

112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 6540

To amend title 51, United States Code, to authorize the Director of the Kennedy Space Center to convey excess property at the Kennedy Space Center to a State or political subdivision, municipality, or instrumentality of a State for the development and operation of a spaceport.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 21, 2012

Mr. POSEY introduced the following bill; which was referred to the Committee on Science, Space, and Technology

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## A BILL

To amend title 51, United States Code, to authorize the Director of the Kennedy Space Center to convey excess property at the Kennedy Space Center to a State or political subdivision, municipality, or instrumentality of a State for the development and operation of a spaceport.

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 “Common Sense Utiliza-  
5        tion of Spaceport Assets Act” or the “Common Sense  
6        USA Act”.

1 **SEC. 2. PUBLIC BENEFIT CONVEYANCE OF REAL PROPERTY**  
2 **AT THE KENNEDY SPACE CENTER.**

3 (a) IN GENERAL.—Subchapter III of chapter 201 of  
4 subtitle II of title 51, United States Code, is amended by  
5 adding at the end the following new section:

6 **“SEC. 20148. PUBLIC BENEFIT CONVEYANCE OF REAL**  
7 **PROPERTY AT THE KENNEDY SPACE CENTER.**

8 “(a) CONVEYANCE AUTHORITY.—

9 “(1) IN GENERAL.—The Director of the Ken-  
10 nedy Space Center (referred to in this section as the  
11 ‘Director’) may convey excess real property, includ-  
12 ing buildings, fixtures, and equipment situated on  
13 the property, at the Kennedy Space Center to a  
14 State or political subdivision, municipality, or instru-  
15 mentality of a State for the development and oper-  
16 ation of a spaceport.

17 “(2) NO INVOLVEMENT OF THE GENERAL  
18 SERVICES ADMINISTRATION.—The Administrator of  
19 the General Services Administration shall not be in-  
20 volved in any conveyance of property made under  
21 this section.

22 “(3) CONVEYANCE REQUIREMENTS.—A convey-  
23 ance of property to a State or political subdivision,  
24 municipality, or instrumentality of a State under  
25 this section may be made only after the Director  
26 has—

1           “(A) received and approved a development  
2 plan submitted by that State or political sub-  
3 division, municipality, or instrumentality of that  
4 State that commits adequate resources and es-  
5 tablishes milestones that assures that it will de-  
6 velop and operate a spaceport;

7           “(B) determined that the development and  
8 operation of the conveyed property proposed by  
9 the State or political subdivision, municipality,  
10 or instrumentality of a State—

11                 “(i) furthers the National Aeronautics  
12 and Space Administration’s purpose to en-  
13 courage and foster the commercial use of  
14 space;

15                 “(ii) enables the development and op-  
16 eration of space launch and recovery facili-  
17 ties; and

18                 “(iii) contributes to the economic re-  
19 covery or development of a region, and to  
20 the economic competitiveness and pros-  
21 perity of the United States; and

22           “(C) transmitted to Congress a statement  
23 that includes—

24                 “(i) a description of the property to  
25 be conveyed;

1                   “(ii) the identity of the State or polit-  
2                   ical subdivision, municipality, or instru-  
3                   mentality of a State to which it will convey  
4                   such property; and

5                   “(iii) a description of the determina-  
6                   tion made under subparagraph (B).

7           “(b) NO MONETARY CONSIDERATION.—A convey-  
8           ance under this section shall be made without monetary  
9           consideration to the Federal Government.

10          “(c) DEED OF CONVEYANCE.—The deed of convey-  
11          ance of any excess real property conveyed under this sec-  
12          tion shall—

13               “(1) provide that all of the property be used  
14               and maintained for the purpose for which it was  
15               conveyed in perpetuity, and that if the property  
16               ceases to be used or maintained for that purpose, all  
17               or any portion of the property, shall, in its then ex-  
18               isting condition, at the option of the Government,  
19               revert to the United States; and

20               “(2) contain additional terms, reservations, re-  
21               strictions, and conditions that the Director may re-  
22               quire to ensure use of the property for the purposes  
23               for which it was conveyed and to safeguard the in-  
24               terests of the United States.

1       “(d) SPACEPORT DEFINED.—The term ‘spaceport’  
2 means one or more locations that contain the necessary  
3 infrastructure, utilities, facilities, equipment, systems,  
4 commodities, and services that will support the manufac-  
5 ture, assembly, integration, processing, launch, or retrieval  
6 of payloads, spacecraft, or launch vehicles.”.

7       (b) TABLE OF SECTIONS.—The table of sections of  
8 title 51 is amended by adding after the item relating to  
9 section 20147 the following:

“20148. Public benefit conveyance of real property at the Kennedy Space Cen-  
ter.”.

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