

No. 1128

**UNITED STATES OF AMERICA
and
FRANCE**

**Agreement relating to the financing of certain educational
exchange programmes. Signed at Paris, on 22 Octo-
ber 1948**

Official texts: English and French.

Registered by the United States of America on 2 April 1951.

**ÉTATS-UNIS D'AMÉRIQUE
et
FRANCE**

**Convention en vue de financer certains programmes
d'échanges dans le domaine de l'enseignement. Signée
à Paris, le 22 octobre 1948**

Textes officiels anglais et français.

Enregistrée par les États-Unis d'Amérique le 2 avril 1951.

No. 1128. AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND FRANCE RELATING TO THE FINANCING OF CERTAIN EDUCATIONAL EXCHANGE PROGRAMMES. SIGNED AT PARIS, ON 22 OCTOBER 1948

The Government of the United States of America
and

The Government of the French Republic;

desiring to promote further mutual understanding between the peoples of the United States of America and the French Republic by a wider exchange of knowledge and professional talents;

Considering that the Secretary of State of the United States of America may enter into an agreement for financing certain educational exchange programs from currencies or credits for currencies acquired pursuant to the Memorandum of Understanding dated May 28, 1946² and the supplements thereto;

Have agreed as follows :

Article I

There shall be established a Commission to be known as the United States Educational Commission for France (hereinafter designated "The Commission"), which shall be recognized by the Government of the United States of America and the Government of the French Republic as an organization created and established to facilitate the administration of an educational program financed by funds made available in accordance with the Memorandum of Understanding dated May 28, 1946 and the supplement thereto. Except as hereinafter provided, the Commission shall be exempt from the domestic and local laws of the United States of America as they relate to the use and expenditure of currencies and credits for currencies for the purposes set forth in the present agreement. The funds shall enjoy on the part of the Government of the French Republic the exemption and immunities accorded to the property of a foreign government.

Funds made available under the present agreement, within the conditions and limitations hereinafter set forth, shall be placed at the disposal of the Commission for the purposes of :

¹ Came into force on 18 November 1948, by virtue of the receipt by the Government of the United States of America of notice of ratification thereof by the Government of France, in accordance with article 13.

² See p. 59 of this volume.

1. Financing studies, research, instruction, and other educational activities of or for citizens of the United States of America in schools and institutions of higher learning located in France and Territories of the French Union, or of the nationals of France in the United States schools and institutions of higher learning located outside the continental United States, Hawaii, Alaska (including the Aleutian Islands), Puerto Rico, and the Virgin Islands, including payment for transportation, tuition, maintenance, and other expenses incident to scholastic activities;

or

2. Furnishing transportation for nationals of France who may be chosen to attend United States schools and institutions of higher learning in the continental United States, Hawaii, Alaska (including the Aleutian Islands) and whose attendance will not deprive citizens of the United States of America of an opportunity to attend such schools and institutions.

Article 2

In furtherance of the aforementioned purposes, the Commission may, subject to the provisions of the present agreement, exercise all powers necessary to the carrying out of the purposes of this agreement, including the following :

1. Plan, adopt and carry out programs in accordance with the purposes of Section 32 (b) of the United States Surplus Property Act of 1944, as amended, and the purposes of this agreement;

2. Recommend to the Board of Foreign Scholarships, provided for in the United States Surplus Property Act of 1944, as amended, students, professors, research scholars, resident in France and the Territories of the French Union, and institutions of France and the Territories of the French Union qualified in the opinion of the Commission to participate in the educational program in accordance with the aforesaid Act;

3. Recommend to the aforesaid Board of Foreign scholarship such qualifications for the selection of participants in the programs as it may deem necessary for achieving the purpose and objectives of the Commission;

4. Authorize the Treasurer of the Commission or such other person as the Commission may designate to receive funds to be deposited in bank accounts in the name of the Treasurer of the Commission or such other person as may be designated. The appointment of the Treasurer or such designee shall be approved by the Secretary of State and he shall deposit funds received in a depository or depositories designated by the Secretary of State;

5. Subject to the conditions and limitations as set forth herein, authorize the disbursement of funds and the making of grants and advances of funds for the authorized purposes of the Commission;

6. Provide for periodic audits of the accounts of the Treasurer of the Commission as directed by auditors selected by the Secretary of State of the United States of America;

7. Engage an Executive Officer, administrative and clerical staff, and fix and authorize the payment of salaries and wages thereof out of the funds made available.

Article 3

All commitments, obligations and expenditures authorized by the Commission shall be made pursuant to budgets to be approved by the Secretary of State of the United States of America pursuant to such regulations as he may prescribe.

Article 4

The Commission shall consist of twelve members, six of whom shall be citizens of the United States of America, six of whom shall be citizens of France. Of the citizens of the United States a minimum of three shall be officers of the United States Foreign Service Establishment in France. The principal officer in charge of the Diplomatic Mission of the United States of America to France (hereinafter designated as the "Chief of Mission"), shall be Honorary Chairman of the Commission and may cast the deciding vote in the event of a tie vote by the Commission. He shall have the power of appointment and removal of the United States citizens on the Commission. The citizens of the French Republic on the Commission shall be designated by the Government of the French Republic. A Chairman with voting power shall be selected by the Commission from among its members.

The members shall serve from the time of their appointment until one year from the following December 31 and shall be eligible for reappointment. Vacancies by reason of resignation, transfer of residence outside France, expiration of term of service or otherwise shall be filled in accordance with this procedure. The members shall serve without compensation, but the Commission may authorize the payment of the necessary expenses of the members in attending the meetings of the Commission.

Article 5

The Commission shall adopt such rules and appoint such committees as it shall deem necessary for the conduct of its affairs.

Article 6

Reports acceptable in form and content to the Department of State of the United States shall be made annually on the activities of the Commission to the Secretary of State of the United States of America and the Government of the French Republic.

Article 7

The principal office of the Commission shall be in Paris, but meetings of the Commission and any of its committees may be held in such other places as the Commission may from time to time determine, and the activities of any of the Commission's officers or staff may be carried on at such places as may be approved by the Commission, within the limit of any rules, regulations and restrictions in force in territories under the authority of the French Republic.

Article 8

In the event it is found to be impracticable for the Commission to engage an Executive Officer, the Government of the United States of America may provide an Executive Officer and such assistants as may be deemed necessary to ensure the effective operation of the program.

Article 9

The Secretary of State of the United States of America will make available for expenditure as authorized by the Commission currency of the Government of the French Republic in an amount not to exceed the equivalent of five million dollars nor in excess of the budgetary limitation established pursuant to Article 3 of the present agreement.

Article 10

Wherever, in the present agreement, the term "Secretary of State of the United States of America" is used, it shall be understood to mean the Secretary of State of the United States of America or any officer or employee of the Government of the United States of America designated by him to act in his behalf.

Article 11

The present agreement shall be reviewed by representatives of the two governments before December 31st, 1951.

However, the two governments may, on the request of either, come to an earlier understanding on changes in the present agreement.

Article 12

The Government of the United States of America and the Government of the French Republic shall make every effort to facilitate the exchange of persons programs authorized in this agreement and to resolve problems which may arise in the operation thereof.

Article 13

The present agreement shall come into force on the day on which notice of its ratification by the Government of the French Republic is given to the Government of the United States of America.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed the present agreement.

DONE at Paris the 22nd October 1948 in duplicate, in the English and French languages.

Jefferson CAFFERY [SEAL]

SCHUMAN [SEAL]

Yvon DELBOS [SEAL]
