

**No. 4135**

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**UNITED STATES OF AMERICA  
and  
PARAGUAY**

**Agreement for financing educational exchange programs.  
Signed at Asunción, on 4 April 1957**

*Official texts: English and Spanish.*

*Registered by the United States of America on 20 December 1957.*

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

**Accord relatif au financement de programmes d'échange  
dans le domaine de l'enseignement. Signé à Assomption,  
le 4 avril 1957**

*Textes officiels anglais et espagnol.*

*Enregistré par les États-Unis d'Amérique le 20 décembre 1957.*

No. 4135. AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF PARAGUAY FOR FINANCING EDUCATIONAL EXCHANGE PROGRAMS. SIGNED AT ASUNCIÓN, ON 4 APRIL 1957

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The Government of the United States of America and the Government of the Republic of Paraguay :

Desiring to promote further mutual understanding between the peoples of the United States of America and the Republic of Paraguay by a wider exchange of knowledge and professional talents through educational activities :

Considering that the Secretary of State of the United States of America may enter into an agreement for financing certain educational exchange programs from the currency of the Republic of Paraguay held or available for expenditure by the United States for such purposes :

Have agreed as follows :

*Article I*

There shall be established a commission to be known as the Commission for Educational Exchange between the United States of America and the Republic of Paraguay (hereinafter designated " the Commission "), which shall be recognized by the Government of the United States of America and the Government of the Republic of Paraguay as an organization created and established to facilitate the administration of an educational program to be financed by funds made available to the Commission by the Government of the United States of America from funds held or available for expenditure by the United States for such purpose.

Except as provided in Article III 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 and property which may be acquired with the funds in furtherance of the purposes of the agreement shall be regarded in the Republic of Paraguay as property of a foreign government.

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<sup>1</sup> Came into force on 26 June 1957, the date of the notification to the Government of the United States of America by the Government of Paraguay of its ratification, in accordance with article XI.

The funds made available under the present agreement, 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 the Republic of Paraguay for the purposes 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 the Republic of Paraguay or of the citizens of the Republic of Paraguay 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 of transportation, tuition, maintenance, and other expenses incident to scholastic activities : or
- 2) Furnishing transportation for citizens of the Republic of Paraguay 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 an opportunity to attend such schools and institutions.

## *Article II*

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 the present agreement, including the following :

- 1) Plan, adopt and carry out programs in accordance with the purposes of the present agreement.
- 2) Recommend to the Board of Foreign Scholarships, provided for in Section 1641 (B), Title 50, appendix of the United States Code, students, professors, research scholars, teachers, resident in the Republic of Paraguay, and institutions of the Republic of Paraguay qualified to participate in the program in accordance with the aforesaid Section.
- 3) Recommend to the aforesaid Board of Foreign Scholarships such qualifications for the selection of participants in the program as it may deem necessary for achieving the purpose and objectives of the present agreement.
- 4) Acquire, hold, and dispose of property in the name of the Commission as the Board of Directors of the Commission may consider necessary or desirable, provided, however, that the acquisition of any real property shall be subject to the prior approval of the Secretary of State of the United States of America.

- 5) 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 of the United States of America. The Treasurer shall deposit funds received in a depository or depositories designated by the Secretary of State of the United States of America.
- 6) Authorize the disbursement of funds and the making of grants and advances of funds for the authorized purposes of the present agreement.
- 7) 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.
- 8) Incur administrative expenses as may be deemed necessary out of funds made available under the present agreement.

### *Article III*

All commitments, obligations, and expenditures authorized by the Commission shall be made in accordance with an annual budget, to be approved by the Secretary of State of the United States of America.

### *Article IV*

The management and direction of the affairs of the Commission 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 the Republic of Paraguay. In addition, the principal officer in charge of the Diplomatic Mission of the United States of America to the Republic of Paraguay (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 citizens of the United States of America, two of whom shall be officers of the United States Foreign Service establishment in the Republic of Paraguay, shall be appointed and removed by the Chief of Mission and one of them shall serve as Treasurer of the Board. The Paraguayan members shall be appointed and removed by the Government of the Republic of Paraguay.

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 of the Republic of Paraguay, expiration 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 Board may authorize the payment of the necessary expenses of the members in attending the meetings of the Board and in performing other official duties assigned by the Board.

#### *Article V*

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

#### *Article VI*

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 the Republic of Paraguay.

#### *Article VII*

The principal office of the Commission shall be in the capital city of the Republic of Paraguay 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 Commission's officers or staff may be carried on at such places as may be approved by the Board.

#### *Article VIII*

The Government of the United States of America and the Government of the Republic of Paraguay agree that currency of Paraguay acquired by the Government of the United States pursuant to Article II, first paragraph subsection (a) of the Surplus Agricultural Commodities Agreement dated May 2 1956<sup>1</sup> (hereinafter referred to as the "Commodities Agreement"), up to an aggregate amount of 9,000,000 guaraníes may be used for purposes of this agreement. The performance of this agreement shall be subject to the availability of appropriations to the Secretary of State of the United States of America when required by the laws of the United States for reimbursement to the Treasury of the United States for currency of Paraguay held or available for expenditure by the United States.

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

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<sup>1</sup> United Nations, *Treaty Series*, Vol. 268, p. 299.

*Article IX*

The Government of the United States of America and the Government of the Republic of Paraguay shall make every effort to facilitate the exchange of persons programs authorized in this agreement and the Convention for the Promotion of Inter-American Cultural Relations<sup>1</sup> and to resolve problems which may arise in the operations thereof.

*Article X*

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 XI*

This Agreement shall enter into force on the date of notification by the Government of Paraguay to the Government of the United States of ratification of this agreement by the Government of Paraguay in accordance with the constitutional process of the Republic of Paraguay. The present Agreement may be amended by the exchange of diplomatic notes between the Government of the United States and the Government of Paraguay and the ratification of said diplomatic notes in accordance with the constitutional processes of the Republic of Paraguay.

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

DONE at Asunción, in duplicate, in the English and Spanish languages each of which shall be of equal authenticity, this fourth day of April, nineteen hundred fifty-seven.

For the Government  
of the Republic of Paraguay :  
Raúl SAPENA PASTOR  
Minister of Foreign Affairs  
[SEAL]

For the Government  
of the United States of America :  
Arthur A. AGETON  
Ambassador of the United States  
of America  
[SEAL]

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<sup>1</sup> League of Nations, *Treaty Series*, Vol. CLXXXVIII, p. 125.