1968—Subsec. (f)(2). Pub. L. 90–442 authorized appropriations not to exceed $13,500,000 for fiscal year 1970, and not to exceed $14,300,000 for fiscal year 1971.

1966—Subsec. (d). Pub. L. 89–636, §1(1), struck out last three sentences providing for availability of appropriated funds until expended, use of foreign currencies for expenditures, and use of funds authorized by any subpar. of par. (1) of subsec. (d), now incorporated in subsec. (g)(1) and (2) of this section, respectively.

Subsec. (e). Pub. L. 89–636, §1(2), substituted ''$2,600,000'' for ''$1,000,000''.

Subsec. (f). Pub. L. 89–636, §1(3), added subsec. (f).

Subsec. (g). Pub. L. 89–636, §1(3), redesignated second and third sentences of subsec. (d) as par. (1) and last sentence of subsec. (d) as par. (2), inserting therein provision for use of funds authorized by any subpar. of par. (1) of subsec. (f).

1965—Subsec. (e). Pub. L. 89–22 added subsec. (e).

1964—Subsec. (d). Pub. L. 88–414 authorized appropriations of not more than $12,200,000 for fiscal year 1966, $12,400,000 for fiscal year 1967, and beginning with fiscal year 1966, permitted use of not more than 10 per centum of the funds authorized for any subparagraph under par. (1) of this subsection for the purposes of any other subparagraph of such par. (1).

1963—Subsec. (a). Pub. L. 88–94, §2(d), struck out '', subject to the direction of the commission,'' after ''Secretary of State''.

Subsec. (d). Pub. L. 88–94, §1, added subsec. (d).

1960—Subsec. (c). Pub. L. 86–723 added subsec. (c).

Subsec. (b). Act June 19, 1952, added subsec. (b).

1952—Act June 19, 1952, designated existing provisions as subsec. (a), permitted the expenditure of the authorized and appropriated funds for continuing alterations, repairs, and furnishings, and added subsec. (b).

EFFECTIVE DATE OF 1960 AMENDMENT

Amendment by Pub. L. 86–723 effective on first day of first pay period which begins more than thirty days after Sept. 8, 1960, see section 56(a) of Pub. L. 86–723.

TRANSFER OF FUNCTIONS

United States Information Agency (other than Broadcasting Board of Governors and International Broadcasting Bureau) abolished and functions transferred to Secretary of State, see sections 6531 and 6532 of this title.

§§ 295a, 295b. Omitted

CODIFICATION

Section 295a, act May 25, 1938, ch. 275, 52 Stat. 441, authorized additional appropriations of an amount not to exceed $5,000,000.

Section 295b, act June 25, 1946, ch. 643, 60 Stat. 663, authorized additional appropriations of an amount not to exceed $125,000,000 of which $110,000,000 was to be used exclusively for the payments representing the value of property or credits held abroad by the Government or owing to the Government which could have been used by the Department of State for buildings, equipment, etc.

DIPLOMATIC ESTABLISHMENTS IN PHILIPPINE ISLANDS

Acts July 9, 1947, ch. 211, title I, §101, 61 Stat. 288; June 3, 1948, ch. 400, title I, §1, 62 Stat. 315; July 20, 1949, ch. 354, title I, §101, 63 Stat. 456, provided in part that the construction of diplomatic and consular establishments in the Philippines should be without regard to the limitation proviso of section 295a.

§ 296. Duties of Secretary of State with respect to commission and properties

For the purposes of this chapter the Secretary of State is authorized to supervise, preserve, maintain, operate, and, when deemed necessary, to insure the Foreign Service properties in foreign countries and the other properties acquired in accordance with the provisions of this chapter; to rent and insure objects of art; to collect information and formulate plans; and, without regard to civil service and classification laws, to obtain architectural and other expert technical services as may be necessary and pay therefor the scale of professional fees as established by local authority, law or custom, and to make expenditures without regard to section 295a of this title requiring purchase of articles manufactured in the United States.

(May 7, 1926, ch. 250, §5, 44 Stat. 404; June 19, 1952, ch. 446, §3, 66 Stat. 140.)

REFERENCES IN TEXT

The civil service laws, referred to in text, are set forth in Title 5, Government Organization and Employees. See, particularly, section 3301 et seq. of Title 5.

The classification laws, referred to in text, are classified generally to chapter 51 (§5101 et seq.) and to subchapter III (§5331 et seq.) of chapter 53 of Title 5.

Section 295a of this title, referred to in text, was omitted from the Code.

AMENDMENTS

1952—Act June 19, 1952, amended section generally to authorize Secretary of State to supervise, preserve, maintain, operate, and insure Foreign Service property in foreign countries.

§ 296a. Maintenance management of overseas property

The Director of the Office of Foreign Buildings Operations shall—

(1) direct overseas posts to make annual building condition assessments of buildings and facilities used by the post;

(2) not later than 90 days after October 28, 1991, revise the Foreign Affairs Manual to stipulate that the Buildings and Maintenance Handbook shall be used by each post to identify their maintenance needs, standardize their maintenance operations, and conduct annual assessments as required by paragraph (1);

(3) direct the Office of Foreign Buildings Operations to provide proper training and assistance to posts to ensure that annual surveys are effectively completed; and

(4) direct overseas posts to ensure that all maintenance program fiscal transactions are properly encoded in the Department of State accounting system to enable compilation of actual expenditures on routine maintenance and specific maintenance funded by the Office of Foreign Buildings Operations.

(Pub. L. 102–138, title I, §125, Oct. 28, 1991, 105 Stat. 659.)

CODIFICATION

Section was enacted as part of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993, and not as part of the Foreign Service Buildings Act, 1926, which comprises this chapter.

AUTHORITY OF SECRETARY OF STATE

Except as otherwise provided, Secretary of State to have and exercise any authority vested by law in any official or office of Department of State and references to such officials or offices deemed to refer to Secretary of State or Department of State, as appropriate, see section 2651a of this title and section 161(d) of Pub. L. 103–236, set out as a note under section 2651a of this title.

§ 297. Acquisition of property by lease

The authority granted to acquire sites and buildings by purchase or otherwise shall include authority to acquire leaseholds.

(May 7, 1926, ch. 250, § 6, 44 Stat. 405; June 19, 1952, ch. 446, § 4, 66 Stat. 140; Pub. L. 95–105, title I, § 106(b), Aug. 17, 1977, 91 Stat. 845.)

AMENDMENTS

1977—Pub. L. 95–105 struck out ''of not less than ten years'' after ''acquire leaseholds''.

1952—Act June 19, 1952, provided for leaseholds of not less than 10 years.

§ 297a. Omitted

CODIFICATION

Section, which related to leaseholds of not less than ten years, was from the Department of State Appropriation Act, 1953, act July 10, 1952, ch. 651, title I, 66 Stat. 550, and was not repeated in subsequent appropriation acts. Similar provisions were contained in the following prior appropriation acts:

1951—Oct. 22, 1951, ch. 533, title I, 65 Stat. 577.

1950—Sept. 6, 1950, ch. 896, ch. III, title I, 64 Stat. 610.

1949—July 20, 1949, ch. 354, title I, 63 Stat. 449.

§ 298. Omitted

CODIFICATION

Section, act May 7, 1926, ch. 250, § 7, 44 Stat. 405, repealed act Feb. 17, 1911, ch. 105, 36 Stat. 917, incorporated as section 133 of this title, with a provision that the repeal ''shall not invalidate appropriations already made under the authority of such Act.''

§ 299. Short title

This chapter may be cited as the ''Foreign Service Buildings Act, 1926.''

(May 7, 1926, ch. 250, § 8, 44 Stat. 405.)

§ 300. Dispositions of property; damage payments; acceptance of gifts or services

(a) Authority of Secretary of State

The Secretary of State is authorized—

(1) to sell, exchange, lease, or license any property or property interest acquired under this chapter, or under other authority, for use of diplomatic and consular establishments in foreign countries or in the United States pursuant to section 4304(b)(5) of this title,

(2) to receive payment in whatever form, or in kind, he determines to be in the interest of the United States for damage to or destruction of property acquired for use of diplomatic and consular establishments abroad, and the contents of such buildings, and

(3) to accept on behalf of the United States gifts of property or services of any kind made by will or otherwise for the purposes of this chapter.

(b) Disposition of proceeds; report to Congress

Proceeds derived from dispositions, payments, or gifts under subsection (a) of this section shall, notwithstanding the provisions of any other law, be applied toward acquisition, construction, or other purposes authorized by this chapter or held in the Foreign Service Buildings Fund, as in the judgment of the Secretary may best serve the Government's interest: *Provided*, That the Secretary shall report all such transactions annually to the Congress with the budget estimates of the Department of State.

(c) Proceeds from sale of furniture, furnishings, and equipment

Notwithstanding subsection (b) of this section, proceeds from the disposition of furniture, furnishings, and equipment from diplomatic and consular establishments in foreign countries shall be deposited into the Foreign Service Building Fund to be available for obligation or expenditure as directed by the Secretary.

(May 7, 1926, ch. 250, § 9, as added Apr. 19, 1945, ch. 78, 59 Stat. 53; amended Pub. L. 88–94, § 2(e), Aug. 12, 1963, 77 Stat. 122; Pub. L. 89–636, § 3, Oct. 10, 1966, 80 Stat. 882; Pub. L. 99–399, title IV, § 401(h)(2), Aug. 27, 1986, 100 Stat. 863; Pub. L. 101–246, title I, § 116(c), Feb. 16, 1990, 104 Stat. 25.)

AMENDMENTS

1990—Subsec. (a)(1). Pub. L. 101–246 inserted before comma at end ''or in the United States pursuant to section 4304(b)(5) of this title''.

1986—Subsec. (c). Pub. L. 99–399 added subsec. (c).

1966—Subsec. (a). Pub. L. 89–636 substituted provisions designated as subsec. (a) and authorizing the Secretary to sell, exchange, lease, or license any property or property interest acquired under this chapter, to receive payment in whatever form, or in kind, for damage to or destruction of buildings or their contents, and to accept gifts of property or services for former provisions which authorized the Secretary, when he found it to be in the Government's interest, to sell buildings and grounds acquired for use of diplomatic and consular establishments in foreign countries.

Subsec. (b). Pub. L. 89–636 substituted provisions designated as subsec. (b) and providing for application of proceeds derived from dispositions, payments, or gifts under subsec. (a) toward acquisition, construction, or other purposes authorized by this chapter, as in the judgment of the Secretary may best serve the Government's interest, for former provision for application of proceeds of sales toward purchase and construction, furnishing, and preservation of other properties.

1963—Pub. L. 88–94 struck out ''with the concurrence of the Foreign Service Buildings Commission,'' after ''Government,'' and '', as in the judgment of the Commission may best serve the Government's interest'' after ''Foreign Service building fund''.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsec. (b) of this section relating to the Secretary reporting transactions annually to Congress, see section 3003 of Pub. L. 104–66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 129 of House Document No. 103–7.

§ 301. Lease or rental arrangements of not less than ten years; approval by Secretary; delegation of authority; information to Congress

(a) Leases

Notwithstanding the provisions of this chapter or any other Act, no lease or other rental arrangement for a period of less than ten years, and requiring an annual payment in excess of $50,000 shall be entered into by the Secretary of State for the purpose of renting or leasing offices, buildings, grounds, or living quarters for the use of the Foreign Service abroad, unless such lease or other rental arrangement is approved by the Secretary. The Secretary may delegate his authority under this section only to