

111TH CONGRESS
1ST SESSION

H. R. 3781

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

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 8, 2009

Ms. MARKEY of Colorado (for herself, Mr. COFFMAN of Colorado, and Mr. MINNICK) 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

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,*

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. FINDINGS; PURPOSE.**

7 (a) FINDINGS.—Congress finds that—

1 (1) the use of firearms for target practice and
2 marksmanship training activities on Federal land is
3 allowed, except to the extent specific portions of that
4 land have been closed to those activities;

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

9 (3) the availability of public target ranges on
10 non-Federal land has been declining for a variety of
11 reasons, including continued population growth and
12 development near former ranges;

13 (4) providing opportunities for target practice
14 and marksmanship training at public target ranges
15 on Federal and non-Federal land can help—

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

18 (B) to ensure safe and convenient locations
19 for those activities;

20 (5) Federal law in effect on the date of enact-
21 ment of this Act, including the Pittman-Robertson
22 Wildlife Restoration Act (16 U.S.C. 669 et seq.),
23 provides Federal support for construction and ex-
24 pansion of public target ranges by making available
25 to States funds that can be used for construction,

1 operation, and maintenance of public target ranges;
2 and

3 (6) it is in the public interest to provide in-
4 creased Federal support to facilitate the construction
5 or expansion of public target ranges.

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

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

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

13 (1) is designated by a land management agency
14 for recreational shooting;

15 (2) is open to the public;

16 (3) may be supervised; and

17 (4) may accommodate rifle, pistol, or shotgun
18 shooting.

19 **SEC. 4. AMENDMENTS TO PITTMAN-ROBERTSON WILDLIFE
20 RESTORATION ACT.**

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

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

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

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

5 “(A) is designated by a land management
6 agency for recreational shooting;

7 “(B) is open to the public;

8 “(C) may be supervised; and

9 “(D) may accommodate rifle, pistol, or
10 shotgun shooting;”.

11 (b) EXPENDITURES FOR MANAGEMENT OF WILD-
12 LIFE AREAS AND RESOURCES.—Section 8(b) of the Pitt-
13 man-Robertson Wildlife Restoration Act (16 U.S.C.
14 669g(b)) is amended—

15 (1) by striking “(b) Each State” and inserting
16 the following:

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

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

21 (2) in paragraph (1) (as so designated), by
22 striking “construction, operation,” and inserting
23 “operation”;

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

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

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

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

6 (5) by inserting after paragraph (1) (as des-
7 ignated by paragraph (1) of this subsection) the fol-
8 lowing:

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

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

17 (1) in subsection (a), by adding at the end the
18 following:

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

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

3 “(b) COST SHARING.—

4 “(1) IN GENERAL.—Except as provided by
5 paragraph (2), the Federal share of the cost of any
6 activity carried out using a grant under this section
7 shall not exceed 75 percent of the total cost of the
8 activity.

9 “(2) PUBLIC TARGET RANGE CONSTRUCTION OR
10 EXPANSION.—The Federal share of the cost of ac-
11 quiring land for, expanding, or constructing a public
12 target range in a State on Federal or non-Federal
13 land pursuant to this section or section 8(c) shall
14 not exceed 90 percent of the cost of the activity.”;
15 and

16 (3) in subsection (c)(1)—

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

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

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

22 “(B) EXCEPTION.—Amounts provided for
23 acquiring land for, constructing, or expanding a
24 public target range shall remain available for
25 expenditure and obligation during the 5-fiscal-

1 year period beginning on October 1 of the first
2 fiscal year for which the amounts are made
3 available.”.

4 **SEC. 5. LIMITS ON LIABILITY.**

5 (a) DISCRETIONARY FUNCTION.—For purposes of
6 chapter 171 of title 28, United States Code (commonly
7 referred to as the “Federal Tort Claims Act”), any action
8 by an agent or employee of the United States to authorize
9 the use of Federal land for purposes of target practice
10 or marksmanship training by a member of the public shall
11 be considered to be the exercise or performance of a dis-
12 cretionary function.

13 (b) CIVIL ACTION OR CLAIMS.—Except to the extent
14 provided in chapter 171 of title 28, United States Code,
15 the United States shall not be subject to any civil action
16 or claim for money damages for injury to or loss of prop-
17 erty, personal injury, or death caused by an activity occur-
18 ring at a public target range that is—

19 (1) funded in whole or in part by the Federal
20 Government pursuant to the Pittman-Robertson
21 Wildlife Restoration Act (16 U.S.C. 669 et seq.); or

22 (2) located on Federal land.

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

24 It is the sense of Congress that, consistent with appli-
25 cable laws and regulations, the Chief of the Forest Service

1 and the Director of the Bureau of Land Management
2 should cooperate with State and local authorities and
3 other entities to carry out waste removal and other activi-
4 ties on any Federal land used as a public target range
5 in order to encourage continued use of that land for target
6 practice or marksmanship training.

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