

112TH CONGRESS
1ST SESSION

S. 1249

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

IN THE SENATE OF THE UNITED STATES

JUNE 22, 2011

Mr. UDALL of Colorado (for himself, Mr. RISCH, Mr. TESTER, and Mr. BENNET) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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-

1 activities on Federal land is allowed, except to the ex-
2 tent specific portions of that land have been closed
3 to those activities;

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

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

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

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

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

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

1 tion, operation, and maintenance of public target
2 ranges; 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 identified by a governmental agency for
14 recreational shooting;

15 (2) is open to the public;

16 (3) may be supervised; and

17 (4) may accommodate archery or rifle, pistol, or
18 shotgun 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 identified by a governmental agen-
 6 cy for recreational shooting;

7 “(B) is open to the public;

8 “(C) may be supervised; and

9 “(D) may accommodate archery or rifle,
 10 pistol, or 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 igned 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 AMOUNTS.—
20 Of 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 in para-
5 graph (2), the Federal share of the cost of any activ-
6 ity carried out using a grant under this section shall
7 not exceed 75 percent of the total cost of the activ-
8 ity.

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(b) 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 manage
9 or allow the use of Federal land for purposes of target
10 practice or marksmanship training by a member of the
11 public shall be considered to be the exercise or perform-
12 ance of a discretionary 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 any injury to or loss of
17 property, personal injury, or death caused by an activity
18 occurring 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 to encourage continued use of that land for target practice
6 or marksmanship training.

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