

with existing practice without cost to them, and within the limit of any appropriation made by Congress, furnish the officers and employees in the Foreign Service with living quarters, heat, light, and household equipment in Government-owned or rented buildings, at places where, in his judgment, it would be in the public interest to do so, notwithstanding the provisions of section 5536 of title 5; and appropriations for “Contingent expenses, foreign missions,” and “Contingent expenses, consulates,” are made available for such purposes.

(Apr. 18, 1930, ch. 184, title I, 46 Stat. 177.)

CODIFICATION

Section was not enacted as part of the Foreign Service Buildings Act, 1926, which comprises this chapter.

“Section 5536 of title 5” substituted in text for “section 1765 of the Revised Statutes (U.S.C., title 5, sec. 70; U.S.C., Supp. III, title 5, sec. 70)” on authority of Pub. L. 89-554, §7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

§ 292. Acquisition of sites and buildings for diplomatic and consular establishments; allotment of space; credit of payments without regard to limitations of amounts

(a) Authority of Secretary of State

The Secretary of State is empowered to acquire by purchase or construction in the manner hereinafter provided, within the limits of appropriations made to carry out this chapter, by exchange, in whole or in part, of any building or grounds of the United States in foreign countries and under the jurisdiction and control of the Secretary of State, sites and buildings in foreign capitals and in other foreign cities, and to alter, repair, and furnish such buildings for the use of the diplomatic and consular establishments of the United States, or for the purpose of consolidating within one or more buildings, the embassies, legation, consulates, and other agencies of the United States Government there maintained. The space in such buildings shall be allotted by the Secretary of State among the several agencies of the United States Government.

(b) Payments from other than appropriated funds for acquisition of property

Payments made for rent or otherwise by the United States from funds other than appropriations made to carry out this chapter may be credited toward the acquisition of property under this chapter without regard to limitations of amounts imposed by this chapter.

(May 7, 1926, ch. 250, §1, 44 Stat. 403; May 29, 1928, ch. 876, §1, 45 Stat. 971; Pub. L. 88-94, §2(b), Aug. 12, 1963, 77 Stat. 122; Pub. L. 89-636, §2, Oct. 10, 1966, 80 Stat. 881; Pub. L. 95-105, title I, §106(a), Aug. 17, 1977, 91 Stat. 845.)

AMENDMENTS

1977—Subsec. (a). Pub. L. 95-105, §106(a)(1), substituted “to carry out” for “pursuant to”.

Subsec. (b). Pub. L. 95-105, §106(a)(2), substituted “to carry out” for “under authority of”.

1966—Pub. L. 89-636 designated existing provisions as subsec. (a) and added subsec. (b).

1963—Pub. L. 88-94 struck out “, subject to the direction of the commission hereinafter established,” after

“is empowered”, “under such terms and conditions as in the judgment of the commission may best protect the interests of the United States,” after “in part,” and “, to the extent deemed advisable by the commission,” after “consolidating” and substituted “. The space in such buildings shall be allotted by the Secretary of State” for “, which buildings shall be appropriately designated by the commission, and the space in which shall be allotted by the Secretary of State under the direction of the commission.”

1928—Act May 29, 1928, inserted “or by exchange, in whole or in part, under such terms and conditions as in the judgment of the commission may best protect the interest of the United States, of any building or grounds of the United States in foreign countries and under the jurisdiction and control of the Secretary of State”.

PROPERTY AGREEMENTS

Pub. L. 103-236, title I, §134, Apr. 30, 1994, 108 Stat. 396, as amended by Pub. L. 103-415, §1(z), Oct. 25, 1994, 108 Stat. 4302, provided that: “Whenever the Department of State enters into lease-purchase agreements involving property in foreign countries pursuant to section 1 of the Foreign Service Buildings Act, 1926 (22 U.S.C. 292), the Department shall account for such transactions in accordance with fiscal year obligations.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 292a of this title.

§ 292a. Demonstration of solar and other renewable energy technologies in foreign countries

(a) Use of renewable energy systems in United States buildings in foreign countries

It is the purpose of this section to provide for the demonstration of solar energy and other renewable energy technologies in foreign countries through the use of such energy in buildings acquired under subsection (a) of section 292 of this title, in order that—

(1) countries in which such buildings are located may be given visible incentives to develop and use local solar energy or other renewable energy resources to reduce dependence upon petroleum and petroleum products;

(2) markets may be developed for American solar energy systems and components in order to stimulate investment in such systems and components and to reduce the costs of such systems and components to reasonable levels;

(3) in furtherance of the purpose of section 2151q¹ of this title, cooperation may be developed between the United States and other countries in an effort to develop solar energy or other renewable energy systems within a short period of time; and

(4) equipment which is vital to the operation of sensitive systems within United States missions abroad may be made more reliable and less dependent upon interruptible local energy supplies.

(b) Implementation of renewable energy projects by Secretary

(1) The Secretary of State shall implement projects for the application of solar energy or other forms of renewable energy in buildings acquired under subsection (a) section 292 of this title.

(2) The Secretary of State shall select projects under paragraph (1) in consultation with the

¹ See References in Text note below.

Secretary of Energy. Such projects shall apply available solar energy and other renewable energy technologies, including those for—

- (A) the heating and cooling of buildings;
- (B) solar thermal electric systems;
- (C) solar photovoltaic conversion systems;
- (D) wind energy systems; and
- (E) systems for developing fuels from biomass.

The Secretary of Energy shall inform the Secretary of State of all such technologies which are feasible for such projects, taking into account the resources and environmental conditions of the countries in which such projects are to be implemented. Upon the request of the Secretary of State, the Secretary of Energy shall provide to the Secretary of State any technical information or other technical assistance which the Secretary of State considers necessary with respect to any such project. Any project selected under this section should be similar to projects which have been demonstrated by the Department of Energy (or any of its predecessor agencies) to be reliable, maintainable, and technically feasible.

(3) Any project selected under this section shall be adaptable to the local resources, climatic conditions, and economic circumstances of the country in which such project is implemented in order that such country will be more likely to implement similar projects.

(4) The Secretary of State shall insure that any project selected under this section is demonstrated to, and available for inspection by, officials and other citizens of the country in which such project is implemented.

(5) In selecting projects under this section, the Secretary of State shall give priority to projects to be implemented in developing countries.

(c) Planning for use of renewable energy systems in construction of new buildings

Whenever any building is constructed under the authority contained in section 292 of this title, the Secretary of State shall insure that the planning for such construction takes into account those renewable energy systems which are available in the country in which the building is to be constructed.

(d) Availability of sums previously authorized to be appropriated

In addition to amounts otherwise available for such purposes, \$4,000,000 of the amount authorized to be appropriated by section 101(a)(1) of this Act shall be available only to carry out the purposes of this section.

(Pub. L. 95-426, title I, §105, Oct. 7, 1978, 92 Stat. 965.)

REFERENCES IN TEXT

Section 2151q of this title, referred to in subsec. (a)(3), was repealed by Pub. L. 96-533, title III, §304(g), Dec. 16, 1980, 94 Stat. 3147. See section 2151d(a)(2), (b)(2), (c) of this title.

Section 101(a)(1) of this Act, referred to in subsec. (d), means section 101(a)(1) of Pub. L. 95-426, which is not classified to the Code.

CODIFICATION

Section was not enacted as part of the Foreign Service Buildings Act, 1926, which comprises this chapter.

§ 293. Repealed. Pub. L. 88-94, §2(a), Aug. 12, 1963, 77 Stat. 122

Section, acts May 7, 1926, ch. 250, §2, 44 Stat. 404; May 29, 1928, ch. 876, §2, 45 Stat. 971; June 19, 1952, ch. 446, §1, 66 Stat. 140, established the Foreign Service Buildings Commission, prescribed its duties, abolished the prior commission, authorized the issuance of rules and regulations, required annual reports to Congress and provided for appointment of personnel.

FOREIGN SERVICE BUILDINGS COMMISSION; REFERENCES IN OTHER LAWS

Section 2(g) of Pub. L. 88-94 provided that: "All references to the Foreign Service Buildings Commission, originally established by the Foreign Service Buildings Act, 1926 [this chapter] in all laws of the United States are hereby repealed."

§ 294. Manner of use of buildings; contracts for construction, etc.

Buildings and grounds acquired under this chapter or prior to May 7, 1926, acquired or authorized for the use of the diplomatic and consular establishments in foreign countries may be used, in the case of buildings and grounds for the diplomatic establishment, as Government offices or residences or as such offices and residences; or, in the case of other buildings and grounds, as such offices or such offices and residences. The contracts for purchases of buildings, for leases, and for all work of construction, alteration, and repair under this chapter are authorized to be negotiated, the terms of the contracts to be prescribed, and the work to be performed, where necessary, without regard to such statutory provisions as relate to the negotiation, making, and performance of contracts and performance of work in the United States and without regard to section 3324(a) and (b) of title 31.

(May 7, 1926, ch. 250, §3, 44 Stat. 404; Pub. L. 88-94, §2(c), Aug. 12, 1963, 77 Stat. 122; Pub. L. 102-138, title I, §115(c), Oct. 28, 1991, 105 Stat. 656.)

CODIFICATION

"Section 3324(a) and (b) of title 31" substituted in text for "section 3648 of the Revised Statutes of the United States (31 U.S.C. 529)" on authority of Pub. L. 97-258, §4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

AMENDMENTS

1991—Pub. L. 102-138 inserted "purchases of buildings, for leases, and for" after "contracts for".

1963—Pub. L. 88-94 struck out ", subject to the direction of the commission," before "be used" and "in the judgment of the commission," after "where necessary," and inserted "and without regard to section 529 of title 31".

§ 294a. Contracts requiring payment in foreign currency

Whenever a contract is made for the construction, alteration, or repair of a Foreign Service building which requires payments in a foreign currency, the Secretary of State is authorized to purchase such currency at such times and in such amounts (within the total amount of the payments to be made under such contract) as he may deem necessary, the currency so purchased to be disbursed and accounted for at its cost price.