

Executive Order 11177--Providing for certain arrangements under the Columbia River Treaty

September 16, 1964

WHEREAS the treaty between the United States and Canada relating to cooperative development of the water resources of the Columbia River Basin (signed at Washington, D.C., on January 17, 1961; Executive C, 87th Congress, 1st Session) has come into force; and

WHEREAS Article XIV of such treaty (hereinafter referred to as the Treaty) provides for the designation of certain entities which are empowered and charged with the duty to formulate and carry out the operating arrangements necessary to implement the Treaty, and authorizes the United States of America to designate one or more of such entities; and

WHEREAS Article XV of the Treaty authorizes the United States of America to appoint two members of the Permanent Engineering Board established by that Article:

NOW, THEREFORE, by virtue of the authority vested in me by the Treaty and by the Constitution and statutes, and as President of the United States, it is hereby ordered as follows:

Part I. United States Entity

Section 101. *Designation of Entity.* The Administrator of the Bonneville Power Administration, Department of Energy, and the Division Engineer, North Pacific Division, Corps of Engineers, Department of the Army, are hereby designated as an entity under Article XIV of the Treaty, to be known as the United States Entity for the Columbia River Treaty (hereinafter referred to as the Entity). The designated Administrator shall be the Chairman of the Entity.

[Sec. 101 amended by Executive Order 12038 of Feb. 3, 1978, 43 FR 4957, 3 CFR, 1978 Comp., p. 136]

Sec. 102. *Functions of the Entity.* The Entity shall have the functions set forth therefore in Article XIV, and in other provisions, of the Treaty.

Sec. 103. *Departmental responsibilities.* This order shall not affect (1) the respective responsibilities of the Department of the Army and the Department of Energy for project operation and administration, (2) the respective responsibilities of the Secretary of the Army and the Chief of Engineers for the supervision and direction of the Department of the Army and the Office of the Chief of Engineers, or (3) the responsibility of the Secretary of Energy for the supervision and direction of the Department of Energy.

[Sec. 103 amended by Executive Order 12038 of Feb. 3, 1978, 43 FR 4957, 3 CFR, 1978 Comp., p. 136]

Part II. United States Section, Permanent Engineering Board

Sec. 201. *Appointment of members of the Permanent Engineering Board.* (a) The Secretary of Energy and the Secretary of the Army shall each appoint one person as a United States member of the Permanent Engineering Board established by Article XV of the Treaty.

(b) Each such person shall be selected from among appropriately qualified individuals, who at the time of appointment may be, but need not necessarily be, officers or employees of the United States, and shall serve as a member of the Board during the pleasure of the appointing Secretary.

[Sec. 201 amended by Executive Order 12038 of Feb. 3, 1978, 43 FR 4957, 3 CFR, 1978 Comp., p. 136]

Sec. 202. *Alternate members.* In addition to the two members to be appointed under the provisions of Section 201 of this order, there shall be two alternate United States members of the Permanent Engineering Board. The provisions of Section 201 of this order shall apply to the selection, appointment, and service of the alternate members.

Sec. 203. *United States Section.* The members and alternate members appointed under the foregoing provisions of this Part shall compose the United States Section, Permanent Engineering Board, Columbia River Treaty, hereinafter referred to as the United States Section. The member appointed by the Secretary of the Army under Section 201(a) of this order shall be the Chairman of the United States Section.

Sec. 204. *Assistance to the United States Section.* With the consent of the respective heads thereof, departments and agencies of the Federal Government may, upon the request of the United States Section and to the extent not inconsistent with law, furnish assistance needed by the Section in connection with the performance of its functions.

Part III. General

Sec. 301. *Reservation.* There is hereby reserved the right to modify or terminate any or all of the provisions of this order.