

No. 1928

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**UNITED STATES OF AMERICA  
and  
DENMARK**

**Agreement for financing certain educational exchange programs. Signed at Copenhagen, on 23 August 1951**

*Official texts: English and Danish.*

*Registered by the United States of America on 29 October 1952.*

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

**Accord relatif au financement de certains programmes d'échanges éducatifs. Signé à Copenhague, le 23 août 1951**

*Textes officiels anglais et danois.*

*Enregistré par les États-Unis d'Amérique le 29 octobre 1952.*

No. 1928. AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF DENMARK FOR FINANCING CERTAIN EDUCATIONAL EXCHANGE PROGRAMS. SIGNED AT COPENHAGEN, ON 23 AUGUST 1951

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

Desiring to promote further mutual understanding between the peoples of the United States of America and Denmark by a wider exchange of knowledge and professional talents 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 certain educational activities ; and

Considering that under the provisions of the Letter of Credit Agreement dated February 21, 1947 between the Government of the United States of America and the Government of Denmark, which was extended by Letter agreements, dated December 10, 1947, January 27, 1948, June 10, 1948 and December 13, 1948,<sup>3</sup> it is provided that the Government of Denmark will, at the request of the United States, deliver Danish currency for the payment of expenditures in Denmark of the Government of the United States of America ;

Have agreed as follows :

*Article 1*

There shall be established a foundation to be known as the United States Educational Foundation in Denmark (hereinafter designated "the Foundation"), which shall be recognized by the Government of the United States of America and the Government of Denmark 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 Denmark in accordance with the Letter of Credit Agreement dated February 21, 1947 between the Government of Denmark

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<sup>1</sup> Came into force on 23 August 1951, upon signature, in accordance with article 13.

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

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

and the Government of the United States of America, which was extended by Letter agreements, dated December 10, 1947, January 27, 1948, June 10, 1948 and December 13, 1948.

Except as provided in Article 3 hereof the Foundation 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 be regarded in Denmark as property of a foreign government.

The funds made available under the present agreement within the conditions and limitations hereinafter set forth, shall be used by the Foundation or such other instrumentality as may be agreed upon by the Government of the United States of America and the Government of Denmark, 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 or for citizens of the United States of America in schools and institutions of higher learning located in Denmark, or of the citizens of Denmark 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 Denmark 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 Foundation 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 the present 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, teachers, resident in Denmark and institutions of Denmark qualified to participate in the programs 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 Foundation or such other person as the Foundation may designate to receive funds to be deposited in bank accounts in the name of the Treasurer of the Foundation 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, the Treasurer, or such designee, shall deposit funds received in a depository or depositories designated by the Secretary of State of the United States of America.

(5) Authorize the disbursement of funds and the 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 Foundation 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 out of funds made available under the agreement.

### *Article 3*

All commitments, obligations, and expenditures authorized by the Foundation shall be made pursuant to an annual budget 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 management and direction of the affairs of the Foundation shall be vested in a Board of Directors consisting of eight members (hereinafter designated the "Board"), four of whom shall be citizens of the United States of America and four of whom shall be citizens of Denmark. In addition, the principal officer in charge of the Diplomatic Mission of the United States of America to Denmark (hereinafter designated "Chief of Mission") shall be Honorary Chairman of the Board. He shall cast the deciding vote in the event of a tie vote by the Board and shall appoint the Chairman of the Board. The Chairman as a regular member of the Board shall have the right to vote. The Chief of Mission shall have the power to appoint and remove the citizens of the United States of America on the Board, at least two of whom shall be officers of the United States Foreign Service establishment in Denmark. The Danish members shall be appointed and may be removed by the Government of Denmark.

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 Denmark, expiration of service or other-

wise, shall be filled in accordance with the appointment procedure set forth in this article.

The members shall serve without compensation but the Board is authorized to pay the necessary expenses of the members in attending the meetings of the Board and in performing other official duties assigned by the Foundation.

#### *Article 5*

The Board shall adopt such bylaws and appoint such committees as it shall deem necessary for the conduct of the affairs of the Foundation.

#### *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 Foundation to the Secretary of State of the United States of America and the Government of Denmark.

#### *Article 7*

The principal office of the Foundation shall be in the capital city of Denmark, but meetings of the Board and any of its committees may be held in such other places as the Board may from time to time determine, and the activities of any of the Foundation's officers or staff may be carried on at such places as may be approved by the Board.

#### *Article 8*

The Government of Denmark shall, as and when requested by the Government of the United States of America for purposes of this agreement, make available for deposit in an account of the Treasurer of the United States of America in Denmark amounts of currency of the Government of Denmark until an aggregate amount equivalent to \$900,000 (United States currency) shall have been made available, provided, however, that not more than the equivalent in Danish currency of \$180,000 (United States currency) shall be made available during any single calendar year.

The rate of exchange between currency of the Government of Denmark and United States currency to be used in determining the amount of currency of the Government of Denmark to be so deposited shall be calculated in accordance with numbered paragraph (4) (b) of the Letter of Credit Agreement dated February 21, 1947.

The Secretary of State of the United States of America will make available for expenditure as authorized by the Foundation currency of the Government of Denmark in such amounts as may be required for the purposes of this agreement but in no event in excess of the budgetary limitations established pursuant to Article 3 of the present agreement.

*Article 9*

The Government of Denmark shall extend to citizens of the United States residing in Denmark and engaged in educational activities under the auspices of the Foundation such privileges with respect to exemption from taxation and other burdens affecting the entry, travel, and residence of such persons, as are extended to Danish citizens 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 Denmark shall make every effort to facilitate the exchange of persons 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 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 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 Denmark.

*Article 13*

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

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

DONE at Copenhagen in duplicate, in the English and Danish languages, this 23<sup>rd</sup> day of August 1951.

For the Government of the United States of America :  
Eugenie ANDERSON

[SEAL]

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