§ 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.


§ 40307. Annual report

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


§ 40308. Termination of reporting requirements

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

In clause (3), the words "we did" are omitted to avoid the grammatical construction using the first person.

§ 40508. 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.
§ 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.


§ 40505. Powers

The corporation may—

(1) adopt and amend a constitution and by-laws 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.


§ 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
§ 40507  TITLE 36—Patriotic and National Observances, Ceremonies, and Organizations

(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.


HISTORICAL AND REVISION NOTES

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<td>40506(b) ......</td>
<td>36:800.</td>
<td>10, 12, 72 Stat. 599, 600.</td>
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<td>40506(c) ......</td>
<td>36:800(a). (1st sentence words before last comma, last sentence)</td>
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<td>40506(d) ......</td>
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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.


HISTORICAL AND REVISION NOTES

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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.


HISTORICAL AND REVISION NOTES

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<td>40510(b) ......</td>
<td>36:798(a) (1st sentence words after last comma).</td>
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§ 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.


HISTORICAL AND REVISION NOTES

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The word “satisfaction” is omitted as included in “discharge”, and the word “obligations” is omitted as included in “liabilities”. The words “outstanding” and
Chapter 407—Corporation for the Promotion of Rifle Practice and Firearms Safety

Subchapter I—Corporation

Sec. 40701. Organization.
40702. Governing body.
40703. Powers.
40704. Restrictions.
40705. Duty to maintain tax-exempt status.
40706. Distribution of assets on dissolution.
40707. Nonapplication of audit requirements.

Subchapter II—Civilian Marksmanship Program

40722. Functions.
40723. Eligibility for participation.
40724. Priority of youth participation.
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.
40729. Reservation of firearms, ammunition, and parts.
40730. Surplus property.
40731. Issuance or loan of firearms and supplies.
40732. Sale of firearms and supplies.
40733. Applicability of other law.

Amendments

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.


Historical and Revision Notes

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


“(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 182(4) (former 30 U. S. C. 5522(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 3 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.


Historical and Revision Notes

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