

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40728(a)	36:5505(a).	Feb. 10, 1996, Pub. L. 104-106, title XVI, §§ 1615, 1616(b), (c), 110 Stat. 518, 519; Sept. 23, 1996, Pub. L. 104-201, title X, § 1073(c)(1), (2), 110 Stat. 2657.
40728(b)	36:5505(b).	
40728(c)	36:5505(d).	
40728(d)	36:5506(b).	
40728(e)	36:5505(c).	
40728(f)	36:5506(c).	
40728(g)	36:5505(e).	

In subsection (a), the words “director of civilian marksmanship (as that position existed under section 4307 of title 10 on February 9, 1996)” are substituted for “Director of the Civilian Marksmanship Program” to avoid confusion with the office of the Director of Civilian Marksmanship created on February 10, 1996, by section 1611(d) of The National Defense Authorization Act for Fiscal Year 1996 (Public Law 104-106, 110 Stat. 516).

In subsection (b), the words “firearms or ammunition” are substituted for “such items” for clarity. In clause (2), the words “to purchasers” are omitted as unnecessary.

In subsection (c)(1), the words “eligible recipient” are substituted for “recipient eligible . . . to receive the item” to eliminate unnecessary words.

In subsection (c)(2), the word “purchaser” is substituted for “purchaser of the item” to eliminate unnecessary words.

In subsection (d), the words “(as that program existed under section 4308(e) of title 10 before February 10, 1996)” are added for clarity. The words “issued, loaned, or sold by the corporation” are substituted for “issued, loaned, or sold by” for clarity.

In subsection (e), the words “transfer . . . to” are substituted for “make available to” for consistency in the revised section and in consideration of the words “transfer of . . . parts to” in 36:5505(e).

REFERENCES IN TEXT

Sections 4307 and 4308 of title 10, referred to in subsecs. (a) and (d), were repealed by Pub. L. 104-106, div. A, title XVI, § 1624(a)(1), Feb. 10, 1996, 110 Stat. 522.

§ 40728A. Recovery of excess firearms, ammunition, and parts granted to foreign countries and transfer to corporation

(a) **AUTHORITY TO RECOVER.**—The Secretary of the Army may recover from any country to which rifles, ammunition, repair parts, or other supplies described in section 40731(a) of this title are furnished on a grant basis under the conditions imposed by section 505 of the Foreign Assistance Act of 1961 (22 U.S.C. 2314) any such rifles, ammunition, repair parts, or supplies that become excess to the needs of such country.

(b) **COST OF RECOVERY.**—(1) Except as provided in paragraph (2), the cost of recovery of any rifles, ammunition, repair parts, or supplies under subsection (a) shall be treated as incremental direct costs incurred in providing logistical support to the corporation for which reimbursement shall be required as provided in section 40727(a) of this title.

(2) The Secretary may require the corporation to pay costs of recovery described in paragraph (1) in advance of incurring such costs. Amounts so paid shall not be subject to the provisions of section 3302 of title 31, but shall be administered in accordance with the last sentence of section 40727(a) of this title.

(c) **AVAILABILITY FOR TRANSFER TO CORPORATION.**—Any rifles, ammunition, repair parts, or supplies recovered under subsection (a) shall be available for transfer to the corporation in accordance with section 40728 of this title under such additional terms and conditions as the Secretary shall prescribe for purposes of this section.

(Added Pub. L. 109-364, div. A, title III, § 354(a), Oct. 17, 2006, 120 Stat. 2162.)

§ 40729. Reservation of firearms, ammunition, and parts

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

(1) firearms described in section 40728(a) of this title;

(2) ammunition for firearms described in 40728(a) 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.

(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.)

HISTORICAL AND REVISION NOTES

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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.

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, as amended, 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.

§ 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”.