

subsection (a)(1), and the voluntary services of individuals (including employees of the National Arboretum), for the benefit of the National Arboretum.

**(d) Recognition of donors**

A nonprofit organization that entered into a concession or agreement under subsection (a)(1) may recognize donors if that recognition is approved in advance by the Secretary of Agriculture. In considering whether to approve such recognition, the Secretary shall broadly exercise the discretion of the Secretary to the fullest extent allowed under Federal law.

(Mar. 4, 1927, ch. 505, § 6, as added Pub. L. 104-127, title VIII, § 890(b), Apr. 4, 1996, 110 Stat. 1181; amended Pub. L. 105-185, title VI, § 601(b), June 23, 1998, 112 Stat. 585; Pub. L. 113-79, title VII, § 7602, Feb. 7, 2014, 128 Stat. 911.)

CODIFICATION

In subsec. (a), “chapters 1 to 11 and section 1302 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41” substituted for “the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.) and section 321 of the Act of June 30, 1932 (40 U.S.C. 303b)” on authority of Pub. L. 107-217, § 5(c), Aug. 21, 2002, 116 Stat. 1303, which Act enacted Title 40, Public Buildings, Property, and Works, and Pub. L. 111-350, § 6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

AMENDMENTS

2014—Subsec. (a)(1). Pub. L. 113-79, § 7602(1), added par. (1) and struck out former par. (1) which read as follows: “negotiate agreements granting concessions at the National Arboretum to nonprofit scientific or educational organizations the interests of which are complementary to the mission of the National Arboretum, except that the net proceeds of the organizations from the concessions shall be used exclusively for research and educational work for the benefit of the National Arboretum;”.

Subsec. (d). Pub. L. 113-79, § 7602(2), added subsec. (d). 1998—Subsec. (b). Pub. L. 105-185 substituted “Treasury. Amounts in the special fund shall be available to the Secretary of Agriculture, without further appropriation,” for “Treasury”.

**§ 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**

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.

**§ 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 section 347 of title 10.