

- (1) adopt a constitution and bylaws;
- (2) adopt a seal which shall be judicially noticed; and
- (3) do any other act necessary to carry out this chapter.

(b) POWERS AS TRUSTEE.—To carry out its purposes, the foundation has the usual powers of a corporation acting as a trustee in the District of Columbia, including the power—

- (1) to accept, receive, solicit, hold, administer, and use any gift, devise, or bequest, either absolutely or in trust, of property or any income from or other interest in property;
- (2) to acquire property or an interest in property by purchase or exchange;
- (3) unless otherwise required by an instrument of transfer, to sell, donate, lease, invest, or otherwise dispose of any property or income from property;
- (4) to borrow money and issue instruments of indebtedness;
- (5) to make contracts and other arrangements with public agencies and private organizations and persons and to make payments necessary to carry out its functions;
- (6) to sue and be sued; and
- (7) to do any other act necessary and proper to carry out the purposes of the foundation.

(c) ENCUMBERED OR RESTRICTED GIFTS.—A gift, devise, or bequest may be accepted by the foundation even though it is encumbered, restricted, or subject to beneficial interests of private persons, if any current or future interest is for the benefit of the foundation.

(d) CONTRACTS.—The foundation may enter into such contracts with public and private entities as it considers appropriate to carry out its purposes.

(e) ANNUAL CONFERENCE IN WASHINGTON METROPOLITAN AREA.—During each year (beginning with 2003), the foundation may sponsor a conference in the Washington, D.C. metropolitan area to honor secondary school students and other individuals who have served (or plan to serve) as poll workers and assistants and who have otherwise participated in the programs and activities of the foundation.

(Added Pub. L. 107-252, title VI, § 601(a), Oct. 29, 2002, 116 Stat. 1720, § 152605; renumbered § 90105, Pub. L. 113-237, § 3(c)(6)(B), Dec. 18, 2014, 128 Stat. 2840.)

AMENDMENTS

2014—Pub. L. 113-237 renumbered section 152605 of this title as this section.

§ 90106. Principal office

The principal office of the foundation shall be in the District of Columbia unless the board of directors determines otherwise. However, the foundation may conduct business throughout the States, territories, and possessions of the United States.

(Added Pub. L. 107-252, title VI, § 601(a), Oct. 29, 2002, 116 Stat. 1720, § 152606; renumbered § 90106, Pub. L. 113-237, § 3(c)(6)(B), Dec. 18, 2014, 128 Stat. 2840.)

AMENDMENTS

2014—Pub. L. 113-237 renumbered section 152606 of this title as this section.

§ 90107. Service of process

The foundation shall have a designated agent to receive service of process for the foundation. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the foundation.

(Added Pub. L. 107-252, title VI, § 601(a), Oct. 29, 2002, 116 Stat. 1721, § 152607; renumbered § 90107, Pub. L. 113-237, § 3(c)(6)(B), Dec. 18, 2014, 128 Stat. 2840.)

AMENDMENTS

2014—Pub. L. 113-237 renumbered section 152607 of this title as this section.

§ 90108. Annual audit

The foundation shall enter into a contract with an independent auditor to conduct an annual audit of the foundation.

(Added Pub. L. 107-252, title VI, § 601(a), Oct. 29, 2002, 116 Stat. 1721, § 152608; renumbered § 90108, Pub. L. 113-237, § 3(c)(6)(B), Dec. 18, 2014, 128 Stat. 2840.)

AMENDMENTS

2014—Pub. L. 113-237 renumbered section 152608 of this title as this section.

§ 90109. Civil action by Attorney General for equitable relief

The Attorney General may bring a civil action in the United States District Court for the District of Columbia for appropriate equitable relief if the foundation—

- (1) engages or threatens to engage in any act, practice, or policy that is inconsistent with the purposes in section 90102 of this title; or
- (2) refuses, fails, or neglects to carry out its obligations under this chapter or threatens to do so.

(Added Pub. L. 107-252, title VI, § 601(a), Oct. 29, 2002, 116 Stat. 1721, § 152609; renumbered § 90109 and amended Pub. L. 113-237, § 3(c)(6)(B), (C), Dec. 18, 2014, 128 Stat. 2840.)

AMENDMENTS

2014—Pub. L. 113-237, § 3(c)(6)(B), renumbered section 152609 of this title as this section.

Par. (1). Pub. L. 113-237, § 3(c)(6)(C), substituted “section 90102” for “section 152602”.

§ 90110. Immunity of United States Government

The United States Government is not liable for any debts, defaults, acts, or omissions of the foundation. The full faith and credit of the Government does not extend to any obligation of the foundation.

(Added Pub. L. 107-252, title VI, § 601(a), Oct. 29, 2002, 116 Stat. 1721, § 152610; renumbered § 90110, Pub. L. 113-237, § 3(c)(6)(B), Dec. 18, 2014, 128 Stat. 2840.)

AMENDMENTS

2014—Pub. L. 113-237 renumbered section 152610 of this title as this section.