

106TH CONGRESS  
1ST SESSION

# H. R. 2289

To amend the Internal Revenue Code of 1986 to treat spaceports like airports under the exempt facility bond rules.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 18, 1999

Mr. WELDON of Florida (for himself and Mr. DAVIS of Florida) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend the Internal Revenue Code of 1986 to treat spaceports like airports under the exempt facility bond rules.

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 Investment  
5       Act”.

6       **SEC. 2. SPACEPORTS TREATED LIKE AIRPORTS UNDER EX-**  
7       **EMPT FACILITY BOND RULES.**

8       (a) IN GENERAL.—Paragraph (1) of section 142(a)  
9       of the Internal Revenue Code of 1986 (relating to exempt  
10      facility bond) is amended to read as follows:

1 “(1) airports and spaceports,”.

2 (b) TREATMENT OF GROUND LEASES.—Paragraph  
3 (1) of section 142(b) of the Internal Revenue Code of  
4 1986 (relating to certain facilities must be governmentally  
5 owned) is amended by adding at the end the following new  
6 subparagraph:

7 “(C) SPECIAL RULE FOR SPACEPORT  
8 GROUND LEASES.—For purposes of subpara-  
9 graph (A), spaceport property which is located  
10 on land owned by the United States and which  
11 is used by a governmental unit pursuant to a  
12 lease (as defined in section 168(h)(7)) from the  
13 United States shall be treated as owned by such  
14 unit if—

15 “(i) the lease term (within the mean-  
16 ing of section 168(i)(3)) is at least 15  
17 years, and

18 “(ii) such unit would be treated as  
19 owning such property if such lease term  
20 were equal to the useful life of such prop-  
21 erty.”.

22 (c) BOND MAY BE FEDERALLY GUARANTEED.—  
23 Paragraph (3) of section 149(b) of the Internal Revenue  
24 Code of 1986 (relating to exceptions) is amended by add-  
25 ing at the end the following new subparagraph:

1                   “(E) EXCEPTION FOR SPACEPORTS.—

2                   Paragraph (1) shall not apply to any exempt fa-  
3                   cility bond issued as part of an issue described  
4                   in paragraph (1) of section 142(a) to provide a  
5                   spaceport in situations where—

6                   “(i) the guarantee of the United  
7                   States (or an agency or instrumentality  
8                   thereof) is the result of payment of rent,  
9                   user fees, or other charges by the United  
10                  States (or any agency or instrumentality  
11                  thereof), and

12                  “(ii) the payment of the rent, user  
13                  fees, or other charges is for, and condi-  
14                  tioned upon, the use of the spaceport by  
15                  the United States (or any agency or in-  
16                  strumentality thereof).”.

17                  (d) EFFECTIVE DATE.—The amendments made by  
18                  this section shall apply to obligations issued after the date  
19                  of the enactment of this Act.

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