

### § 197. Construction of Chinese Garden at the National Arboretum

A Chinese Garden may be constructed at the National Arboretum established under this chapter with—

- (1) funds accepted under section 195 of this title;
- (2) authorities provided to the Secretary of Agriculture under section 196 of this title; and
- (3) appropriations provided for this purpose.

(Mar. 4, 1927, ch. 505, §7, as added Pub. L. 110-234, title VII, §7415, May 22, 2008, 122 Stat. 1256, and Pub. L. 110-246, §4(a), title VII, §7415, June 18, 2008, 122 Stat. 1664, 2017.)

#### CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 enacted identical sections. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246.

#### EFFECTIVE DATE

Enactment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as a note under section 8701 of Title 7, Agriculture.

## CHAPTER 12—FOREIGN AND EXCHANGE STUDENTS

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| Sec.        |  |
| 221.        | Instructions of citizens from American republics; Government maintained professional educational institutions.               |
| 221a.       | Instructions of citizens from American republics; United States Military Academy; restrictions; saving provision.            |
| 222 to 224. | Repealed.  |
| 225.        | Fund for education of Iranian students in United States.   |
| 226.        | Cooperative public and private sector program for providing scholarships to students from the Caribbean and Central America. |

### § 221. Instructions of citizens from American republics; Government maintained professional educational institutions

The President is authorized, in his discretion and under such regulations as he may prescribe by Executive order, to permit citizens of the American republics to receive instruction, with or without charge therefor, at professional educational institutions and schools maintained and administered by the Government of the United States or by departments or agencies thereof: *Provided*, That such citizens shall agree to comply with all regulations for the government of the institutions and schools at which they may be under instruction and to exert every effort to accomplish successfully the courses of instruction prescribed: *And provided further*, That the regulations prescribed by the President under the authority of this section shall contain provisions limiting the admission of citizens of the American republics to primary schools maintained and administered by the Government of the United States so that there will under no circumstances be any curtailment of the admission of citizens of the United States eligible to receive instruction therein.

(June 24, 1938, ch. 644, 52 Stat. 1034; July 14, 1941, ch. 292, 55 Stat. 589; June 26, 1946, ch. 493, §1, 60 Stat. 311.)

#### CODIFICATION

Section originally provided that “not more than one citizen of any American republic shall receive instruction at the same time in the United States Military Academy and not more than one in the United States Naval Academy.” This phrase has been omitted in view of acts July 14, 1941, and June 26, 1946. See sections 4344, 6957, and 9344 of Title 10, Armed Forces.

### § 221a. Instructions of citizens from American republics; United States Military Academy; restrictions; saving provision

After June 26, 1946, no person shall have authority to permit citizens of the American Republics to receive instruction at the United States Military Academy under the provisions of section 221 of this title. Any person who is receiving instruction at the United States Military Academy on June 26, 1946, under authority of section 221 of this title, may, in the discretion of the President, be permitted to continue to receive such instruction and, if so permitted, shall thereafter be deemed to be receiving instruction under the provisions of sections 4344 and 9344 of title 10.

(June 26, 1946, ch. 493, §2, 60 Stat. 312.)

#### CODIFICATION

Words “sections 4344 and 9344 of title 10” substituted in text for “section 1 of this Act”, meaning section 1 of act June 27, 1946, ch. 493, 60 Stat. 311, on authority of act Aug. 10, 1956, §49(b), ch. 1041, 70A Stat. 640, the first section of which enacted Title 10, Armed Forces.

### §§ 222 to 224. Repealed. Pub. L. 87-256, § 111(a)(4), Sept. 21, 1961, 75 Stat. 538

Sections, act Aug. 24, 1949, ch. 505, §§1-3, 63 Stat. 630, authorized the creation of a special deposit account for sums due or paid by the Republic of Finland to the United States as interest on or in retirement of the principal of the debt incurred under the act of Feb. 25, 1919, as refunded by the agreement dated May 1, 1923, pursuant to authority contained in sections 805 to 809 of former Title 31, Money and Finance, or of any other indebtedness incurred by Finland and owing to the United States as a result of World War I, provided for the use of such fund for exchange of students, professors, etc., for the interchange of books and technical equipment, and for disbursements from the account. See section 2451 et seq. of Title 22, Foreign Relations and Intercourse, particularly section 2455.

#### CONTINUATION OF CERTAIN EXECUTIVE ORDERS, AGREEMENTS, DETERMINATIONS, REGULATIONS, CONTRACTS, APPOINTMENTS, AND OTHER ACTIONS

Continuation in full force and effect, and applicability to the appropriate provisions of the Mutual Educational and Cultural Exchange Act of 1961, set out in section 2451 et seq. of Title 22, Foreign Relations and Intercourse, until modified or superseded by appropriate authority, of all Executive orders, agreements, determinations, regulations, contracts, appointments, and other actions issued, concluded, or taken under authority of these sections, see section 111(b) of Pub. L. 87-256, set out as a note under section 2451 of Title 22.

### § 225. Fund for education of Iranian students in United States

There is authorized to be appropriated, out of any funds in the Treasury of the United States not otherwise appropriated, the sum of \$110,000, which sum shall be expended by the Secretary of State in his discretion for the education of Ira-

nian students in the United States, in accordance with the obligation of the United States arising out of the agreement contained in an exchange of notes between this Government and the Iranian Government of July 25, July 29, November 9, and November 15, 1924, which agreement settled a claim asserted by the United States.

The said sum of \$110,000 shall be deemed a trust fund received by the Secretary of State under the provisions of section 2668a of title 22, and shall be expended as therein provided. The said sum shall be deemed to constitute the fund of \$110,000 received by the United States from the Iranian Government in four installments between December 24, 1924, and March 29, 1925, pursuant to the afore-mentioned notes, and deposited in the Treasury of the United States on June 24, 1925, which fund shall be deemed, insofar as the same may be necessary, to have been heretofore appropriated as a trust fund under section 2668a of title 22 and sections 1321 and 1322(a) of title 31. The Secretary of the Treasury shall make payments out of the said fund to or for the account of such persons, in such amounts, at such times, and on such terms, as the Secretary of State or his designee shall certify and the certificates of the Secretary of State or his designee issued hereunder shall be conclusive as to the propriety of payments so made. The expenditure of the said sum by the United States shall constitute full performance of the obligation of the United States to the Iranian Government or any other person arising out of the said notes and shall discharge the Secretary of State and the Secretary of the Treasury with respect to any accountability therefor.

(Sept. 29, 1950, ch. 1110, §§ 1, 2, 64 Stat. 1081.)

#### CODIFICATION

Words “section 2668a of title 22” substituted in text for “the Act of February 27, 1896, (29 Stat. 32, title 31, U.S.C. sec. 547)” and “the said Act of February 27, 1896” to reflect the transfer of section 547 of Title 31, Money and Finance, to section 2668a of Title 22, Foreign Relations and Intercourse.

Words “sections 1321 and 1322(a) of title 31” substituted in text for “the Permanent Appropriation Repeal Act, 1934, as amended, section 20 (48 Stat. 1233, 31 U.S.C., sec. 725(s) [31 U.S.C. 725s])” on authority of Pub. L. 97-258, § 4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31.

### § 226. Cooperative public and private sector program for providing scholarships to students from the Caribbean and Central America

#### (a) Statement of purpose

It is the purpose of this section to encourage the establishment of partnerships between State governments, universities, community colleges, and businesses to support scholarships for talented socially and economically disadvantaged students from eligible countries in the Caribbean and Central America to study in the United States in order to—

- (1) improve the diversity and quality of educational opportunities for such students;
- (2) assist the development efforts of eligible countries by providing training and educational assistance to persons who can help

address the social and economic needs of these countries;

(3) expand opportunities for cross-cultural studies and exchanges and improve the exchange of understanding and principles of democracy;

(4) promote positive and productive relationships between the United States and its neighbor countries in the Caribbean and Central American regions;

(5) give added visibility and focus to the “scholarship diplomacy” efforts of the United States Government by leveraging the monies available for this purpose through the development of partnerships among Federal, State, and local governments and the business and academic communities; and

(6) promote community involvement with the scholarship program as a tool for broadening and strengthening the “American experience” for foreign students.

#### (b) Establishment of scholarship program

The Administrator of the Agency for International Development shall establish and administer a program of scholarship assistance, in cooperation with State governments, universities, community colleges, and businesses, to provide scholarships to enable socially and economically disadvantaged students from eligible countries in the Caribbean and Central America to study in the United States.

#### (c) Grants to States

In carrying out this section, the Administrator may make grants to States to provide scholarship assistance for undergraduate degree programs and for training programs of one year or longer in study areas related to the critical development needs of the students’ respective countries.

#### (d) Agreement with States

The Administrator and each participating State shall agree on a program regarding the educational opportunities available within the State, the selection and assignment of scholarship recipients, and related issues. To the maximum extent practicable, each State shall be given flexibility in designing its program.

#### (e) Federal share

The Federal share for each year for which a State receives payments under this section shall be not less than 50 percent.

#### (f) Non-Federal share

The non-Federal share of payments under this section may be in cash, including the waiver of tuition or the offering of in-State tuition or housing waivers or subsidies, or in-kind fairly evaluated, including the provision of books or supplies.

#### (g) Forgiveness of scholarship assistance

The obligation of any recipient to reimburse any entity for any or all scholarship assistance provided under this section shall be forgiven upon the recipient’s prompt return to his or her country of domicile for a period which is at least one year longer than the period spent studying in the United States with scholarship assistance.

**(h) Private sector participation**

To the maximum extent practicable, each participating State shall enlist the assistance of the private sector to enable the State to meet the non-Federal share of payments under this section. Wherever appropriate, each participating State shall encourage the private sector to offer internships or other opportunities consistent with the purposes of this section to students receiving scholarships under this section.

**(i) Funding**

Any funds used in carrying out this section shall be derived from funds allocated for Latin American and Caribbean regional programs under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 and following; relating to the economic support fund).

**(j) Definitions**

As used in this section—

(1) The term “eligible country” means any country—

(A) which is receiving assistance under chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 and following; relating to development assistance) or chapter 4 of part II of that Act (22 U.S.C. 2346 and following; relating to the economic support fund); and

(B) which is designated by the President as a beneficiary country pursuant to the Caribbean Basin Economic Recovery Act [19 U.S.C. 2701 et seq.].

(2) The term “State” means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands.

(Pub. L. 101–382, title II, §231, Aug. 20, 1990, 104 Stat. 661.)

REFERENCES IN TEXT

The Foreign Assistance Act of 1961, referred to in subsecs. (i) and (j)(1)(A), is Pub. L. 87–195, Sept. 4, 1961, 75 Stat. 424, as amended. Chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 are classified generally to part I (§2151 et seq.) of subchapter I and part IV (§2346 et seq.) of subchapter II, respectively, of chapter 32 of Title 22, Foreign Relations and Intercourse. For provisions deeming references to part I of subchapter I to include a reference to section 2293 of Title 22, see section 2293(d)(1) of Title 22. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of Title 22 and Tables.

The Caribbean Basin Economic Recovery Act, referred to in subsec. (j)(1)(B), is title II of Pub. L. 98–67, Aug. 5, 1983, 97 Stat. 384, which is classified principally to chapter 15 (§2701 et seq.) of Title 19, Customs Duties. For complete classification of this Act to the Code, see Short Title note set out under section 2701 of Title 19 and Tables.

TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

**CHAPTER 13—FINANCIAL ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES**

**SUBCHAPTER I—ASSISTANCE FOR LOCAL EDUCATIONAL AGENCIES IN AREAS AFFECTED BY FEDERAL ACTIVITY**

Sec.

231 to 241–1. Omitted or Repealed.

**SUBCHAPTER II—ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES FOR THE EDUCATION OF CHILDREN OF LOW-INCOME FAMILIES**

241a to 241b–1. Repealed or Transferred.

**PART A—BASIC GRANTS**

**SUBPART 1—GRANTS TO LOCAL EDUCATIONAL AGENCIES**

241c. Repealed.

**SUBPART 2—STATE OPERATED PROGRAMS**

241c–1 to 241c–5. Repealed.

**PART B—SPECIAL INCENTIVE GRANTS**

241d to 241d–2. Repealed.

**PART C—SPECIAL GRANTS**

241d–11, 241d–12. Repealed.

**PART D—GENERAL PROVISIONS**

241e to 241o. Repealed.

**SUBCHAPTER III—FINANCIAL ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES FOR EDUCATION OF INDIAN CHILDREN**

241aa to 241ff. Repealed.

**SUBCHAPTER IV—GENERAL**

242 to 246. Repealed, Transferred, or Omitted.

**SUBCHAPTER I—ASSISTANCE FOR LOCAL EDUCATIONAL AGENCIES IN AREAS AFFECTED BY FEDERAL ACTIVITY**

**§§ 231 to 235. Omitted**

**CODIFICATION**

Sections, act Sept. 10, 1949, ch. 582, 63 Stat. 697, related to Federal aid to local school agencies to provide educational opportunities to children in federally affected areas, received appropriations of \$7,500,000 only for the fiscal year 1950.

**§§ 236 to 239. Repealed. Pub. L. 103–382, title III, § 331(b), Oct. 20, 1994, 108 Stat. 3965**

Section 236, acts Sept. 30, 1950, ch. 1124, title I, §1, formerly §1, 64 Stat. 1100, renumbered title I, §1, and amended Apr. 11, 1965, Pub. L. 89–10, title I, §2, 79 Stat. 27; Apr. 28, 1988, Pub. L. 100–297, title II, §2012(b), 102 Stat. 294, related to Congressional declaration of policy and authorization of appropriations. See section 7701 of this title.

Section 237, acts Sept. 30, 1950, ch. 1124, title I, §2, formerly §2, 64 Stat. 1101; Aug. 8, 1953, ch. 402, §1, 67 Stat. 530; Aug. 12, 1955, ch. 868, §1, 69 Stat. 713; Aug. 3, 1956, ch. 915, title II, §201, 70 Stat. 970; Aug. 12, 1958, Pub. L. 85–620, title II, §201, 72 Stat. 559; Oct. 3, 1961, Pub. L. 87–344, title I, §102(a), 75 Stat. 759; Dec. 18, 1963, Pub. L. 88–210, title III, §302, formerly §32, 77 Stat. 419, renumbered Oct. 16, 1968, Pub. L. 90–576, title I, §101(a)(1), 82 Stat. 1064; Oct. 16, 1964, Pub. L. 88–665, title XI, §1102(a), 78 Stat. 1109; renumbered and amended Apr. 11, 1965, Pub. L. 89–10, title I, §§2, 5, 79 Stat. 27, 36; Jan. 2, 1968, Pub. L. 90–247, title II, §204(a)–(c), title III, §301(e), 81 Stat. 808, 813; Apr. 13, 1970, Pub. L. 91–230, title II, §201(b), 84 Stat. 154; Aug. 21, 1974, Pub. L. 93–380, title III, §303(a)(1), 88 Stat. 522; Apr. 21, 1976, Pub. L. 94–273, §3(5), 90 Stat. 376; Nov. 1, 1978, Pub. L. 95–561, title X,