

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40305	36:204.	July 1, 1946, ch. 527, §4, 60 Stat. 347.

This section is substituted for 36:204(a) to eliminate unnecessary words. The text of 36:204(b) is omitted as executed and obsolete.

§ 40306. Exclusive right to name, insignia, copyrights, emblems, badges, marks, and words

The corporation has the exclusive right to use the name "Civil Air Patrol" and all insignia, copyrights, emblems, badges, descriptive or designating marks, words, and phrases the corporation adopts. This section does not affect any vested rights.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1332.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40306	36:206.	July 1, 1946, ch. 527, §6, 60 Stat. 347.

The word "sole" is omitted as included in "exclusive". The words "right to use the name 'Civil Air Patrol' and all" are substituted for "right to the name 'Civil Air Patrol' and to have and to use, in carrying out its purposes, all" for consistency in the revised title and to eliminate unnecessary words. The words "the corporation adopts" are substituted for "now or heretofore used by the Civil Air Patrol" in section 6 of the Act of July 1, 1946 (ch. 527, 60 Stat. 347) for consistency in the revised title. The words "in carrying out its program" are omitted as unnecessary. The words "This section does not affect any vested rights" are substituted for "Provided, however, That no powers or privileges herein granted shall interfere or conflict with established or vested rights" for consistency in the revised title and to eliminate unnecessary words.

§ 40307. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1332.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40307	36:207.	July 1, 1946, ch. 527, §7, 60 Stat. 347.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of reporting provisions in this section, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 198 of House Document No. 103-7.

CHAPTER 405—CONGRESSIONAL MEDAL OF HONOR SOCIETY OF THE UNITED STATES OF AMERICA

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§ 40501. Organization

(a) FEDERAL CHARTER.—Congressional Medal of Honor Society of the United States of America (in this chapter, the "corporation") is a federally chartered corporation.

(b) PLACE OF INCORPORATION AND DOMICILE.—The corporation is declared to be incorporated and domiciled in the District of Columbia.

(c) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1332.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40501	36:791. 36:792.	Aug. 14, 1958, Pub. L. 85-642, §§1, 2, 72 Stat. 597.

This section is substituted for 36:791 for consistency in the revised title and to eliminate executed and unnecessary language. The text of 36:792 is omitted as executed and obsolete.

§ 40502. Purposes

The purposes of the corporation are—

- (1) to form a bond of friendship and comradeship among all holders of the Medal of Honor as presented by Congress;
- (2) to protect, uphold, and preserve the dignity and honor of the medal at all times and on all occasions;
- (3) to protect the name of the medal and individual holders of the medal from exploitation;
- (4) to provide appropriate aid to all persons to whom the medal has been awarded, their widows, or their children;
- (5) to serve our country in peace as in war;
- (6) to inspire and stimulate our youth to become worthy citizens of our country; and
- (7) to foster and perpetuate Americanism.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1333.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40502	36:793.	Aug. 14, 1958, Pub. L. 85-642, §3, 72 Stat. 598.

Before clause (1), the word "objects" is omitted as included in "purposes".

In clause (5), the words "we did" are omitted to avoid the grammatical construction using the first person.

§ 40503. Membership

(a) ELIGIBILITY.—An individual who has been awarded the Medal of Honor as presented by Congress is eligible for membership in the corporation. An honorary membership may not be granted.

(b) VOTING.—Each member has one vote on each matter submitted to a vote at a meeting of the members. The vote may be cast in person or by proxy.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1333.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40503(a)	36:796(a), (b).	Aug. 14, 1958, Pub. L. 85-642, § 6, 72 Stat. 599.
40503(b)	36:796(c).	

§ 40504. Governing body

(a) BOARD OF DIRECTORS.—(1) The board of directors is the governing body of the corporation. The board may exercise, or provide for the exercise of, the powers of the corporation.

(2) The number of directors, their manner of election (including the filling of vacancies), and their term of office are as provided in the bylaws. However, the board shall have at least 9 directors.

(3) The board shall meet at least annually. Each director has one vote on matters decided by the board.

(4) The president of the corporation is the chairman of the board.

(b) OFFICERS.—(1) The officers of the corporation are a president, an executive vice president, a secretary, a treasurer, and 6 regional vice presidents as provided in the bylaws. The offices of secretary and treasurer may be combined and held by the same individual, but an individual holding those combined offices has only one vote as a director.

(2) The manner of election, term of office, duties, and powers of the officers are as provided in the bylaws.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1333.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40504(a)(1) ..	36:797(a), (c) (1st sentence words before 3d comma).	Aug. 14, 1958, Pub. L. 85-642, §§ 7, 8, 72 Stat. 599.
40504(a)(2) ..	36:797(b), (c) (1st sentence words between 3d and 4th commas).	
40504(a)(3) ..	36:797(c) (last sentence).	
40504(a)(4) ..	36:797(c) (2d sentence).	
40504(b)	36:797(c) (1st sentence words after 4th comma). 36:798.	

In subsection (a)(1), the text of 36:797(a) (12th-last words) is omitted as obsolete.

In subsection (b)(2), the words “duties, and powers” are substituted for “powers” in 36:798(b) and for “duties” in 36:798(c) to eliminate unnecessary words.

§ 40505. Powers

The corporation may—

(1) adopt and amend a constitution and bylaws for the management of its property and the regulation of its affairs;

(2) adopt and alter a corporate seal;

(3) choose officers, managers, and agents as the activities of the corporation require;

(4) charge and collect membership dues;

(5) make contracts;

(6) acquire, own, lease, encumber, and transfer property as necessary or convenient to carry out the purposes of the corporation;

(7) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;

(8) sue and be sued; and

(9) do any other act necessary and proper to carry out the purposes of the corporation.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1333.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40505	36:794. 36:806.	Aug. 14, 1958, Pub. L. 85-642, §§ 4, 16, 72 Stat. 598, 601.

In this section, the text of 36:806 is omitted as executed and obsolete.

In clause (1), the words “apply, and alter” and “not inconsistent with the laws of the United States of America or any State in which the corporation is to operate” are omitted as [un]necessary.

In clause (2), the word “use” is omitted as unnecessary.

In clause (5), the words “make contracts” are substituted for “contract and be contracted with” to eliminate unnecessary words.

Clause (6) is substituted for “take and hold by lease, gift, purchase, grant, devise, bequest or otherwise any property real, personal, or mixed, necessary or convenient for attaining the objects of the corporation” and “transfer, lease, or convey real or personal property” for consistency in the revised title and to eliminate unnecessary words. The words “subject, however, to applicable provisions of law of any State, (a) governing the amount or kind of real and personal property which may be held by, or, (b) otherwise limiting or controlling the ownership of real and personal property by, a corporation operating in such State” are omitted as unnecessary.

In clause (7), the words “issue instruments of indebtedness, and secure its obligations by granting security interests in its property” are substituted for “issue bonds or other evidences of indebtedness therefor and secure the same by mortgage or pledge” for consistency in the revised title. The words “for the purposes of the corporation” and “subject to applicable Federal or State laws” are omitted as unnecessary.

In clause (8), the words “complain and defend in any court of competent jurisdiction” are omitted as unnecessary.

§ 40506. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or participate in any political activity or in any manner attempt to influence legislation.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member as such during the life of the corporation or on its dissolution or final liquidation. This subsection does not prevent the payment of—

(1) expenses of officers of the corporation in amounts approved by the board of directors; or

(2) appropriate aid to individuals to whom the Medal of Honor has been awarded, their widows, or their children, to carry out the purposes of the corporation.

(d) **LOANS.**—The corporation may not make a loan to a director, officer, or employee. Directors and officers who vote for or assent to making a loan to a director, officer, or employee, and officers who participate in making the loan, are jointly and severally liable to the corporation for the amount of the loan until it is repaid. (Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1334.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40506(a)	36:802.	Aug. 14, 1958, Pub. L. 85–642, §§9(a) (1st sentence words before last comma, last sentence), (b), 10, 12, 72 Stat. 599, 600.
40506(b)	36:800.	
40506(c)	36:799(a) (1st sentence words before last comma, last sentence).	
40506(d)	36:799(b).	

In subsection (a), the words “any shares of” are omitted as unnecessary.

In subsection (b), the words “support” and “any” are added for consistency in the revised title. The words “directly or indirectly, local or national” are omitted as unnecessary and for consistency in the revised title.

In subsection (c), before clause (1), the words “inure to the benefit of” are substituted for “inure to” for consistency in the revised title. In clause (1), the words “bona fide” are omitted as unnecessary.

§ 40507. **Principal office**

The principal office of the corporation shall be in the District of Columbia or another place decided by the board of directors. However, the activities of the corporation are not confined to the place where the principal office is located but may be conducted throughout the States, territories, and possessions of the United States. (Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1334.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40507	36:795(a).	Aug. 14, 1958, Pub. L. 85–642, §5(a), 72 Stat. 598.

The word “various” is omitted as unnecessary. The word “States” is added for clarity and consistency in the revised title.

§ 40508. **Records and inspection**

(a) **RECORDS.**—The corporation shall keep—

- (1) correct and complete records of account;
- (2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and
- (3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) **INSPECTION.**—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1334.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40508	36:803.	Aug. 14, 1958, Pub. L. 85–642, §13, 72 Stat. 600.

The word “records” is substituted for “books and records” for consistency in the revised title and with other titles of the United States Code.

§ 40509. **Service of process**

The corporation shall have a designated agent in the District of Columbia 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. 1334.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40509	36:795(b).	Aug. 14, 1958, Pub. L. 85–642, §5(b), 72 Stat. 598.

The words “at all times” are omitted as unnecessary. The words “service of process” are substituted for “service and process” for consistency in the revised title.

§ 40510. **Liability**

(a) **LIABILITY OF CORPORATION.**—The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

(b) **IMMUNITY OF INDIVIDUALS.**—A member or private individual is not liable for the obligations of the corporation.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1335.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40510(a)	36:801.	Aug. 14, 1958, Pub. L. 85–642, §§9(a) (1st sentence words after last comma), 11, 72 Stat. 599, 600.
40510(b)	36:799(a) (1st sentence words after last comma).	

§ 40511. **Distribution of assets on dissolution or final liquidation**

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be distributed as provided by the board of directors, but in compliance with the bylaws.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1335.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40511	36:805.	Aug. 14, 1958, Pub. L. 85–642, §15, 72 Stat. 600.

The word “satisfaction” is omitted as included in “discharge”, and the word “obligations” is omitted as included in “liabilities”. The words “outstanding” and

“all Federal and State laws applicable thereto” are omitted as unnecessary.

CHAPTER 407—CORPORATION FOR THE PROMOTION OF RIFLE PRACTICE AND FIREARMS SAFETY

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- 40702. Governing body.
- 40703. Powers.
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- 40705. Duty to maintain tax-exempt status.
- 40706. Distribution of assets on dissolution.
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SUBCHAPTER II—CIVILIAN MARKSMANSHIP PROGRAM

- 40721. Responsibility of corporation.
- 40722. Functions.
- 40723. Eligibility for participation.
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- 40725. National Matches and small-arms firing school.
- 40726. Allowances for junior competitors.
- 40727. Army support.
- 40728. Transfer of firearms, ammunition, and parts.
- 40728A. Recovery of excess firearms, ammunition, and parts granted to foreign countries and transfer to corporation.
- 40728B. Recovery of excess rifles, ammunition, and parts granted to foreign countries and transfer to certain persons.
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- 40730. Surplus property.
- 40731. Issuance or loan of firearms and supplies.
- 40732. Sale of firearms and supplies.
- 40733. Applicability of other law.

AMENDMENTS

- 2016—Pub. L. 114-328, div. A, title X, §1096(c), Dec. 23, 2016, 130 Stat. 2441, added item 40728B.
- 2006—Pub. L. 109-364, div. A, title III, §354(b), Oct. 17, 2006, 120 Stat. 2162, added item 40728A.

SUBCHAPTER I—CORPORATION

§ 40701. Organization

(a) **FEDERAL CHARTER.**—Corporation for the Promotion of Rifle Practice and Firearms Safety (in this chapter, the “corporation”) is a federally chartered corporation.

(b) **NON-GOVERNMENTAL STATUS.**—The corporation is a private corporation, not a department, agency, or instrumentality of the United States Government. An officer or employee of the corporation is not an officer or employee of the Government.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1335.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40701(a)	36:5501(a) (less “private, nonprofit”).	Feb. 10, 1996, Pub. L. 104-106, title XVI, §1611(a) (less “nonprofit”), (b)(1). 110 Stat. 515, 516.
40701(b)	36:5501(a) (related to private), (b)(1).	

Subsection (a) is substituted for the source provision for consistency in the revised title.

In subsection (b), the words “is not” are substituted for “shall not be considered to be” for clarity and to eliminate unnecessary words.

CONTINUATION OF ELIGIBILITY FOR CERTAIN CIVIL SERVICE BENEFITS FOR FORMER FEDERAL EMPLOYEES OF CIVILIAN MARKSMANSHIP PROGRAM

Pub. L. 104-106, div. A, title XVI, §1622, Feb. 10, 1996, 110 Stat. 521 [former 36 U.S.C. 5522], provided that:

“(a) **CONTINUATION OF ELIGIBILITY.**—Notwithstanding any other provision of law, a Federal employee who is employed by the Department of Defense to support the Civilian Marksmanship Program as of the day before the date of the transfer of the Program to the Corporation and is offered employment by the Corporation as part of the transition described in section 1612(d) [former 36 U.S.C. 5502(d)] may, if the employee becomes employed by the Corporation, continue to be eligible during continuous employment with the Corporation for the Federal health, retirement, and similar benefits (including life insurance) for which the employee would have been eligible had the employee continued to be employed by the Department of Defense. The employer’s contribution for such benefits shall be paid by the Corporation.

“(b) **REGULATIONS.**—The Director of the Office of Personnel Management shall prescribe regulations to carry out subsection (a).”

§ 40702. Governing body

(a) **BOARD OF DIRECTORS.**—(1) The board of directors is the governing body of the corporation. The board of directors may adopt bylaws, policies, and procedures for the corporation and may take any other action that it considers necessary for the management and operation of the corporation.

(2) The board shall have at least 9 directors.

(3) The term of office of a director is 2 years. A director may be reappointed.

(4) A vacancy on the board of directors shall be filled by a majority vote of the remaining directors.

(b) **DIRECTOR OF CIVILIAN MARKSMANSHIP.**—(1) The board of directors shall appoint the Director of Civilian Marksmanship.

(2) The Director is responsible for—

(A) the daily operation of the corporation; and

(B) the duties of the corporation under subchapter II of this chapter.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1335.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40702(a)(1) ..	36:5501(c)(2).	Feb. 10, 1996, Pub. L. 104-106, title XVI, §1611(c)(1)-(4), (d), 110 Stat. 516.
40702(a)(2) ..	36:5501(c)(1).	
40702(a)(3) ..	36:5501(c)(3).	
40702(a)(4) ..	36:5501(c)(4).	
40702(b)(1) ..	36:5501(d)(1).	
40702(b)(2) ..	36:5501(d)(2).	

In subsection (a)(1), the words “The board of directors is the governing body of the corporation” are added for consistency in the revised title.

In subsection (a)(3), the words “The term of office of a director is 2 years” are substituted for “Each member of the Board of Directors shall serve for a term of two years”, and the words “A director may be reappointed” are substituted for “Members of the Board of Directors are eligible for reappointment”, for consistency in the revised title and to eliminate unnecessary words.