

(c) APPOINTMENT OF EMPLOYEES.—Except as provided in subsection (a) of this section, the Secretary appoints, removes, and replaces employees of the corporation.

(d) STATUS AND COMPENSATION OF EMPLOYEES.—Employees of the corporation (including the Secretary)—

- (1) are not employees of the Library of Congress;
- (2) shall be appointed and removed without regard to the provisions of title 5 governing appointments in the competitive service; and
- (3) may be paid without regard to chapter 51 and subchapter III of chapter 53 of title 5, except that an employee may not be paid more than the annual rate of basic pay for level 15 of the General Schedule under section 5107 of title 5.

(Added Pub. L. 106-474, title II, §201(a), Nov. 9, 2000, 114 Stat. 2093.)

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.

§ 152405. 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.

(Added Pub. L. 106-474, title II, §201(a), Nov. 9, 2000, 114 Stat. 2093; amended Pub. L. 110-336, §2(b)(3)(B), Oct. 2, 2008, 122 Stat. 3727.)

AMENDMENTS

2008—Subsec. (b). Pub. L. 110-336 substituted “jurisdiction in which the principal office of the corporation

is located,” for “District of Columbia,” in introductory provisions.

§ 152406. 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.

(Added Pub. L. 106-474, title II, §201(a), Nov. 9, 2000, 114 Stat. 2094; amended Pub. L. 110-336, §2(b)(3)(A), Oct. 2, 2008, 122 Stat. 3727.)

AMENDMENTS

2008—Pub. L. 110-336 substituted “District of Columbia or another place as determined by the Board of Directors” for “District of Columbia”.

§ 152407. Provision and acceptance of support by Librarian of Congress

(a) PROVISION BY LIBRARIAN.—(1) The Librarian may provide personnel, facilities, and other administrative services to the corporation. Administrative services may include reimbursement of expenses under section 152403(f).

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

(Added Pub. L. 106-474, title II, §201(a), Nov. 9, 2000, 114 Stat. 2094.)

§ 152408. 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.

(Added Pub. L. 106-474, title II, §201(a), Nov. 9, 2000, 114 Stat. 2094.)

§ 152409. 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 152402 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. 106-474, title II, §201(a), Nov. 9, 2000, 114 Stat. 2094.)