

112TH CONGRESS  
1ST SESSION

# H. R. 3065

To amend the Pittman-Robertson Wildlife Restoration Act to facilitate the establishment of additional or expanded public target ranges in certain States.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 23, 2011

Mr. SHULER (for himself, Mr. HUNTER, Mr. CARDOZA, Mr. COSTA, Mr. CHANDLER, Mr. MATHESON, Mr. THOMPSON of California, Mr. HOLDEN, Mr. BOSWELL, Mr. BOREN, Mr. ROSS of Arkansas, Mr. BARROW, Mr. KISSELL, Mr. YOUNG of Alaska, Mr. LEWIS of California, Mr. HULTGREN, Mr. BARTLETT, Mr. HANNA, Ms. FOXX, Mr. BURTON of Indiana, Mr. MICHAUD, Mr. KIND, Mr. HARRIS, Mr. CONAWAY, Mr. BUCHANAN, Mr. COURTNEY, Mr. CALVERT, Mr. GENE GREEN of Texas, Mr. MCINTYRE, Mr. WESTMORELAND, Mr. CRITZ, Mr. GUTHRIE, Mr. BENISHEK, Mr. ROSS of Florida, Mr. GUINTA, Mr. AUSTRIA, Mr. LATA, Mr. YODER, Mr. BROUN of Georgia, Mr. MCKINLEY, Mr. MILLER of Florida, Mr. KLINE, and Mr. PETERSON) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend the Pittman-Robertson Wildlife Restoration Act to facilitate the establishment of additional or expanded public target ranges in certain States.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Target Practice and  
3 Marksmanship Training Support Act”.

4 **SEC. 2. FINDINGS; PURPOSE.**

5 (a) FINDINGS.—Congress finds that—

6 (1) the use of firearms and archery equipment  
7 for target practice and marksmanship training ac-  
8 tivities on Federal land is allowed, except to the ex-  
9 tent specific portions of that land have been closed  
10 to those activities;

11 (2) in recent years preceding the date of enact-  
12 ment of this Act, portions of Federal land have been  
13 closed to target practice and marksmanship training  
14 for many reasons;

15 (3) the availability of public target ranges on  
16 non-Federal land has been declining for a variety of  
17 reasons, including continued population growth and  
18 development near former ranges;

19 (4) providing opportunities for target practice  
20 and marksmanship training at public target ranges  
21 on Federal and non-Federal land can help—

22 (A) to promote enjoyment of shooting, rec-  
23 reational, and hunting activities; and

24 (B) to ensure safe and convenient locations  
25 for those activities;

1           (5) Federal law in effect on the date of enact-  
2           ment of this Act, including the Pittman-Robertson  
3           Wildlife Restoration Act (16 U.S.C. 669 et seq.),  
4           provides Federal support for construction and ex-  
5           pansion of public target ranges by making available  
6           to States amounts that may be used for construc-  
7           tion, operation, and maintenance of public target  
8           ranges; and

9           (6) it is in the public interest to provide in-  
10          creased Federal support to facilitate the construction  
11          or expansion of public target ranges.

12          (b) PURPOSE.—The purpose of this Act is to facili-  
13          tate the construction and expansion of public target  
14          ranges, including ranges on Federal land managed by the  
15          Forest Service and the Bureau of Land Management.

16          **SEC. 3. DEFINITION OF PUBLIC TARGET RANGE.**

17          In this Act, the term “public target range” means  
18          a specific location that—

19                  (1) is identified by a governmental agency for  
20                  recreational shooting;

21                  (2) is open to the public;

22                  (3) may be supervised; and

23                  (4) may accommodate archery or rifle, pistol, or  
24                  shotgun shooting.

1 **SEC. 4. AMENDMENTS TO PITTMAN-ROBERTSON WILDLIFE**  
2 **RESTORATION ACT.**

3 (a) DEFINITIONS.—Section 2 of the Pittman-Robert-  
4 son Wildlife Restoration Act (16 U.S.C. 669a) is amend-  
5 ed—

6 (1) by redesignating paragraphs (2) through  
7 (8) as paragraphs (3) through (9), respectively; and

8 (2) by inserting after paragraph (1) the fol-  
9 lowing:

10 “(2) the term ‘public target range’ means a  
11 specific location that—

12 “(A) is identified by a governmental agen-  
13 cy for recreational shooting;

14 “(B) is open to the public;

15 “(C) may be supervised; and

16 “(D) may accommodate archery or rifle,  
17 pistol, or shotgun shooting;”.

18 (b) EXPENDITURES FOR MANAGEMENT OF WILD-  
19 LIFE AREAS AND RESOURCES.—Section 8(b) of the Pitt-  
20 man-Robertson Wildlife Restoration Act (16 U.S.C.  
21 669g(b)) is amended—

22 (1) by striking “(b) Each State” and inserting  
23 the following:

24 “(b) EXPENDITURES FOR MANAGEMENT OF WILD-  
25 LIFE AREAS AND RESOURCES.—

1           “(1) IN GENERAL.—Except as provided in para-  
2 graph (2), each State”;

3           (2) in paragraph (1) (as so designated), by  
4 striking “construction, operation,” and inserting  
5 “operation”;

6           (3) in the second sentence, by striking “The  
7 non-Federal share” and inserting the following:

8           “(3) NON-FEDERAL SHARE.—The non-Federal  
9 share”;

10          (4) in the third sentence, by striking “The Sec-  
11 retary” and inserting the following:

12          “(4) REGULATIONS.—The Secretary”; and

13          (5) by inserting after paragraph (1) (as des-  
14 ignated by paragraph (1) of this subsection) the fol-  
15 lowing:

16          “(2) EXCEPTION.—Notwithstanding the limita-  
17 tion described in paragraph (1), a State may pay up  
18 to 90 percent of the cost of acquiring land for, ex-  
19 panding, or constructing a public target range.”.

20          (c) FIREARM AND BOW HUNTER EDUCATION AND  
21 SAFETY PROGRAM GRANTS.—Section 10 of the Pittman-  
22 Robertson Wildlife Restoration Act (16 U.S.C. 669h–1)  
23 is amended—

24          (1) in subsection (a), by adding at the end the  
25 following:

1           “(3) ALLOCATION OF ADDITIONAL AMOUNTS.—  
2           Of the amount apportioned to a State for any fiscal  
3           year under section 4(b), the State may elect to allo-  
4           cate not more than 10 percent, to be combined with  
5           the amount apportioned to the State under para-  
6           graph (1) for that fiscal year, for acquiring land for,  
7           expanding, or constructing a public target range.”;

8           (2) by striking subsection (b) and inserting the  
9           following:

10          “(b) COST SHARING.—

11           “(1) IN GENERAL.—Except as provided in para-  
12           graph (2), the Federal share of the cost of any activ-  
13           ity carried out using a grant under this section shall  
14           not exceed 75 percent of the total cost of the activ-  
15           ity.

16           “(2) PUBLIC TARGET RANGE CONSTRUCTION OR  
17           EXPANSION.—The Federal share of the cost of ac-  
18           quiring land for, expanding, or constructing a public  
19           target range in a State on Federal or non-Federal  
20           land pursuant to this section or section 8(b) shall  
21           not exceed 90 percent of the cost of the activity.”;

22          and

23           (3) in subsection (c)(1)—

24           (A) by striking “Amounts made” and in-  
25           serting the following:

1           “(A) IN GENERAL.—Except as provided in  
2           subparagraph (B), amounts made”; and

3           (B) by adding at the end the following:

4           “(B) EXCEPTION.—Amounts provided for  
5           acquiring land for, constructing, or expanding a  
6           public target range shall remain available for  
7           expenditure and obligation during the 5-fiscal-  
8           year period beginning on October 1 of the first  
9           fiscal year for which the amounts are made  
10          available.”.

11 **SEC. 5. LIMITS ON LIABILITY.**

12          (a) DISCRETIONARY FUNCTION.—For purposes of  
13 chapter 171 of title 28, United States Code (commonly  
14 referred to as the “Federal Tort Claims Act”), any action  
15 by an agent or employee of the United States to manage  
16 or allow the use of Federal land for purposes of target  
17 practice or marksmanship training by a member of the  
18 public shall be considered to be the exercise or perform-  
19 ance of a discretionary function.

20          (b) CIVIL ACTION OR CLAIMS.—Except to the extent  
21 provided in chapter 171 of title 28, United States Code,  
22 the United States shall not be subject to any civil action  
23 or claim for money damages for any injury to or loss of  
24 property, personal injury, or death caused by an activity  
25 occurring at a public target range that is—

1           (1) funded in whole or in part by the Federal  
2           Government pursuant to the Pittman-Robertson  
3           Wildlife Restoration Act (16 U.S.C. 669 et seq.); or  
4           (2) located on Federal land.

5 **SEC. 6. SENSE OF CONGRESS REGARDING COOPERATION.**

6           It is the sense of Congress that, consistent with appli-  
7           cable laws and regulations, the Chief of the Forest Service  
8           and the Director of the Bureau of Land Management  
9           should cooperate with State and local authorities and  
10          other entities to carry out waste removal and other activi-  
11          ties on any Federal land used as a public target range  
12          to encourage continued use of that land for target practice  
13          or marksmanship training.

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