

dition, targets, and other supplies and appliances” for consistency in the revised title.

**§ 40705. Duty to maintain tax-exempt status**

The corporation shall be operated in a manner and for purposes that qualify the corporation for exemption from taxation under section 501(a) of the Internal Revenue Code of 1986 (26 U.S.C. 501(a)) as an organization described in section 501(c)(3) of that Code (26 U.S.C. 501(c)(3)). (Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1336.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
40705 .....	36:5501(b)(2).	Feb. 10, 1996, Pub. L. 104–106, title XVI, §1611(b)(2), 110 Stat. 516.

**§ 40706. Distribution of assets on dissolution**

(a) SECRETARY OF THE ARMY.—On dissolution of the corporation, title to the following items, and the right to possess the items, vest in the Secretary of the Army—

- (1) firearms stored at Defense Distribution Depot, Anniston, Anniston, Alabama on the date of dissolution.
- (2) M–16 rifles under control of the corporation.
- (3) trophies received from the National Board for the Promotion of Rifle Practice through the date of dissolution.

(b) TAX-EXEMPT ORGANIZATIONS.—(1) On dissolution of the corporation, an asset not described in subsection (a) of this section may be distributed to an organization that—

- (A) is exempt from taxation under section 501(a) of the Internal Revenue Code of 1986 (26 U.S.C. 501(a)) as an organization described in section 501(c)(3) of that Code (26 U.S.C. 501(c)(3)); and
- (B) performs functions similar to the functions described in section 40722 of this title.

(2) An asset distributed under this subsection may not be distributed to an individual.

(c) TREASURY.—On dissolution of the corporation, any asset not distributed under subsection (a) or (b) of this section shall be sold and the proceeds shall be deposited in the Treasury.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1336.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
40706(a) .....	36:5509(a)(1).	Feb. 10, 1996, Pub. L. 104–106, title XVI, §1619, 110 Stat. 520; Sept. 23, 1996, Pub. L. 104–201, title X, §1073(c)(3), 110 Stat. 2657.
40706(b)(1) ..	36:5509(a)(2).	
40706(b)(2) ..	36:5509(b).	
40706(c) .....	36:5509(a)(3).	

In subsection (a), before clause (1), the words “title to the following items, and the right to possess the items, vest in the Secretary of the Army” are substituted for “title to [specified items] . . . shall vest in the Secretary of the Army, and the Secretary shall have the immediate right to the possession of such items” to eliminate unnecessary words. In clause (2), the words “M–16 rifles under control of the corporation” are sub-

stituted for “M–16 rifles that are transferred to the Corporation under section 1615(a)(2), that are referred to in section 1616(a)(3), or that are otherwise under the control of the Corporation” to eliminate unnecessary words.

In subsection (b), paragraph (2) is applied only to subsection (b) because the prohibition is not relevant to 36:5509(a)(1) or (3).

**§ 40707. Nonapplication of audit requirements**

The audit requirements of section 10101 of this title do not apply to the corporation.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1337.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
40707 .....	(no source).	

The section is added to except the Corporation for the Promotion of Rifle Practice and Firearms Safety from the application of section 10101 of the revised title, restating 36:1101–1103, which imposes audit requirements on certain federally chartered corporations. The corporation is not included in the list of corporations set out in 36:1101 to which the audit requirements apply.

SUBCHAPTER II—CIVILIAN MARKSMANSHIP PROGRAM

**§ 40721. Responsibility of corporation**

The corporation shall supervise and control the Civilian Marksmanship Program.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1337.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
40721 .....	36:5502(a) (words before cl. (1)).	Feb. 10, 1996, Pub. L. 104–106, title XVI, §1612(a) (words before cl. (1)), 110 Stat. 516.

The words “shall supervise and control the Civilian Marksmanship Program” are substituted for “shall have responsibility for the overall supervision, oversight, and control of the Civilian Marksmanship Program, pursuant to the transfer of the program under subsection (d), including the performance of the following” to eliminate unnecessary words.

**§ 40722. Functions**

The functions of the Civilian Marksmanship Program are—

- (1) to instruct citizens of the United States in marksmanship;
- (2) to promote practice and safety in the use of firearms;
- (3) to conduct competitions in the use of firearms and to award trophies, prizes, badges, and other insignia to competitors;
- (4) to secure and account for firearms, ammunition, and other equipment for which the corporation is responsible;
- (5) to issue, loan, or sell firearms, ammunition, repair parts, and other supplies under sections 40731 and 40732 of this title; and
- (6) to procure necessary supplies and services to carry out the Program.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1337.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40722 .....	36:5502(a) (less words before cl. (1)).	Feb. 10, 1996, Pub. L. 104-106, title XVI, §1612(a) (less words before cl. (1)), 110 Stat. 516.

Before clause (1), the words “The functions of the Civilian Marksmanship Program are” are added because of the reorganization of the revised chapter.

In clause (3), the word “matches” is omitted as included in “competitions”.

In clause (4), the words “to secure and account for” are substituted for “The provision of security and accountability for” for clarity and to eliminate unnecessary words. The words “for which the corporation is responsible” are substituted for “under the custody and control of the Corporation” for clarity and for consistency with section 40731(b) of this title related to firearms that are not under the direct custody and control of the corporation because they have been issued or loaned.

In clause (5), the words “ammunition, repair parts, and other supplies” are substituted for “ammunition, supplies, and appliances” for consistency in the revised title.

In clause (6), the words “supplies and services” are substituted for “supplies, appliances, clerical services, other related services, and labor” to eliminate unnecessary words.

**§ 40723. Eligibility for participation**

(a) CERTIFICATION.—(1) An individual shall certify by affidavit, before participating in an activity sponsored or supported by the corporation, that the individual—

- (A) has not been convicted of a felony;
- (B) has not been convicted of a violation of section 922 of title 18; and
- (C) is not a member of an organization that advocates the violent overthrow of the United States Government.

(2) The Director of Civilian Marksmanship may require an individual to provide certification from law enforcement agencies to verify that the individual has not been convicted of a felony or a violation of section 922 of title 18.

(b) INELIGIBILITY.—An individual may not participate in an activity sponsored or supported by the corporation if the individual—

- (1) has been convicted of a felony; or
- (2) has been convicted of a violation of section 922 of title 18.

(c) LIMITING PARTICIPATION.—The Director may limit participation in the program as necessary to ensure—

- (1) the safety of participants;
- (2) the security of firearms, ammunition, and equipment; and
- (3) the quality of instruction in the use of firearms.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1337.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40723(a) .....	36:5503(a).	Feb. 10, 1996, Pub. L. 104-106, title XVI, §1613, 110 Stat. 517.
40723(b) .....	36:5503(b).	
40723(c) .....	36:5503(c).	

In subsection (a)(1), the words “shall certify” are substituted for “shall be required to certify”, and the word “felony” is substituted for “Federal or State felony”, to eliminate unnecessary words.

In subsection (a)(2), the words “provide certification” are substituted for “attach to the person’s affidavit a certification”, and the words “law enforcement agencies” are substituted for “appropriate State or Federal law enforcement agency”, to eliminate unnecessary words.

In subsection (b), the words “may not participate” are substituted for “shall not be eligible to participate” to eliminate unnecessary words. The words “through the Civilian Marksmanship Program” are omitted as unnecessary. The word “felony” is substituted for “Federal or State felony” to eliminate unnecessary words.

In subsection (c)(3), the words “the quality of instruction” are substituted for “quality instruction” for consistency in the subsection.

**§ 40724. Priority of youth participation**

In carrying out the Civilian Marksmanship Program, the corporation shall give priority to activities that benefit firearms safety, training, and competition for youth and that reach as many youth participants as possible.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1338.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40724 .....	36:5502(b).	Feb. 10, 1996, Pub. L. 104-106, title XVI, §1612(b), 110 Stat. 516.

**§ 40725. National Matches and small-arms firing school**

(a) ANNUAL COMPETITION.—An annual competition called the “National Matches” and consisting of rifle and pistol matches for a national trophy, medals, and other prizes shall be held as prescribed by the Secretary of the Army.

(b) ELIGIBLE PARTICIPANTS.—The National Matches are open to members of the Armed Forces, National Guard, Reserve Officers’ Training Corps, Air Force Reserve Officers’ Training Corps, Citizens’ Military Training Camps, Citizens’ Air Training Camps, and rifle clubs, and to civilians.

(c) SMALL-ARMS FIRING SCHOOL.—A small-arms firing school shall be held in connection with the National Matches.

(d) OTHER COMPETITIONS.—Competitions for which trophies and medals are provided by the National Rifle Association of America shall be held in connection with the National Matches.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1338.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40725 .....	10:4312.	

In subsection (a), the provision for the National Matches to be held as prescribed by “the Secretary of the Army” is retained notwithstanding section 1612(d) of The National Defense Authorization Act for Fiscal Year 1996 (Public Law 104-106, 110 Stat. 517) which transferred the Civilian Marksmanship Program, including the National Matches, from the Secretary of