

118TH CONGRESS
1ST SESSION

S. 3331

To establish an intermodal transportation infrastructure pilot program, and
for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 15, 2023

Mr. WARNER (for himself and Mr. SULLIVAN) introduced the following bill;
which was read twice and referred to the Committee on Commerce,
Science, and Transportation

A BILL

To establish an intermodal transportation infrastructure pilot
program, and for other purposes.

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 “Alleviating Spaceport
5 Traffic by Rewarding Operators Act of 2023”.

6 **SEC. 2. INTERMODAL TRANSPORTATION INFRASTRUCTURE**
7 **IMPROVEMENT PILOT PROGRAM.**

8 (a) IN GENERAL.—The Secretary may establish a
9 pilot program to issue grants to operators of launch and
10 reentry sites for projects to construct, repair, maintain,

1 or improve transportation infrastructure and facilities at
2 such sites.

3 (b) PILOT PROGRAM QUALIFICATIONS.—The Sec-
4 retary may enter into agreements under this section to
5 issue a grant to an operator only if the operator—

6 (1) has submitted an application to the Sec-
7 retary in such form, at such time, and containing
8 such information as prescribed by the Secretary;

9 (2) demonstrates to the Secretary's satisfaction
10 that the project for which the application has been
11 submitted is for a permitted use under subsection
12 (c); and

13 (3) agrees to maintain such records relating to
14 the grant as the Secretary may require and to make
15 such records available to the Secretary or the Comp-
16 troller General of the United States upon request.

17 (c) PERMITTED USE OF PILOT PROGRAM GRANTS.—
18 An operator may use a grant provided under this section
19 for a project to construct, repair, maintain, or improve in-
20 frastructure and facilities that—

21 (1) are located at, or adjacent to, a launch or
22 reentry site;

23 (2) directly enable or support transportation
24 safety or covered transportation activities; and

1 (3) shall be made generally available subject to
2 reasonable commercial and other terms as appro-
3 priate.

4 (d) PILOT PROGRAM GRANTS.—

5 (1) GRANT FORMULA.—Subject to the avail-
6 ability of appropriations, at the beginning of each
7 fiscal year after fiscal year 2024, the Secretary may
8 issue to an operator that qualifies for the pilot pro-
9 gram under subsection (b) a grant in an amount
10 equal to the sum of—

11 (A) \$250,000 for each launch or reentry
12 operation under a license described in section
13 50905 of title 51, United States Code, con-
14 ducted from the applicable launch or reentry
15 site or at any adjacent Federal launch range in
16 the previous fiscal year; and

17 (B) \$100,000 for each launch or reentry
18 operation conducted under a permit (as defined
19 in section 50902 of title 51, United States
20 Code) from the applicable launch or reentry site
21 or at any adjacent Federal launch range in the
22 previous fiscal year.

23 (2) MAXIMUM GRANT.—Except as provided in
24 subsection (e)(5), a grant issued to an operator

1 under this subsection shall not exceed \$2,500,000
2 for a fiscal year.

3 (3) ADJACENCY.—

4 (A) IN GENERAL.—In issuing a grant to
5 an operator under paragraph (1), the Secretary
6 shall determine whether a launch or reentry site
7 is adjacent to a Federal launch range.

8 (B) LIMITATION.—In the event that more
9 than 1 operator adjacent to a Federal launch
10 range seeks funding under paragraph (1), the
11 Secretary shall determine which operator re-
12 ceives the grant based on criteria set forth in
13 section 50901(b)(4) of title 51, United States
14 Code.

15 (C) MULTIPLE LAUNCH OR REENTRY
16 SITES OPERATED BY 1 OPERATOR.—If an oper-
17 ator holds a license to operate more than 1
18 launch site or more than 1 reentry site that are
19 adjacent to a Federal launch range, the Sec-
20 retary shall consider such launch or reentry
21 sites as 1 launch or reentry site for purposes of
22 subparagraphs (A) and (B) of paragraph (1).

23 (e) SUPPLEMENTAL GRANTS IN SUPPORT OF STATE,
24 LOCAL, OR PRIVATE MATCHING.—

1 (1) IN GENERAL.—The Secretary may issue a
2 supplemental grant to an operator, subject to the re-
3 quirements of this subsection.

4 (2) DOLLAR-FOR-DOLLAR MATCHING.—If a
5 qualified entity provides an operator an amount
6 equal to or greater than the amount of a grant pro-
7 vided in a fiscal year under subsection (d) (for the
8 explicit purpose of matching such grant), the Sec-
9 retary may issue a supplemental grant to the oper-
10 ator that is equal to 25 percent of such grant in the
11 following fiscal year.

12 (3) ADDITIONAL NON-FEDERAL MATCHING.—If
13 a qualified entity provides an operator an amount
14 equal to or greater than 2 times the amount of a
15 grant provided in a fiscal year to the operator under
16 subsection (d) (for the explicit purpose of matching
17 such grant), the Secretary may issue a supplemental
18 grant to the operator that is equal to 50 percent of
19 such grant in the following fiscal year.

20 (4) SUPPLEMENTAL GRANT LIMITATIONS.—

21 (A) MATCH TIMING.—The Secretary may
22 issue a supplemental grant under paragraph (2)
23 or (3) only if an amount provided by a qualified
24 entity is provided to the operator in the same

1 fiscal year as the grant issued under subsection
2 (d).

3 (B) NON-DUPLICATION OF MATCHING
4 GRANTS.—If the Secretary issues a supple-
5 mental grant to the operator of a launch site
6 under paragraph (3), the Secretary may not
7 issue a supplemental grant under paragraph (2)
8 to the same operator in the same fiscal year.

9 (5) NON-APPLICATION OF GRANT CEILING.—
10 The limitation on a grant amount under subsection
11 (d)(2) shall not apply to supplemental grants issued
12 under this subsection.

13 (f) FUNDING.—

14 (1) PILOT PROGRAM GRANT FUNDS.—The
15 grants issued under this section shall be issued from
16 funds made available out of amounts available under
17 section 106(k) of title 49, United States Code.

18 (2) MAXIMUM ANNUAL LIMIT ON PILOT PRO-
19 GRAM.—

20 (A) IN GENERAL.—The total amount of all
21 grants issued under this section shall not ex-
22 ceed \$20,000,000 in any fiscal year.

23 (B) GRANT REDUCTION.—In complying
24 with subparagraph (A), the Secretary—

1 (i) may proportionally reduce the
2 amount of, or decline to issue, a supple-
3 mental grant under subsection (e); and

4 (ii) if the reduction under clause (i) is
5 insufficient, shall proportionally reduce
6 grants issued under subsection (d).

7 (g) DEFINITIONS.—In this section:

8 (1) COVERED TRANSPORTATION ACTIVITY.—

9 The term “covered transportation activity” means
10 the movement of people or property to, from, or
11 within a launch site and the necessary or incidental
12 activities associated with such movement through
13 the use of—

14 (A) a vehicle (as defined in section 4 of
15 title 1, United States Code);

16 (B) a vessel (as defined in section 3 of title
17 1, United States Code);

18 (C) a railroad (as defined in section 20102
19 of title 49, United States Code);

20 (D) an aircraft (as defined in section
21 40102 of title 49, United States Code); or

22 (E) a pipeline facility (as defined in section
23 60101 of title 49, United States Code).

24 (2) LAUNCH; LAUNCH SITE; LAUNCH VEHICLE;
25 REENTRY SITE; REENTRY VEHICLE.—The terms

1 “launch”, “launch site”, “launch vehicle”, “reentry
2 site”, and “reentry vehicle” have the meanings given
3 those terms in section 50902 of title 51, United
4 States Code.

5 (3) OPERATOR.—The term “operator” means a
6 person licensed by the Secretary to operate a launch
7 or reentry site.

8 (4) QUALIFIED ENTITY.—The term “qualified
9 entity” means a State, local, territorial, or Tribal
10 government or private sector entity, or any combina-
11 tion thereof.

12 (5) SECRETARY.—The term “Secretary” means
13 the Secretary of Transportation.

14 (h) PILOT PROGRAM SUNSET.—This section shall
15 cease to be effective on October 1, 2028.

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