

Union Calendar No. 377

112TH CONGRESS
2D SESSION

H. R. 3065

[Report No. 112-529, Part I]

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

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. LATTA, 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

JUNE 15, 2012

Additional sponsors: Mr. DANIEL E. LUNGREN of California, Mr. SIMPSON, Mr. COFFMAN of Colorado, Mr. BUCSHON, Mr. OWENS, Mr. KINZINGER of Illinois, Mr. LUETKEMEYER, Mr. DUNCAN of South Carolina, Mr. WALBERG, Mr. WITTMAN, Mr. SCHOCK, Mr. WELCH, Mr. PALAZZO, Mr. COLE, Mr. COBLE, Mr. FORBES, Mr. JOHNSON of Ohio, Mr. MCCOTTER, Mr. LAMBORN, and Mr. WALSH of Illinois

JUNE 15, 2012

Reported from the Committee on Natural Resources

JUNE 15, 2012

The Committee on the Judiciary discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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—

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

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

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

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

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

1 (B) to ensure safe and convenient locations
2 for those activities;

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

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

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

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

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

21 (1) is identified by a governmental agency for
22 recreational shooting;

23 (2) is open to the public;

24 (3) may be supervised; and

1 (4) may accommodate archery or rifle, pistol, or
2 shotgun shooting.

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

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

8 (1) by redesignating paragraphs (2) through
9 (8) as paragraphs (3) through (9), respectively; and
10 (2) by inserting after paragraph (1) the fol-
11 lowing:

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

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

16 “(B) is open to the public;

17 “(C) may be supervised; and

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

20 (b) EXPENDITURES FOR MANAGEMENT OF WILD-
21 LIFE AREAS AND RESOURCES.—Section 8(b) of the Pitt-
22 man-Robertson Wildlife Restoration Act (16 U.S.C.
23 669g(b)) is amended—

24 (1) by striking “(b) Each State” and inserting
25 the following:

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

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

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

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

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

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

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

15 (5) by inserting after paragraph (1) (as des-
16 igned by paragraph (1) of this subsection) the fol-
17 lowing:

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

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

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

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

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

12 “(b) COST SHARING.—

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

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

25 (3) in subsection (c)(1)—

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

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

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

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

13 **SEC. 5. LIMITS ON LIABILITY.**

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

22 (b) CIVIL ACTION OR CLAIMS.—Except to the extent
23 provided in chapter 171 of title 28, United States Code,
24 the United States shall not be subject to any civil action
25 or claim for money damages for any injury to or loss of

1 property, personal injury, or death caused by an activity
2 occurring at a public target range that is—

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

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

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

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