

Army as eligible for transfer under section 40731(a) of title 36, United States Code.

“(B) An assessment of whether and how the Secretary of the Army intends to use the authorities under section 40728B of title 36, United States Code, as added by this section.

“(C) Any other issue that the Secretary of the Army considers appropriate.

“(2) PROHIBITION ON TRANSFERS PENDING SUBMITTAL OF REPORT.—No rifle, ammunition, repair part, or supplies acquired under section 40728B(a) of title 36, United States Code, may be transferred until the date that is 90 days after the date of the submittal of the report required under paragraph (1).”

§ 40729. Reservation of firearms, ammunition, and parts

(a) RESERVATION.—The Secretary of the Army shall reserve for the corporation—

- (1) firearms described in subsections (a) and (h) of section 40728 of this title;
- (2) ammunition for firearms described in subsections (a) and (h) of section 40728 of this title;
- (3) M-16 rifles held by the Department of the Army on February 10, 1996, and used to support the small-arms firing school; and
- (4) parts from, and other supplies for, surplus caliber .30 and caliber .22 rimfire rifles and caliber .45 M1911/M1911A1 surplus pistols.

(b) EXCEPTION.—This section does not supersede the authority provided in section 1208 of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101-189; 10 U.S.C. 372 note).

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1339; Pub. L. 114-92, div. A, title X, §1087(a)(2)(B), Nov. 25, 2015, 129 Stat. 1013.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40729(a)	36:5506(a).	Feb. 10, 1996, Pub. L. 104-106, title XVI, §1616(a), (d), 110 Stat. 519.
40729(b)	36:5506(d).	

In subsection (a)(4), the words “other supplies” are substituted for “accessories and accouterments” for consistency in the revised title.

Editorial Notes

REFERENCES IN TEXT

Section 1208 of the National Defense Authorization Act for Fiscal Years 1990 and 1991, referred to in subsec. (b), is section 1208 of Pub. L. 101-189, div. A, title XII, Nov. 29, 1989, 103 Stat. 1566, which was set out as a note under section 372 of Title 10, Armed Forces, and was repealed and restated in section 2576a of Title 10 by Pub. L. 104-201, div. A, title X, §1033(a)(1), (b)(1), Sept. 23, 1996, 110 Stat. 2639, 2640. Section 372 of Title 10 was re-numbered section 272 by Pub. L. 114-328, div. A, title XII, §1241(a)(2), Dec. 23, 2016, 130 Stat. 2497.

AMENDMENTS

2015—Subsec. (a)(1). Pub. L. 114-92, §1087(a)(2)(B)(i), substituted “subsections (a) and (h) of section 40728” for “section 40728(a)”.

Subsec. (a)(2). Pub. L. 114-92, §1087(a)(2)(B)(ii), substituted “subsections (a) and (h) of section 40728” for “40728(a)”.

Subsec. (a)(4). Pub. L. 114-92, §1087(a)(2)(B)(iii), inserted “and caliber .45 M1911/M1911A1 surplus pistols” after “caliber .30 and caliber .22 rimfire rifles”.

§ 40730. Surplus property

The corporation may obtain surplus property from the Defense Reutilization Marketing Service to carry out the Civilian Marksmanship Program. A transfer of property to the corporation under this section shall be made without cost to the corporation.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1340.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40730	36:5502(c).	Feb. 10, 1996, Pub. L. 104-106, title XVI, §1612(c), 110 Stat. 517.

The word “supplies” is omitted as included in “property”.

§ 40731. Issuance or loan of firearms and supplies

(a) ISSUANCE OR LOAN.—For purposes of training and competition, the corporation may issue or loan, with or without charges to recover administrative costs, caliber .22 rimfire and caliber .30 surplus rifles, air rifles, caliber .22 and .30 ammunition, repair parts, and other supplies necessary for activities related to the Civilian Marksmanship Program to—

- (1) organizations affiliated with the corporation that provide firearms training to youth;
- (2) the Boy Scouts of America;
- (3) 4-H Clubs;
- (4) the Future Farmers of America; and
- (5) other youth oriented organizations.

(b) SECURITY OF FIREARMS.—The corporation shall ensure adequate oversight and accountability for firearms issued or loaned under this section. The corporation shall prescribe procedures for the security of issued or loaned firearms in accordance with United States, State, and local laws.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1340.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40731(a)	36:5504(a).	Feb. 10, 1996, Pub. L. 104-106, title XVI, §1614(a), (d), 110 Stat. 517, 518.
40731(b)	36:5504(d).	

In subsection (a), the words “repair parts, and other supplies” are substituted for “targets, and other supplies and appliances” for consistency in the revised title.

In subsection (b) the words “shall ensure” are substituted for “shall be responsible for ensuring” to eliminate unnecessary words.

§ 40732. Sale of firearms and supplies

(a) AFFILIATED ORGANIZATIONS.—The corporation may sell, at fair market value, surplus caliber .22 rimfire rifles, caliber .30 surplus rifles, and caliber .45 M1911/M1911A1 surplus pistols, air rifles, caliber .22 and .30 ammunition, repair parts, and other supplies to organizations affiliated with the corporation that provide training in the use of firearms.

(b) GUN CLUB MEMBERS.—(1) The corporation may sell, at fair market value, surplus caliber

.22 rimfire rifles, caliber .30 surplus rifles, and caliber .45 M1911/M1911A1 surplus pistols, ammunition, repair parts and other supplies necessary for target practice to a citizen of the United States who is legally of age and who is a member of a gun club affiliated with the corporation.

(2) Except as provided in section 40733 of this title, sales under this subsection are subject to applicable United States, State, and local law. In addition to any other requirement, the corporation shall establish procedures to obtain a criminal records check of the individual with United States Government and State law enforcement agencies.

(c) LIMITATION ON SALES.—(1) No person acquiring a firearm under this chapter may sell a repair part designed to convert a firearm to fire in a fully automatic mode.

(2) The corporation may not sell any item to an individual who has been convicted of—

- (A) a felony; or
- (B) a violation of section 922 of title 18.

(d) SALES BY OTHER PERSONS.—A person who receives a rifle or any ammunition, repair parts, or supplies under section 40728B(c) of this title may sell, at fair market value, such rifle, ammunition, repair parts, or supplies. With respect to rifles other than caliber .22 rimfire and caliber .30 rifles, the seller shall obtain a license as a dealer in rifles and abide by all requirements imposed on persons licensed under chapter 44 of title 18, including maintaining acquisition and disposition records, and conducting background checks.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1340; Pub. L. 114–92, div. A, title X, §1087(a)(2)(C), Nov. 25, 2015, 129 Stat. 1013; Pub. L. 114–328, div. A, title X, §1096(b), Dec. 23, 2016, 130 Stat. 2441.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40732(a)	36:5504(b)(1).	Feb. 10, 1996, Pub. L. 104–106, title XVI, §1614(b), (c), (e)(1), 110 Stat. 518.
40732(b)(1) ..	36:5504(b)(2) (1st sentence).	
40732(b)(2) (1st sentence).	36:5504(e)(1).	
40732(b)(2) (last sentence).	36:5504(b)(2) (last sentence).	
40732(c)	36:5504(c).	

In subsection (a), the words “repair parts, and other supplies” are substituted for “repair parts, and accouterments” for consistency in the revised title.

In subsection (b)(1), the words “repair parts, and other supplies” are substituted for “targets, repair parts and accouterments, and other supplies and appliances” for consistency in the revised title.

In subsection (b)(2), the word “appropriate” is omitted as unnecessary.

In subsection (c)(1), the word “sell” is substituted for “offer for sale” to eliminate unnecessary words.

In subsection (c)(2), the words “any item” are substituted for “rifles, ammunition, or any other item available for sale to individuals under the Civilian Marksmanship Program” to eliminate unnecessary words.

Editorial Notes

AMENDMENTS

2016—Subsec. (c)(1). Pub. L. 114–328, §1096(b)(2), substituted “No person acquiring a firearm under this chapter may” for “The corporation may not”.

Subsec. (d). Pub. L. 114–328, §1096(b)(1), added subsec. (d).

2015—Subsec. (a). Pub. L. 114–92, §1087(a)(2)(C)(i), substituted “surplus caliber .22 rimfire rifles, caliber .30 surplus rifles, and caliber .45 M1911/M1911A1 surplus pistols” for “caliber .22 rimfire and caliber .30 surplus rifles”.

Subsec. (b)(1). Pub. L. 114–92 substituted “surplus caliber .22 rimfire rifles, caliber .30 surplus rifles, and caliber .45 M1911/M1911A1 surplus pistols” for “caliber .22 rimfire and caliber .30 surplus rifles” and “is legally of age” for “is over 18 years of age”.

§ 40733. Applicability of other law

(a) IN GENERAL.—Except as provided in subsection (b), section 922(a)(1)–(3) and (5) of title 18 does not apply to the shipment, transportation, receipt, transfer, sale, issuance, loan, or delivery by the corporation, of an item that the corporation is authorized to issue, loan, sell, or receive under this chapter.

(b) EXCEPTION.—With respect to firearms other than caliber .22 rimfire and caliber .30 rifles, the corporation shall obtain a license as a dealer in firearms and abide by all requirements imposed on persons licensed under chapter 44 of title 18, including maintaining acquisition and disposition records, and conducting background checks.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1341; Pub. L. 114–92, div. A, title X, §1087(a)(2)(D), Nov. 25, 2015, 129 Stat. 1013.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40733	36:5504(e)(2).	Feb. 10, 1996, Pub. L. 104–106, title XVI, §1614(e)(2), 110 Stat. 518.

Editorial Notes

AMENDMENTS

2015—Pub. L. 114–92 designated existing provisions as subsec. (a), inserted heading, substituted “Except as provided in subsection (b), section” for “Section”, and added subsec. (b).

CHAPTERS 409 THROUGH 499—RESERVED

Editorial Notes

AMENDMENTS

2014—Pub. L. 113–237, §3(b)(3), Dec. 18, 2014, 128 Stat. 2836, added placeholder for chapters 409 to 499.

CHAPTER 501—DAUGHTERS OF UNION VETERANS OF THE CIVIL WAR 1861–1865

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