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will be open to the Commission appointed under the provisions of the Agreement and carrying out the duties imposed upon it, to take such action as may be necessary, and as may come within the scope of the Agreement with regard to diversions at Niagara.

If the foregoing is acceptable to the Government of Canada, this note and your reply thereto, when approved by the Senate, shall be regarded as placing on record the understanding arrived at between the two Governments concerning this matter.

Accept, Sir, etc.

For the Secretary of State:

A. A. BERLE, Jr.

*The Canadian Minister at Washington  
to the Secretary of State of the United States of America*

CANADIAN LEGATION,  
WASHINGTON,  
May 20, 1941.

SIR,—With reference to your note of May 20th, 1941, concerning the immediate and pressing needs for additional power in the Niagara Falls area for national defence purposes, I have the honour to inform you that the Government of Canada concurs in the arrangements set forth in your note and is prepared to give assurances that no objection will be raised by the Government of Canada to an additional diversion of 5,000 cubic feet per second on the United States side of the Niagara River above the Falls.

I have, etc.,

H. H. WRONG,  
*for the Minister.*