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OVERSEAS BUILDINGS DUE DILIGENCE

Pub. L. 118-159, div. G, title LXXII, §7207, Dec. 23, 2024, 138 Stat. 2531, provided that:

“(a) IN GENERAL.—The Secretary [of State] shall take such steps as may be necessary to avoid or minimize purchasing or leasing for 180 days or longer a covered building to be used by United States Government personnel carrying out their official duties—

“(1) in which a covered entity is known through reasonable due diligence to have performed covered construction;

“(2) in which due diligence has indicated a covered entity has an ownership interest; or

“(3) where a covered entity is expected to perform covered construction.

“(b) NOTIFICATION.—

“(1) IN GENERAL.—If, after the date of the enactment of this Act [Dec. 23, 2024], the Secretary determines it is in the national security interest of the United States to acquire or lease a covered building, or enter into or renew a contract with a covered entity to perform covered construction with a covered building, then the Secretary shall notify the appropriate congressional committees [Committee on Foreign Relations of the Senate and Committee on Foreign Affairs of the House of Representatives] and the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives—

“(A) not later than 7 days before entering into an acquisition, lease, or agreement with a covered building or covered entity doing covered construction; and

“(B) not later than 21 days after becoming aware of an existing lease or agreement occurring with a covered building or covered entity doing covered construction.

“(2) DETERMINATION OF NATIONAL SECURITY INTEREST.—The notification required under paragraph (1) shall also include, to the extent applicable—

“(A) a determination of whether the inconsistent acquisition, lease, or agreement is in the national security interest of the United States;

“(B) an identification of the interest advanced by such inconsistent action;

“(C) a detailed explanation for such determination; and

“(D) any action the Secretary has taken or intends to take to mitigate national security vulnerabilities that may be posed by such inconsistent action.

“(c) DEFINITIONS.—In this section:

“(1) COVERED BUILDING.—The term ‘covered building’ means a building that is used or intended to be used by personnel of a consular or diplomatic post located outside of the United States for carrying out their official duties.

“(2) COVERED CONSTRUCTION.—The term ‘covered construction’—

“(A) means any construction, development, conversion, extension, alteration, repair, or maintenance performed with respect to a building; and

“(B) includes the installation or maintenance of electrical, plumbing, heating, ventilation, air conditioning, communication, fire protection, and energy management systems with respect to such building.

“(3) COVERED ENTITY.—The term ‘covered entity’ means an entity with respect to which the Govern-

ment of the People’s Republic of China, the Government of the Russian Federation, or an agent or instrumentality of the Government of the People’s Republic of China or the Government of the Russian Federation, directly or indirectly, including through any contract, arrangement, understanding, or relationship—

“(A) owns or controls a significant percent of the ownership interest; or

“(B) otherwise exercises substantial control.”

§ 291. Lease of buildings, etc., for offices, living quarters, heat, light, and equipment

The Secretary of State may lease or rent, for periods not exceeding ten years, such buildings and grounds for the use of the Foreign Service as may be necessary; and he may, in accordance 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.)

Editorial Notes

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 appropria-