

In subsection (b), the words “the board of directors appoints, removes, and replaces officers of the corporation” are substituted for “The Board may complete the organization of the Foundation by . . . appointing, removing, and replacing officers” for clarity.

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.

Editorial Notes

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).	

HISTORICAL AND REVISION NOTES—Continued

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
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.

Editorial Notes

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.

Editorial Notes

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 cor-