

In subsection (d)(1), the words “are not employees” are substituted for “nor . . . shall be construed to be employees” in 36:5702(g)(2)(A) (last sentence related to employees) for clarity.

REFERENCES IN TEXT

The General Schedule, referred to in subsec. (d)(3), is set out under section 5332 of Title 5, Government Organization and Employees.

§ 151705. Powers

(a) GENERAL.—The corporation may—

- (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 corporation has the usual powers of a corporation acting as a trustee in the jurisdiction in which the principal office of the corporation is located, 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 corporation.

(c) ENCUMBERED OR RESTRICTED GIFTS.—A gift, devise, or bequest may be accepted by the corporation 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 corporation.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1405; Pub. L. 109–9, title III, §312(b), Apr. 27, 2005, 119 Stat. 226; Pub. L. 113–237, §3(c)(5), Dec. 18, 2014, 128 Stat. 2840.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
151705(a)	36:5702(g)(1)(B), (C).	Oct. 11, 1996, Pub. L. 104–285, title II, §§203(g)(1)(B), (C), 204(b), (c)(1)–(4), (5) (words before 2d comma), (6), (7), (last par.), 110 Stat. 3384, 3385.
151705(b)	36:5703(b), 36:5703(c)(1)–(4), (5) (words before 2d comma), (6), (7).	
151705(c)	36:5703(c) (last par.).	

Subsection (a)(1) is substituted for 36:5702(g)(1)(B) for consistency in the revised title. The words “consistent with the purposes of the Foundation and the provisions of this chapter” are omitted as unnecessary.

Subsection (a)(2) is substituted for 36:5703(b) for consistency in the revised title.

Subsection (a)(3) is substituted for 36:5702(g)(1)(C) for consistency in the revised title.

In subsection (b), before clause (1), the words “under section 5701 of this title” and “in addition to the powers otherwise given it under this chapter” are omitted as unnecessary. In clauses (1) and (2), the words “real or personal” are omitted as unnecessary and for consistency in the revised title. In clause (3), the words “reinvest, retain” are omitted as unnecessary. In clause (4), the words “instruments of indebtedness” are substituted for “bonds, debentures, or other debt instruments” to eliminate unnecessary words. In clause (6), the words “and complain and defend itself in any court of competent jurisdiction” are omitted as unnecessary. In clause (7), the words “any other act” are substituted for “any and all acts” to eliminate unnecessary words.

AMENDMENTS

2014—Subsec. (b). Pub. L. 113–237 substituted “the jurisdiction” for “the the jurisdiction” in introductory provisions.

2005—Subsec. (b). Pub. L. 109–9 substituted “the jurisdiction in which the principal office of the corporation is located” for “District of Columbia” in introductory provisions.

§ 151706. Principal office

The principal office of the corporation shall be in the District of Columbia, or another place as determined by the board of directors. However, the corporation may conduct business throughout the States, territories, and possessions of the United States.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1406; Pub. L. 109–9, title III, §312(c), Apr. 27, 2005, 119 Stat. 226.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
151706	36:5703(a)(2), (3).	Oct. 11, 1996, Pub. L. 104–285, title II, §204(a)(2), (3), 110 Stat. 3384.

This section is substituted for the source provisions for consistency in the revised title.

AMENDMENTS

2005—Pub. L. 109–9 inserted “, or another place as determined by the board of directors” after “District of Columbia”.

§ 151707. Provision and acceptance of support by Librarian of Congress

(a) PROVISION BY LIBRARIAN.—(1) The Librarian of Congress may provide personnel, facilities, and other administrative services to the corporation. Administrative services may include reimbursement of expenses under section 151703(f) of this title, at rates not exceeding the applicable per diem rates for the United States Government.

(2) The corporation shall reimburse the Librarian for support provided under paragraph (1) of this subsection. Amounts reimbursed shall be deposited in the Treasury to the credit of the appropriations then current and chargeable for the cost of providing the support.

(b) ACCEPTANCE BY LIBRARIAN.—The Librarian may accept, without regard to chapters 33 and 51 and subchapter III of chapter 53 of title 5 and related regulations, the services of the corpora-

tion and its directors, officers, and employees as volunteers in performing functions authorized under this chapter, without compensation from the Library of Congress.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1406.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
151707(a)	36:5704.	Oct. 11, 1996, Pub. L. 104-285, title II, §§ 205, 206, 110 Stat. 3385.
151707(b)	36:5705.	

In subsection (b), the words “chapters 33 and 51 and subchapter III of chapter 53 of title 5 and related regulations” are substituted for “the civil service classification laws, rules, or regulations” for consistency in the revised title and with other titles of the United States Code.

§ 151708. Service of process

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

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1406.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
151708	36:5703(a)(4), (a) (last par.).	Oct. 11, 1996, Pub. L. 104-285, title II, § 204(a)(4), (a) (last par.), 110 Stat. 3384.

The words “at all times” are omitted as unnecessary. The word “have” is substituted for “maintain”, the words “to receive” are substituted for “authorized to accept”, and the words “is notice to or service on” are substituted for “shall be deemed as service upon or notice to”, for consistency in the revised title.

§ 151709. 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 corporation—

- (1) engages or threatens to engage in any act, practice, or policy that is inconsistent with the purposes in section 151702 of this title; or
- (2) refuses, fails, or neglects to carry out its obligations under this chapter or threatens to do so.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1407.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
151709	36:5706(c).	Oct. 11, 1996, Pub. L. 104-285, title II, § 207(c), 110 Stat. 3385.

Before clause (1), the words “bring a civil action” are substituted for “file a petition” for consistency in the revised title and with other titles of the United States Code. The words “appropriate equitable relief” are substituted for “such equitable relief as may be necessary or appropriate” to eliminate unnecessary words.

§ 151710. Immunity of United States Government

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

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1407.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
151710	36:5707.	Oct. 11, 1996, Pub. L. 104-285, title II, § 208, 110 Stat. 3386.

§ 151711. Authorization of appropriations

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to the Library of Congress amounts necessary to carry out this chapter, not to exceed—

- (A) \$530,000 for each of the fiscal years 2005 through 2009;
- (B) \$750,000 for each of the fiscal years 2010 through 2011; and
- (C) \$1,000,000 for each of the fiscal years 2012 through 2026.

(2) MATCHING.—The amounts authorized to be appropriated under this subsection are to be made available to the corporation to match any private contributions (whether in currency, services, or property) made to the corporation by private persons and State and local governments.

(b) LIMITATION RELATED TO ADMINISTRATIVE EXPENSES.—Amounts authorized under this section may not be used by the corporation for management and general or fundraising expenses as reported to the Internal Revenue Service as part of an annual information return required under the Internal Revenue Code of 1986.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1407; Pub. L. 108-447, div. G, title I, § 1205(b), Dec. 8, 2004, 118 Stat. 3189; Pub. L. 109-9, title III, § 312(d), Apr. 27, 2005, 119 Stat. 226; Pub. L. 110-336, § 3(b)(1), Oct. 2, 2008, 122 Stat. 3728; Pub. L. 114-217, § 3(b), July 29, 2016, 130 Stat. 841.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
151711	36:5708.	Oct. 11, 1996, Pub. L. 104-285, title II, § 209, 110 Stat. 3386.

REFERENCES IN TEXT

The Internal Revenue Code of 1986, referred to in subsec. (b), is classified generally to Title 26, Internal Revenue Code.

AMENDMENTS

2016—Subsec. (a)(1)(C). Pub. L. 114-217 substituted “through 2026” for “through 2016”.

2008—Subsec. (a). Pub. L. 110-336, which directed that subsec. (a) be “amended to read as follows: by inserting after the first sentence the following:” and then set out subsec. (a) designation and heading and pars. (1) and (2), was executed by substituting the new subsec. (a) des-