

No. 1273

---

**UNITED STATES OF AMERICA  
and  
AUSTRIA**

**Agreement for the financing of certain educational exchange programmes. Signed at Washington, on 6 June 1950**

*Official texts: English and German.*

*Registered by the United States of America on 5 July 1951.*

---

**ÉTATS-UNIS D'AMÉRIQUE  
et  
AUTRICHE**

**Accord relatif au financement de certains programmes d'échange en matière d'éducation. Signé à Washington, le 6 juin 1950**

*Textes officiels anglais et allemand.*

*Enregistré par les États-Unis d'Amérique le 5 juillet 1951.*

No. 1273. AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF AUSTRIA FOR THE FINANCING OF CERTAIN EDUCATIONAL EXCHANGE PROGRAMS. SIGNED AT WASHINGTON, ON 6 JUNE 1950

---

The Government of the United States of America and the Government of Austria;

Desiring to promote further mutual understanding between the peoples of the United States of America and Austria through educational contacts;

Considering that Section 32 (b) of the United States Surplus Property Act of 1944 as amended by Public Law No. 584, 79th Congress,<sup>2</sup> provides that the Secretary of State of the United States of America may enter into an agreement with any foreign government for the use of currencies or credits for currencies of such foreign government acquired as a result of surplus property disposals for the purpose of providing for certain educational activities; and

Considering that under the provisions of paragraph 4 (a) of the Letter Credit Agreements signed on May 2, 1946<sup>3</sup> and February 17, 1948<sup>3</sup> by and between the Government of the United States of America and the Government of Austria (hereinafter designated "the Letter Credit Agreements") it is provided that in the event the Government of the United States of America wishes to receive local currency of the Government of Austria for payment of any or all expenditures in Austria of the Government of the United States of America and its agencies, the Government of the United States of America may request at any time or times, and the Government of Austria agrees to furnish at such time or times, Austrian currency in any amount not in excess of the net outstanding balance of principal (whether or not then due in United States dollars) plus interest (then due in United States dollars) payable under the terms of the Letter Credit Agreements.

Have agreed as follows :

---

<sup>1</sup> Came into force on 6 June 1950, as from the date of signature, in accordance with article 13.

<sup>2</sup> United States : 60 Stat. 754.

<sup>3</sup> Not printed by the Department of State of the United States of America.

*Article 1*

There shall be established a Commission to be known as the United States Educational Commission in Austria (hereinafter designated "the Commission"), which shall be recognized by the Government of Austria as an organization created and established to facilitate the Administration of an educational program to be financed by funds made available by the Government of Austria in accordance with the terms of the Letter Credit Agreements. Except as provided in Article 3 hereof 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 Austria the exemptions and immunities accorded to the property of a foreign government.

The funds made available by the Government of Austria, within the conditions and limitations hereinafter set forth, shall be used by the Commission or such other instrumentality as may be agreed upon by the Government of the United States of America and the Government of Austria for the purpose, as set forth in Section 32 (b) of the United States Surplus Property Act of 1944, as amended, of

(1) financing studies, research, instruction, and other educational activities of citizens of the United States of America in schools and institutions of higher learning located in Austria or of citizens of Austria in 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 citizens of Austria who desire to attend United States schools and institutions of higher learning in the continental United States, Hawaii, Alaska, (including the Aleutian Islands), Puerto Rico, and the Virgin 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, and research scholars resident in Austria, and institutions of Austria qualified to participate in the program in accordance with the aforesaid Act.

(3) Recommend to the aforesaid Board of Foreign Scholarships such qualifications for the selection of participants in the programs as it may deem necessary for achieving the purpose and objectives of this Agreement.

(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 making of grants and advances of funds for the authorized purposes of the present agreement.

(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 pay the salaries and wages thereof from funds made available under this agreement.

*Article 3*

All commitments, obligations and expenditures by the Commission shall be made pursuant to an annual budget 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 eight members, four of whom shall be citizens of the United States of America, and four of whom shall be citizens of Austria. In addition the principal officer in charge of the Diplomatic Mission of the United States of America to Austria (hereinafter designated "the Chief of Mission") shall be Honorary Chairman of the Commission. He may cast the deciding vote in the event of a tie vote by the Commission and shall appoint the Chairman of the Commission. The Chairman as a regular member of the Commission shall have the right to vote. The citizens of the United States of America on the Commission shall be appointed and may be removed by the Chief of Mission. The citizens of Austria on the Commission shall be appointed and may be removed by the Government of Austria.

The members shall serve from the time of their appointment until the following December 31 and shall be eligible for reappointment. Vacancies by reason of resignation, transfer of residence outside Austria, or expiration of term of service, or otherwise shall be filled in accordance with the appointment procedure set forth in this article.

The members shall serve without compensation, but the Commission is authorized to defray necessary expenses incurred by its members in attending meetings of the Commission.

*Article 5*

The Commission shall adopt such by-laws and appoint such committees as it shall deem necessary for the conduct of the affairs of the Commission.

*Article 6*

Reports acceptable in form and content to the Secretary of State of the United States of America 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 Austria.

*Article 7*

The principal office of the Commission shall be in the capital city of Austria, 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.

*Article 8*

The Government of Austria shall as and when requested by the Government of the United States of America deposit with the Treasurer of the United States of America amounts of currency of the Government of Austria until an aggregate amount of the currency of the Government of Austria equivalent to \$1,250,000 (United States currency) shall have been so deposited, provided, however, that not more than the equivalent in Austrian currency of \$250,000 (United States currency) shall be made available during any single calendar year.

The rate of exchange between currency of the Government of Austria and United States currency to be used in determining the amount of currency of the Government of Austria to be deposited from time to time hereunder, shall be determined in accordance with Article 4 (b) of the Letter Credit Agreements.

The Secretary of State of the United States of America will make available for expenditures by the Commission currency of the Government of Austria in such amounts as may be required by the Commission but in no event in excess of the budgetary limitation established pursuant to Article 3 of the present agreement.

*Article 9*

The Government of Austria shall extend to citizens of the United States of America residing in Austria and engaged in educational activities under the auspices of the Commission such privileges with respect to exemption from Federal taxation, and restrictions affecting the entry and residence of such persons as are extended to Austrian nationals residing in the United States of America engaged in similar activities.

*Article 10*

The Government of the United States of America and the Government of Austria shall make every effort to facilitate the programs authorized in this agreement and to resolve problems which may arise in the operations thereof.

*Article 11*

Wherever, in the present agreement, the term "Secretary of State" 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 12*

The present agreement may be amended by the exchange of diplomatic notes between the Government of the United States of America and the Government of Austria.

*Article 13*

The present agreement shall come into force upon the date of signature.

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

DONE at Washington in duplicate, in the English and German languages this sixth day of June, 1950.

For the Government of the United States of America :  
Dean ACHESON

For the Government of Austria :  
Ludwig KLEINWAECHTER

---