necessary appropriations and any related changes to laws at an early date to implement this agreement. Likewise, the Government of Canada undertakes to seek the funds referred to in subparagraph 2(a) above. Should such legislative authority and appropriations not be obtained in time to fulfill U.S. funding obligations according to the timetable set forth in subparagraphs 2(a) through 2(c) of this Agreement, or if funds to satisfy the provisions of subparagraph 2(a) above are not obtained by the Government of Canada, our two Governments hereby agree to suspend the obligations of amended Chapter 3 until such funds become available, unless our two Governments agree otherwise.
- “4. If the Northern Fund Committee and the Southern Fund Committee do not make and fulfill a commitment to provide \$2 million (U.S.) per year for five years (for a total of \$10 million) for the purposes specified in amended Chapter 3, subparagraph 3(a) beginning in 2009, our two Governments hereby agree to suspend the obligations of amended Chapter 3, until such a commitment is made and fulfilled, unless our two Governments agree otherwise.