

116TH CONGRESS
2D SESSION

H. R. 7313

To amend title 49, United States Code, to establish a pilot program for intermodal transportation infrastructure grants, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 24, 2020

Mr. GRAVES of Louisiana introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 49, United States Code, to establish a pilot program for intermodal transportation infrastructure 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 “21st Century Aero-
5 space Infrastructure Act of 2020”.

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

8 (a) IN GENERAL.—Section 47115 of title 49, United
9 States Code, is amended by adding at the end the fol-
10 lowing:

1 “(1) INTERMODAL TRANSPORTATION INFRASTRUC-
2 TURE IMPROVEMENT PILOT PROGRAM.—

3 “(1) IN GENERAL.—The Secretary shall estab-
4 lish a pilot program to issue transportation infra-
5 structure grants to operators of launch sites for the
6 construction, repair, or maintenance of infrastruc-
7 ture and facilities at such sites.

8 “(2) PILOT PROGRAM APPLICATION RE-
9 QUIRED.—In order to participate in the pilot pro-
10 gram established under paragraph (1), an operator
11 shall submit an application to the Secretary in such
12 form, at such time, and containing such information
13 as prescribed by the Secretary.

14 “(3) PILOT PROGRAM QUALIFICATIONS.—The
15 Secretary may only accept an operator into the pilot
16 program established under paragraph (1) and issue
17 a grant under this subsection to such operator if the
18 operator—

19 “(A) has submitted a complete and timely
20 application under paragraph (2);

21 “(B) certifies to the Secretary that the
22 grant will be used for an eligible purpose under
23 paragraph (4); and

24 “(C) agrees to maintain such records relat-
25 ing to the grant as the Secretary may require

1 and to make such records available to the Sec-
2 retary or the Comptroller General of the United
3 States upon request.

4 “(4) PERMITTED USE OF PILOT PROGRAM
5 GRANTS.—An operator may use a grant provided
6 under this subsection for the construction, repair, or
7 improvement of infrastructure and facilities that—

8 “(A) are located at, or adjacent to, a
9 launch site; and

10 “(B) directly enable or support transpor-
11 tation safety or covered transportation activi-
12 ties.

13 “(5) AUTHORITY TO ENTER INTO AGREE-
14 MENTS.—The Secretary may enter into agreements
15 to provide grants under this subsection.

16 “(6) PILOT PROGRAM GRANTS.—

17 “(A) GRANT FORMULA.—At the beginning
18 of each fiscal year after fiscal year 2020, the
19 Secretary shall issue a grant to any operator in
20 the pilot program established under paragraph
21 (1) an amount equal to the sum of—

22 “(i) \$250,000 for each licensed launch
23 operation conducted from the applicable
24 launch site or at any adjacent Federal

1 launch range in the previous fiscal year;
2 and

3 “(ii) \$100,000 for each permitted
4 launch operation conducted from the appli-
5 cable launch site or at any adjacent Fed-
6 eral launch range in the previous fiscal
7 year.

8 “(B) MAXIMUM GRANT.—Except as pro-
9 vided in paragraph (7)(D), a grant issued to an
10 operator under this subsection shall not exceed
11 \$2,500,000 for a fiscal year.

12 “(C) ADJACENCY.—

13 “(i) IN GENERAL.—In issuing a grant
14 to an operator under subparagraph (A),
15 the Secretary shall determine whether a
16 launch site is adjacent to a Federal launch
17 site.

18 “(ii) LIMITATION.—Only 1 operator
19 may receive an amount under subpara-
20 graph (A) for each licensed or permitted
21 launch operation described in such sub-
22 paragraph.

23 “(iii) MULTIPLE LAUNCH SITES OPER-
24 ATED BY 1 OPERATOR.—If an operator
25 holds a license to operate more than 1

1 launch site that is adjacent to a Federal
2 launch range, the Secretary shall consider
3 such launch sites as 1 launch site for pur-
4 poses of subparagraph (A).

5 “(7) SUPPLEMENTAL GRANTS IN SUPPORT OF
6 STATE, LOCAL, OR PRIVATE MATCHING.—The Sec-
7 retary may issue a supplemental grant from the
8 funds authorized to carry out this subsection to an
9 operator, subject to the following conditions:

10 “(A) DOLLAR-FOR-DOLLAR MATCHING.—If
11 a qualified entity provides an operator an
12 amount equal to or greater than the amount of
13 a grant provided in a fiscal year under para-
14 graph (6) (for the explicit purpose of matching
15 such grant), the Secretary may issue a supple-
16 mental grant to the operator that is equal to 25
17 percent of such grant in the following fiscal
18 year.

19 “(B) ADDITIONAL NON-FEDERAL MATCH-
20 ING.—If a qualified entity provides an operator
21 an amount equal to or greater than two times
22 the amount of a grant provided in a fiscal year
23 to the operator under paragraph (6) (for the
24 explicit purpose of matching such grant), the
25 Secretary may issue a supplemental grant to

1 the operator that is equal to 50 percent of such
2 grant in the following fiscal year.

3 “(C) SUPPLEMENTAL GRANT LIMITA-
4 TIONS.—The following limitations shall apply to
5 supplemental grants issued to an operator pur-
6 suant to this paragraph:

7 “(i) MATCH TIMING.—The Secretary
8 may issue a supplemental grant under sub-
9 paragraph (A) or (B) only if an amount
10 provided by a qualified entity is provided
11 to the operator in the same fiscal year as
12 the grant issued under paragraph (6).

13 “(ii) NON-DUPLICATION OF MATCHING
14 GRANTS.—If the Secretary issues a supple-
15 mental grant to the operator of a launch
16 site under subparagraph (B), the Secretary
17 may not issue a supplemental grant under
18 subparagraph (A) to the same operator in
19 the same fiscal year.

20 “(D) NON-APPLICATION OF GRANT CEIL-
21 ING.—The limitation on a grant amount under
22 paragraph (6)(B) shall not apply to supple-
23 mental grants issued under this paragraph.

24 “(8) PROGRAM ADMINISTRATION.—

1 “(A) AWARD TIMING.—Amounts des-
2 ignated to carry out this section that are not
3 obligated for grants under paragraphs (6) or
4 (7) by July 1 of the fiscal year in which the
5 amounts were made available shall be made
6 available for projects in accordance with sub-
7 section (j).

8 “(B) GRANT ASSURANCE APPLICA-
9 BILITY.—Except as provided in subparagraph
10 (C), a grant issued under this subsection shall
11 not be subject to the conditions of sections
12 47106 or 47107, including any regulations pre-
13 scribed thereunder, or any other conditions as-
14 sociated with grants made under this sub-
15 chapter pursuant to the Secretary’s authority
16 under chapters 471 or 475.

17 “(C) COMBINATION WITH OTHER FEDERAL
18 FUNDS.—If an operator combines amounts re-
19 ceived under this subsection with Federal funds
20 from any other source (including funds received
21 under chapter 471 and 475), the applicable
22 statutory or regulatory requirements associated
23 with such funds shall apply to the total project
24 being funded and to the funds provided under
25 this subsection.

1 “(9) FUNDING.—

2 “(A) PILOT PROGRAM GRANT FUNDS.—

3 The grants issued under this subsection shall be
4 issued from funds made available under sub-
5 section (j)(4).

6 “(B) MAXIMUM ANNUAL LIMIT ON PILOT
7 PROGRAM.—

8 “(i) IN GENERAL.—The total amount
9 of all grants issued under this subsection
10 shall not exceed \$20,000,000 in any fiscal
11 year.

12 “(ii) GRANT REDUCTION.—In car-
13 rying out clause (i), the Secretary—

14 “(I) may proportionally reduce
15 the amount of, or decline to issue, a
16 supplemental grant under paragraph
17 (7); and

18 “(II) if the reduction under sub-
19 clause (I) is insufficient, shall propor-
20 tionally reduce grants issued under
21 paragraph (6).

22 “(10) DEFINITIONS.—In this subsection, the
23 following definitions apply:

24 “(A) COVERED TRANSPORTATION ACTIV-
25 ITY.—The term ‘covered transportation activity’

1 means the movement of people or property to,
2 from, or within a launch site to any other loca-
3 tion and the necessary or incidental activities
4 associated with such movement, including
5 through use of—

6 “(i) a vehicle;

7 “(ii) a vessel;

8 “(iii) an aircraft (as defined in section
9 40102);

10 “(iv) a railroad (as defined in section
11 20102);

12 “(v) a pipeline facility (as defined in
13 section 60101); or

14 “(vi) a launch vehicle.

15 “(B) LAUNCH; LAUNCH SITE; LAUNCH VE-
16 HICLE.—The terms ‘launch’, ‘launch site’, and
17 ‘launch vehicle’ have the meanings given those
18 terms in section 50902 of title 51.

19 “(C) OPERATOR.—The term ‘operator’
20 means a person licensed by the Secretary to op-
21 erate a launch site.

22 “(D) QUALIFIED ENTITY.—The term
23 ‘qualified entity’ means a State, local, or tribal
24 government or private sector entity, or any
25 combination thereof.

1 “(11) PILOT PROGRAM SUNSET.—This sub-
2 section shall cease to be effective on October 1,
3 2023.”.

4 (b) CONFORMING AMENDMENT.—Section
5 47115(j)(4) of title 49, United States Code, is amended
6 by inserting “and subsection (l)” after “this subsection”.

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