

118TH CONGRESS
1ST SESSION

S. 1982

To amend chapter 511 of title 51, United States Code, to modify the authority for space transportation infrastructure modernization grants, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 14, 2023

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

A BILL

To amend chapter 511 of title 51, United States Code, to modify the authority for space transportation infrastructure modernization grants, 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 “Spaceport Project Op-
5 portunities for Resilient Transportation Act” or the
6 “SPACEPORT Act”.

7 **SEC. 2. SPACE LAUNCH INFRASTRUCTURE.**

8 (a) MODIFICATION OF GRANT AUTHORITY.—

1 (1) IN GENERAL.—Subsection (b) of section
2 51102 of title 51, United States Code, is amended
3 to read as follows:

4 “(b) LIMITATIONS.—

5 “(1) IN GENERAL.—The Secretary may make a
6 project grant under this chapter only if the grant
7 will not be for more than 90 percent of the total cost
8 of the project.

9 “(2) WAIVER.—The Secretary may waive the
10 application of paragraph (1) if the Secretary deter-
11 mines that such a waiver is in the national inter-
12 est.”.

13 (b) ELIGIBILITY CRITERIA.—Section 51103 of title
14 51, United States Code, is amended—

15 (1) in subsection (b)—

16 (A) in paragraph (1)—

17 (i) in subparagraph (A), by striking
18 “the United States Government’s space
19 transportation needs” and inserting “the
20 civil, national security, and commercial
21 space transportation needs of the United
22 States”;

23 (ii) in subparagraph (E), by striking
24 “contributions” and inserting “support”;
25 and

1 (iii) in subparagraph (F), by striking
2 the period at the end and inserting “, as
3 needed.”;

4 (B) by striking paragraph (2) and insert-
5 ing the following:

6 “(2) The Secretary of Transportation shall develop
7 specific criteria for evaluating and selecting proposed
8 projects based on the considerations under paragraph
9 (1).”; and

10 (C) by adding at the end the following:

11 “(3) The Secretary of Transportation shall consult
12 with the Secretary of Defense, the Administrator of the
13 National Aeronautics and Space Administration, the Sec-
14 retary of Commerce, and the heads of other appropriate
15 agencies of the Government with respect to subparagraphs
16 (A) and (F) of paragraph (1), as appropriate.”; and

17 (2) by adding at the end the following:

18 “(e) FUNDING OF PROGRAM.—Activities carried out
19 under this section shall be funded only through appropria-
20 tions approved by Congress and not through user fees or
21 other funds.”.

22 (c) REPORT.—

23 (1) IN GENERAL.—Not later than 2 years after
24 the date of the enactment of this Act, the Secretary
25 of Transportation, in consultation with the Secretary

1 of Defense, the Administrator of the National Aero-
2 nautics and Space Administration, the Secretary of
3 Commerce, and the heads of other appropriate agen-
4 cies of the Government, shall submit to Congress a
5 report that—

6 (A) evaluates the demand for space trans-
7 portation services, including the civil, national
8 security, and commercial space transportation
9 needs of the United States and international
10 commercial markets;

11 (B) provides legislative, regulatory, and
12 policy recommendations to ensure robust and
13 resilient space transportation capabilities in
14 support of the national space policy;

15 (C) examines a range of long-term funding
16 options and related considerations for space
17 transportation infrastructure projects; and

18 (D) provides an assessment of inter-
19 national space transportation capabilities and
20 investments, including recommendations for
21 maintaining United States competitiveness and
22 developing an international space transportation
23 network.

1 (2) UPDATES.—Not later than 6 years after the
2 date of the enactment of this Act, and every 4 years
3 thereafter, the Secretary of Transportation shall—

4 (A) update the report submitted under
5 paragraph (1); and

6 (B) submit such updated report to Con-
7 gress.

8 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
9 51105 of title 51, United States Code, is amended by
10 striking “Not more than” and all that follows through the
11 period at the end and inserting “There is authorized to
12 be appropriated to the Secretary of Transportation for
13 each fiscal year not more than \$10,000,000 to make
14 grants under this chapter.”.

15 (e) TECHNICAL AMENDMENTS.—

16 (1) CHAPTER HEADING.—The heading of chap-
17 ter 511 of title 51, United States Code, is amended
18 to read as follows:

19 **“CHAPTER 511—SPACE TRANSPORTATION**
20 **INFRASTRUCTURE MODERNIZATION**
21 **GRANTS”.**

22 (2) TABLE OF CHAPTERS.—The table of chap-
23 ters at the beginning of title 51, United States Code,
24 is amended by striking the item relating to chapter
25 511 and inserting the following:

“511. Space Transportation Infrastructure Modernization Grants51101”.

