

DRAFT BILL
To Facilitate Establishment of Additional or Expanded Facilities
for Target Practice and Marksmanship Training
In Certain States

Be it enacted, etc.

SECTION ONE. SHORT TITLE, FINDINGS, AND PURPOSE. –

(a) SHORT TITLE. – This Act may be cited as the Target Practice and Marksmanship Training Support Act.

(b) FINDINGS.—The Congress finds as follows:

(1) Use of firearms for target practice and marksmanship training on Federal lands is allowed except to the extent specific portions of such lands have been closed to such activities; but

(2) In recent years, considerations of public safety have made it necessary to close additional portions of Federal lands to such activities, especially in States that have experienced significant population growth; and

(3) Use of facilities constructed for the purpose of target practice and marksmanship training is often more consistent with public safety and convenience than use of undeveloped Federal lands for such purposes; and

(4) It is in the public interest for the federal government to provide support for construction or expansion of appropriate facilities for target practice and marksmanship training, especially in those States where population growth and patterns of settlement in recent years have made it necessary to prohibit those activities on parts of the Federal lands where they were formally allowed; and

(5) Current law, including the Federal Aid in Wildlife Restoration Act (popularly known as the Pittman-Robertson Act) provides such support by making available to the States funds that can be used for that purpose; but

(6) It would be in the public interest to provide greater support for those purposes in order to facilitate construction or expansion of facilities available to the public for target practice and marksmanship training in States that have experienced population growth and a reduction in the number of such facilities on Federal lands.

(c) PURPOSE. – The purpose of this Act is to facilitate the construction or expansion of publicly available facilities for target practice and marksmanship training in appropriate locations, including on lands managed by the Forest Service and Bureau of Land Management, in States that have experienced population growth and a reduction in the extent to which such activities are permitted on Federal lands.

SEC. 2. FUNDING.

(a) Cost Sharing and Availability of funds. – Section ____ of the Federal Aid in Wildlife Restoration Act (16 U.S.C. 669h-1) is amended as follows:

(1) By striking the period at the end of subsection (b) and inserting “, except that such share shall not exceed 90 percent of the total cost of acquiring land for or construction or expansion of a facility for use by the public for target practice or marksmanship

training located in a State whose population has grown by at least 2% since the year 2000 and with regard to which the Secretary determines that since such year there has been a reduction in the extent to which such activities are permitted on Federal lands.

- (2) By striking the period at the end of subsection (c) and inserting “, except that amounts provided for acquiring land for or construction or expansion of facilities for use by the public for target practice or marksmanship training shall remain available until expended in the case of a State whose population has grown by at least 2% since the year 2000 and with regard to which the Secretary determines that since such year there has been a reduction in the extent to which such activities are permitted on Federal lands.

(b) Use of Wildlife Conservation Funds. – Section ____ of the Federal Aid in Wildlife Restoration Act (16 U.S.C. 669c) is amended as follows:

- (1) In paragraph (4)(B) of subsection (d), by striking “(B)” and inserting “(B)(i)”

- (2) By adding the following at the end of paragraph (4)(B) of subsection (d):

(ii) During the first fiscal year beginning after the date of enactment of the Target Practice and Marksmanship Training Support Act and each of the nine subsequent fiscal years, not more than 10 percent of the amounts apportioned to an eligible State under this section for such State’s wildlife conservation and restoration program may be used for acquiring land for or construction or expansion of facilities for use by the public for target practice or marksmanship training or for assisting a Federal land-managing agency with cleanup or other steps needed to allow a portion of Federal lands to be used by the public for such purposes. As used in the previous sentence, the term “eligible State” means a State whose population has grown by at least 2% since the year 2000 and with regard to which the Secretary determines that since such year there has been a reduction in the extent to which such activities are permitted on Federal lands within such State.

SEC. 3. LIMITS ON LIABILITY –

- (a) For purposes of the Federal Tort Claims Act (28 U.S.C. §§ 1346(b), 2671-2680), any action by an agent or employee of the United States to authorize use of Federal land for purposes of target practice or marksmanship training by members of the public shall be considered to constitute the exercise or performance of a discretionary function.
- (b) Except to the extent provided in the Federal Tort Claims Act (28 U.S.C. §§ 1346(b), 2671-2680), the United States shall not be subject to any civil action or claim for money damages for injury or loss of property, or personal injury or death caused by any activity occurring at a facility used by the public for target practice or marksmanship training that is wholly or partially funded by the United States pursuant to this Act or located on federal land.

SEC. 4. COOPERATION –

It is the sense of Congress that, consistent with applicable laws and regulations, the Forest Service and the Bureau of Land Management should cooperate with State and local authorities and other entities to carry out cleanup or other activities on parts of the federal lands used by the public for target practice and marksmanship training in order to avoid the need to close such lands to such uses.