

a rate determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding long-term marketable obligations of the United States, adjusted to the nearest one-eighth of 1 per centum, payable semi-annually, such interest, as income, being subject to disbursement by the Librarian of Congress for the purposes specified: *Provided, however,* That the total of such principal sums at any time so held by the Treasurer under this authorization shall not exceed the sum of \$10,000,000.

(Mar. 3, 1925, ch. 423, §2, formerly §1, 43 Stat. 1107; renumbered §2, Apr. 13, 1936, ch. 213, 49 Stat. 1205; amended June 23, 1936, ch. 734, 49 Stat. 1894; Pub. L. 87-522, July 3, 1962, 76 Stat. 135; Pub. L. 94-289, May 22, 1976, 90 Stat. 521.)

CODIFICATION

Section is comprised of third par. of section 2 of act Mar. 3, 1925. First, second, and fourth pars. of section 2 are classified to sections 156, 157, and 158a of this title, respectively.

AMENDMENTS

1976—Pub. L. 94-289 substituted “a rate which is the higher of the rate of 4 per centum per annum or a rate which is 0.25 percentage points less than a rate determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding long-term marketable obligations of the United States, adjusted to the nearest one-eighth of 1 per centum” for “the rate of 4 per centum per annum”.

1962—Pub. L. 87-522 increased the total amount of deposits which can be held by the Treasurer from \$5,000,000 to \$10,000,000.

1936—Act June 23, 1936, substituted “in the absence of any specification to the contrary” for “Should any gift or bequest so provide”.

§ 158a. Temporary possession of gifts of money or securities to Library of Congress; investment

In the case of a gift of money or securities offered to the Library of Congress, if, because of conditions attached by the donor or similar considerations, expedited action is necessary, the Librarian of Congress may take temporary possession of the gift, subject to approval under section 156 of this title. The gift shall be receipted for and invested, reinvested, or retained as provided in section 157 of this title, except that—

(1) a gift of securities may not be invested or reinvested; and

(2) any investment or reinvestment of a gift of money shall be made in an interest bearing obligation of the United States or an obligation guaranteed as to principal and interest by the United States.

If the gift is not so approved within the 12-month period after the Librarian so takes possession, the principal of the gift shall be returned to the donor and any income earned during that period shall be available for use with respect to the Library of Congress as provided by law.

(Mar. 3, 1925, ch. 423, §2 (par.), as added Pub. L. 102-246, §3, Feb. 18, 1992, 106 Stat. 31.)

CODIFICATION

Section is comprised of fourth par. of section 2 of act Mar. 3, 1925, as added by Pub. L. 102-246. First, second,

and third pars. of section 2 are classified to sections 156, 157, and 158 of this title, respectively.

§ 159. Perpetual succession and suits by or against Library of Congress Trust Fund Board

The board shall have perpetual succession, with all the usual powers and obligations of a trustee, including the power to sell, except as herein limited, in respect of all property, monies, or securities which shall be conveyed, transferred, assigned, bequeathed, delivered, or paid over to it for the purposes above specified. The board may be sued in the United States District Court for the District of Columbia, which is given jurisdiction of such suits, for the purpose of enforcing the provisions of any trust accepted by it.

(Mar. 3, 1925, ch. 423, §3, 43 Stat. 1108; Jan. 27, 1926, ch. 6, §1, 44 Stat. 2; June 25, 1936, ch. 804, 49 Stat. 1921; June 25, 1948, ch. 646, §32(a), 62 Stat. 991; May 24, 1949, ch. 139, §127, 63 Stat. 107.)

AMENDMENTS

1926—Act Jan. 27, 1926, inserted “including the power to sell” in first sentence.

CHANGE OF NAME

Act June 25, 1948, eff. Sept. 1, 1948, as amended by act May 24, 1949, substituted “United States District Court for the District of Columbia” for “district court of the United States for the District of Columbia”.

Act June 25, 1936, provided that the Supreme Court of the District of Columbia is to be known as the District Court of the United States for the District of Columbia.

§ 160. Disbursement of gifts, etc., to Library

Nothing in sections 154 to 162 and 163¹ of this title shall be construed as prohibiting or restricting the Librarian of Congress from accepting in the name of the United States gifts or bequests of money for immediate disbursement in the interest of the Library, its collections, or its service. Such gifts or bequests, after acceptance by the librarian, shall be paid by the donor or his representative to the Treasurer of the United States, whose receipts shall be their acquittance. The Treasurer of the United States shall enter them in a special account to the credit of the Library of Congress and subject to disbursement by the librarian for the purposes in each case specified.

Upon agreement by the Librarian of Congress and the Board, a gift or bequest accepted by the Librarian under the first paragraph of this section may be invested or reinvested in the same manner as provided for trust funds under section 157 of this title.

(Mar. 3, 1925, ch. 423, §4, 43 Stat. 1108; Pub. L. 105-55, title II, §208, Oct. 7, 1997, 111 Stat. 1194.)

REFERENCES IN TEXT

Section 163 of this title, referred to in text, was omitted from the Code.

AMENDMENTS

1997—Pub. L. 105-55 added second par.

¹ See References in Text note below.