

118TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

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

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IN THE SENATE OF THE UNITED STATES

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

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**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.