

APRIL 18, 2013

**RULES COMMITTEE PRINT 113-9**  
**TEXT OF H.R. 527, RESPONSIBLE HELIUM**  
**ADMINISTRATION AND STEWARDSHIP ACT**

[Showing text of H.R. 527 as ordered reported by the  
Committee on Natural Resources.]

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Responsible Helium  
3 Administration and Stewardship Act”.

4 **SEC. 2. DEFINITIONS.**

5       Section 2 of the Helium Act (50 U.S.C. 167) is  
6 amended—

7           (1) in paragraph (1), by striking the semicolon  
8 at the end and inserting a period;

9           (2) in paragraph (2), by striking “; and” and  
10 inserting a period; and

11           (3) by adding at the end the following:

12           “(4) FEDERAL HELIUM RESERVE.—

13                   “(A) IN GENERAL.—The term ‘Federal  
14 Helium Reserve’ means the Bureau of Land  
15 Management Cliffside Gas Field and supporting  
16 infrastructure.

17                   “(B) INCLUSIONS.—The term ‘Federal He-  
18 lium Reserve’ includes—

1 “(i) the Cliffside Gas Field helium  
2 storage reservoir; and

3 “(ii) all associated infrastructure  
4 owned, leased, or managed under contract  
5 by the Secretary for storage, transpor-  
6 tation, withdrawal, purification, or man-  
7 agement of helium.

8 “(5) QUALIFYING DOMESTIC HELIUM TRANS-  
9 ACTION.—The term ‘qualifying domestic helium  
10 transaction’—

11 “(A) except as provided in subparagraph  
12 (B), means any new or newly renegotiated  
13 agreement for the purchase or sale of at least  
14 15,000,000 standard cubic feet of crude helium  
15 or bulk liquid helium delivered in the United  
16 States in the most recent full fiscal year; and

17 “(B) does not include any purchase of  
18 crude helium from the Secretary.

19 “(6) TOLLING AGREEMENT.—The term ‘tolling  
20 agreement’ means an agreement between a helium  
21 refiner and another party under which the helium  
22 refiner agrees to process the other person’s helium  
23 at an agreed upon price.”.

1 **SEC. 3. SALE AND AUCTION OF CRUDE HELIUM.**

2 (a) IN GENERAL.—Section 6 of the Helium Act (50  
3 U.S.C. 167d) is amended to read as follows:

4 **“SEC. 6. SALE OF HELIUM.**

5 “(a) PHASE A: FINALIZING DEBT PAYOFF.—

6 “(1) IN GENERAL.—Subject to paragraph (2),  
7 the Secretary shall offer for sale crude helium for  
8 Federal, medical, research, scientific, and commer-  
9 cial uses in such quantities, at such times, and  
10 under such conditions as the Secretary determines  
11 necessary to carry out this subsection with minimum  
12 market disruption.

13 “(2) MINIMUM QUANTITY.—The Secretary shall  
14 offer for sale during each fiscal year under para-  
15 graph (1) a quantity of crude helium equivalent to  
16 the quantity of crude helium produced from the Fed-  
17 eral Helium Reserve during fiscal year 2012.

18 “(3) IN-KIND PURCHASE BY FEDERAL AGEN-  
19 CIES AND GRANTEES.—Federal agencies, and hold-  
20 ers of 1 or more Federal research grants, may pur-  
21 chase refined helium under this subsection for Fed-  
22 eral, medical, research and scientific uses from per-  
23 sons who have entered into enforceable contracts to  
24 purchase an equivalent quantity of crude helium  
25 from the Secretary.

1           “(4) PRICES AND DETERMINATIONS.—Sales of  
2           crude helium by the Secretary under this subsection  
3           shall be at prices established by the Secretary that  
4           shall not be less than the price in the last sale of  
5           crude helium from the Federal Helium Reserve be-  
6           fore the date of enactment of the Responsible He-  
7           lium Administration and Stewardship Act, except  
8           that any sale to a person referred to in paragraph  
9           (3) for a purchase authorized by that paragraph  
10          shall be at a price specified by the Secretary.

11          “(5) DURATION.—This subsection applies dur-  
12          ing the period—

13                 “(A) beginning on the date of enactment of  
14                 the Responsible Helium Administration and  
15                 Stewardship Act; and

16                 “(B) ending on the expiration of the one-  
17                 year period following such date of enactment.

18          “(b) PHASE B: MAXIMIZING TOTAL RECOVERY OF  
19          HELIUM AND INCREASING RETURNS TO THE AMERICAN  
20          TAXPAYER.—

21                 “(1) IN GENERAL.—The Secretary shall offer  
22                 for sale at auction, as described in subsection (d),  
23                 crude helium for medical, research, scientific, and  
24                 commercial uses in such quantities, at such times,

1 and under such conditions as the Secretary deter-  
2 mines necessary—

3 “(A) to maximize total recovery and con-  
4 servation of helium from the Federal Helium  
5 Reserve;

6 “(B) to manage crude helium sales accord-  
7 ing to the ability of the Secretary to extract and  
8 produce helium from the Federal Helium Re-  
9 serve;

10 “(C) to respond to helium market supply  
11 and demand and minimize market disruption;  
12 and

13 “(D) to give priority to meeting the helium  
14 demand of Federal users through purchases  
15 under paragraph (2).

16 “(2) IN-KIND PURCHASE BY FEDERAL AGEN-  
17 CIES AND GRANTEES.—Any Federal agency, and any  
18 holder of 1 or more Federal research grants, may  
19 purchase refined helium for Federal, medical, re-  
20 search, and scientific uses from an eligible person.  
21 The Secretary shall then provide an equivalent vol-  
22 ume of crude helium to the eligible person as if the  
23 eligible person was the successful bidder for the he-  
24 lium at auction. Provision of helium by the Sec-  
25 retary under this paragraph shall not be considered

1 a sale of helium by the Secretary at auction. The  
2 Secretary shall provide such helium at the minimum  
3 price established by the Secretary for the most re-  
4 cent auction held under this subsection or such other  
5 price as may be specified by the Secretary.

6 “(3) ELIGIBLE PERSON.—For purposes of this  
7 subsection, the term ‘eligible person’ means a helium  
8 distributor who is registered as such with the Sec-  
9 retary.

10 “(4) DURATION.—This subsection applies dur-  
11 ing the period—

12 “(A) beginning on the expiration of the pe-  
13 riod described in subsection (a)(5)(B); and

14 “(B) ending on the date on which the vol-  
15 ume of recoverable crude helium at the Federal  
16 Helium Reserve (other than privately owned  
17 quantities of crude helium stored temporarily at  
18 the Federal Helium Reserve under section 5  
19 and this section) is 3,000,000,000 standard  
20 cubic feet.

21 “(5) MAXIMUM ANNUAL SALES.—Notwith-  
22 standing any provision of subsection (d), for each  
23 fiscal year, the Secretary may not offer or provide  
24 for sale under this subsection a total volume of  
25 crude helium that exceeds the lesser of—

1           “(A) the projected maximum total produc-  
2           tion capacity of the Federal Helium Reserve  
3           during that fiscal year; and

4           “(B) the maximum refining capacity of  
5           persons connected by pipeline to the Federal  
6           Helium Reserve during that fiscal year.

7           “(c) PHASE C: ACCESS FOR FEDERAL USERS.—

8           “(1) IN GENERAL.—The Secretary may offer  
9           for sale crude helium for Federal uses (including  
10          medical, research, and scientific uses) in such quan-  
11          tities, at such times, and under such conditions as  
12          the Secretary determines necessary to carry out this  
13          subsection.

14          “(2) PURCHASE BY FEDERAL AGENCIES AND  
15          GRANTEES.—Federal agencies, and holders of 1 or  
16          more Federal research grants related to helium or  
17          the use of helium, may purchase refined helium  
18          under this subsection for Federal uses (including  
19          medical, research, and scientific uses) from persons  
20          who have entered into enforceable contracts to pur-  
21          chase an equivalent quantity of crude helium from  
22          the Secretary.

23          “(3) EFFECTIVE DATE.—This subsection ap-  
24          plies beginning on the day after the date described  
25          in subsection (b)(4)(B).

1       “(d) AUCTION AND MINIMUM PRICES DETERMINA-  
2 TION.—

3           “(1) IN GENERAL.—Sales of crude helium by  
4 the Secretary in auctions under subsection (b) shall  
5 be conducted under the conditions described in this  
6 section and at no less than the minimum price es-  
7 tablished by the Secretary.

8           “(2) AUCTION.—The Secretary shall conduct  
9 such auctions of crude helium as soon as practical  
10 but no later than beginning 180 days after the first  
11 day of the period described in subsection (b)(4),  
12 under the following conditions:

13           “(A) 60 percent of the volume of crude he-  
14 lium made available in each auction shall be  
15 made available to entities that can show the  
16 Secretary they have either adequate refining ca-  
17 pacity or tolling agreements for refining in  
18 place, in accordance with the conditions set  
19 forth in paragraph (3).

20           “(B) 20 percent of the volume of crude he-  
21 lium made available in each auction shall be  
22 made available to any bidder, in accordance  
23 with the conditions set forth in paragraph (3).

24           “(C) In each auction after the first auction  
25 under this subsection after the date of the en-



1 actment of the Responsible Helium Administra-  
2 tion and Stewardship Act, the Secretary shall  
3 make available an additional volume of crude  
4 helium, in an amount equivalent to the amount  
5 made available under subparagraph (B) that  
6 the Secretary certifies can be refined, through  
7 tolling agreements or otherwise. Of such addi-  
8 tional volume, a person may not acquire in the  
9 auction a volume in excess of the volume they  
10 demonstrate to the Secretary they have the  
11 ability to refine through either refining capacity  
12 or tolling agreements.

13 “(D) The Secretary shall conduct such  
14 auctions at such times as the Secretary deter-  
15 mines necessary to ensure a reliable supply of  
16 helium and a fair return to taxpayers, but no  
17 less frequently than 2 times each fiscal year.

18 “(E) For purposes of the first auction  
19 under this subsection after the date of the en-  
20 actment of the Responsible Helium Administra-  
21 tion and Stewardship Act, the Secretary may  
22 revise the percentage under subparagraph (A)  
23 so as to make available for auction 100 percent  
24 of the volume of crude helium intended to be of-  
25 fered.

1           “(F) The Secretary may adjust the per-  
2           centages and amount specified in subpara-  
3           graphs (A) through (C), respectively, in any  
4           auction if the Secretary determines the adjust-  
5           ment is necessary to—

6                       “(i) respond to market supply and de-  
7                       mand and minimize market disruption; or

8                       “(ii) increase participation in helium  
9                       auctions.

10           “(G) The Secretary may conduct an auc-  
11           tion no more frequently than once each fiscal  
12           year of an amount of helium equal to up to 10  
13           percent of the volume of crude helium to be  
14           made available at auction during the following  
15           fiscal year. Such amount of crude helium shall  
16           be made available to any bidder, in accordance  
17           with the conditions set forth in paragraph (3).  
18           Notwithstanding paragraph (3)(C), for crude  
19           helium sold in such an auction the Secretary  
20           shall begin charging a storage fee under clause  
21           (i) of that paragraph beginning 1 year after the  
22           date of such auction, and shall begin charging  
23           increasing storage fees under clause (ii) of that  
24           paragraph beginning 270 days after beginning

1 charging storage fees under clause (i) of that  
2 paragraph.

3 “(3) AUCTION CONDITIONS.—

4 “(A) BIDDING METHOD.—The Secretary  
5 shall conduct each auction by sealed bid for  
6 predetermined volume lots, unless the Secretary  
7 determines that an alternative bidding method  
8 may result in more revenue to the Federal Gov-  
9 ernment or may increase participation in the  
10 auction.

11 “(B) BIDDER QUALIFICATIONS AND LIM-  
12 ITS.—In carrying out an auction under sub-  
13 section (b), the Secretary—

14 “(i) may accept bids only from per-  
15 sons the Secretary determines are seeking  
16 to purchase helium for their own use, for  
17 refining, or for delivery to users; and

18 “(ii) may not award to a person more  
19 than 30 percent of the total volume of  
20 crude helium offered in that auction, ex-  
21 cept that the Secretary may adjust such  
22 limitation based on the number of bidders  
23 in the auction.

24 “(C) STORAGE FEES.—In each auction the  
25 Secretary—

1                   “(i) shall begin charging each winning  
2                   bidder a storage fee for crude helium pur-  
3                   chased by the bidder that remains in the  
4                   Federal Helium Reserve, beginning on the  
5                   date the Secretary receives payment of the  
6                   purchase price for the helium; and

7                   “(ii) beginning 270 days after the  
8                   date of the auction, shall charge increasing  
9                   storage fees that will encourage the with-  
10                  drawal of the helium no later than 2 years  
11                  after the date of the auction.

12                  “(4) DETERMINATION OF MINIMUM SALE  
13                  PRICE.—The Secretary shall make a determination  
14                  of the minimum sale price for sales described in  
15                  paragraph (1) using—

16                  “(A) a confidential survey of qualifying do-  
17                  mestic helium transactions to which any holder  
18                  of a contract with the Secretary for the accept-  
19                  ance, storage, and redelivery of crude helium in  
20                  the Cliffside Gas Field helium storage reservoir  
21                  is a party;

22                  “(B) current market crude helium prices  
23                  as represented by the sale price at any auction  
24                  held by the Secretary in the preceding 2 years;

1           “(C) the volume-weighted average cost  
2 among helium refiners, producers, and lique-  
3 fiers, in dollars per thousand cubic feet, of con-  
4 verting gaseous crude helium into bulk liquid  
5 helium;

6           “(D) the additional layer of cost and profit  
7 associated with the sale or resale of bulk liquid  
8 helium; and

9           “(E) the sale price for crude helium of-  
10 fered in the most recent auction under para-  
11 graph (2)(G).

12           “(5) AUTHORITY OF SECRETARY.—The Sec-  
13 retary shall—

14           “(A) require all persons that are parties to  
15 a contract with the Secretary for the accept-  
16 ance, storage, and redelivery of crude helium to  
17 disclose, on a strictly confidential basis in dol-  
18 lars per thousand cubic feet, the weighted aver-  
19 age price of all crude helium and bulk liquid he-  
20 lium purchased, sold, or processed by the per-  
21 sons in all qualifying domestic helium trans-  
22 actions during the fiscal year;

23           “(B) appoint a qualified independent third  
24 party to perform data collection and analysis

1 for the purposes of the survey under paragraph  
2 (4)(A); and

3 “(C) adopt such administrative policies  
4 and procedures as the Secretary considers nec-  
5 essary and reasonable to ensure robust protec-  
6 tion of the confidentiality of data submitted by  
7 private persons.

8 “(6) CHANGES IN MINIMUM PRICE.—If the Sec-  
9 retary believes that the minimum price as deter-  
10 mined by the survey under paragraph (4)(A) may  
11 not be reflective of the current market value of he-  
12 lium, or if a higher minimum price may result in  
13 greater conservation of the Federal crude helium re-  
14 source, the Secretary may change the minimum  
15 price charged for crude helium sold under this sec-  
16 tion by up to 10 percent of the price determined  
17 under paragraph (4). If at any sale in which the  
18 minimum price is increased under this paragraph all  
19 crude helium offered is sold at the increased price,  
20 the Secretary shall consider that increased price to  
21 be the minimum price determined under paragraph  
22 (4) for all future sales of crude helium under this  
23 section unless that price is further changed in ac-  
24 cordance with this paragraph.

1           “(7) ENSURING FAIR AND NONDISCRIMINATORY  
2           ACTS AND PRACTICES.—The Secretary may issue  
3           such rules and regulations with respect to ensure  
4           bidding, transfer, and refining of helium produced  
5           from or held in the Federal Helium Reserve as may  
6           be necessary to ensure fair and nondiscriminatory  
7           acts and practices.

8           “(8) AUCTION RECORDS.—

9           “(A) FURNISHING RECORDS.—Every per-  
10          son participating in auctions of helium from the  
11          Federal Helium Reserve shall furnish to the  
12          Secretary on request such records of trans-  
13          actions in helium auctions as the Secretary may  
14          require to reconstruct bidding or trading in the  
15          course of a particular inquiry or investigation  
16          being conducted by the Secretary for enforce-  
17          ment or surveillance purposes. In requiring in-  
18          formation pursuant to this paragraph, the Sec-  
19          retary shall specify the information required,  
20          the period for which it is required, and the time  
21          and date on which the information must be fur-  
22          nished.

23          “(B) REPORTING REQUIREMENTS.—The  
24          Secretary may issue rules to require persons  
25          participating in helium auctions to file such re-

1           ports as the Secretary determines to be nec-  
2           essary for purposes of this Act.

3           “(C) RECORDKEEPING REQUIREMENTS.—  
4           Rules under this subsection may require speci-  
5           fied persons to make and keep for prescribed  
6           periods such records as the Secretary deter-  
7           mines are necessary or appropriate to ensure  
8           that such persons can comply with reporting re-  
9           quirements under this subsection.

10           “(D) LIMITATION ON DISCLOSURE OF IN-  
11           FORMATION.—Notwithstanding any other provi-  
12           sion of law, the Secretary shall not be compelled  
13           to disclose any proprietary information required  
14           to be kept or reported under this subsection.  
15           Nothing in this subsection authorizes the Sec-  
16           retary to withhold information from Congress,  
17           prevents the Secretary from complying with a  
18           request for information from any other Federal  
19           department or agency requesting information  
20           for purposes within the scope of its jurisdiction,  
21           or prevents the Secretary from complying with  
22           an order of a court of the United States in an  
23           action brought by the United States or by the  
24           Secretary.

25           “(e) HELIUM PRODUCTION FUND.—



1           “(1) IN GENERAL.—All amounts received under  
2 this Act shall be credited to the Helium Production  
3 Fund, which shall be available without fiscal year  
4 limitation for purposes considered necessary by the  
5 Secretary to carry out this subsection.

6           “(2) ADMINISTRATIVE EXPENSES.—Amounts in  
7 the Helium Production Fund may be used by the  
8 Secretary to conduct helium auctions and otherwise  
9 administer this Act.

10           “(3) REPAYMENT AMOUNTS.—During the pe-  
11 riod described in subsection (a)(4), amounts in the  
12 Helium Production Fund in excess of amounts the  
13 Secretary considers necessary to conduct helium auc-  
14 tions and otherwise administer this Act shall be paid  
15 to the general fund of the Treasury and credited  
16 against all amounts required to be repaid to the  
17 United States under this Act as of October 1, 1995.

18           “(4) CAPITAL INVESTMENTS AND MAINTEN-  
19 NANCE.—Amounts in the Helium Production Fund  
20 in excess of amounts the Secretary considers nec-  
21 essary to carry out paragraphs (1) through (3) may  
22 be used to fund the following capital investments in  
23 upgrades and maintenance at the Federal Helium  
24 reserve:

1           “(A) Wellhead maintenance at the Cliffside  
2 Gas Field helium storage reservoir.

3           “(B) Capital investments in maintenance  
4 and upgrades of facilities that pressurize the  
5 Cliffside Gas Field helium storage reservoir.

6           “(C) Capital investments in maintenance  
7 and upgrades of equipment related to the stor-  
8 age, withdrawal, transportation, purification,  
9 and sale of crude helium at the Cliffside Gas  
10 Field helium storage reservoir.

11           “(D) Any other scheduled or unscheduled  
12 maintenance of the Cliffside Gas Field helium  
13 storage reservoir and helium pipeline.

14           “(5) EXCESS FUNDS.—Amounts in the Helium  
15 Production Fund in excess of amounts the Secretary  
16 considers necessary to carry out paragraphs (1)  
17 through (4) shall be paid to the general fund of the  
18 Treasury.

19           “(f) EXTRACTION OF HELIUM FROM DEPOSITS ON  
20 FEDERAL LAND.—All amounts received by the Secretary  
21 from the sale or disposition of crude helium on Federal  
22 land shall be paid to the general fund of the Treasury and  
23 credited against all amounts required to be repaid to the  
24 United States under this Act as of October 1, 1995.

1           “(g) MAINTENANCE OF HELIUM SUPPLY.—The Sec-  
2 retary shall ensure that there is no disruption in the sup-  
3 ply of helium from the Federal Helium Reserve during the  
4 transition between phases of helium sales under sub-  
5 sections (a), (b), and (c).”.

6           (b) REPORT.—Not later than 1 year after the date  
7 of enactment of this Act and annually thereafter, the Sec-  
8 retary of the Interior shall submit to the Committee on  
9 Natural Resources of the House of Representatives and  
10 the Committee on Energy and Natural Resources of the  
11 Senate a report describing all expenditures by the Bureau  
12 of Land Management for operation and maintenance of  
13 the Federal Helium Reserve (as that term is defined in  
14 the amendment made by section 2(3)), investments made  
15 by the Bureau for such reserve, and scheduled or unsched-  
16 uled maintenance of such reserve or its infrastructure to  
17 be conducted by the Bureau.

18 **SEC. 4. BLM TRANSPARENCY REQUIREMENTS TO FACILI-**  
19 **TATE MARKET AND SUPPLY CHAIN INFORMA-**  
20 **TION.**

21           The Helium Act (50 U.S.C. 167 et seq.) is further  
22 amended by redesignating sections 15 and 17 as sections  
23 17 and 18, and by inserting after section 14 the following:

1 **“SEC. 15. PIPELINE ACCESS.**

2 “(a) ANNUAL REPORT.—The Secretary, acting  
3 through the Bureau of Land Management, shall make  
4 available on the Internet the current refining capacity on  
5 the Federal Helium Reserve pipeline, including—

6 “(1) refinery capacity and future capacity esti-  
7 mates;

8 “(2) ownership of federally auctioned helium  
9 held in the Federal Helium Reserve;

10 “(3) volume of helium delivered to individual  
11 buyers through such pipeline;

12 “(4) for each helium refiner—

13 “(A) the number of tolling agreements en-  
14 tered into before October 1, 2013; and

15 “(B) for each fiscal year thereafter—

16 “(i) the number of tolling agreements  
17 entered into;

18 “(ii) the number of tolling requests  
19 received; and

20 “(iii) the total volume of helium re-  
21 fined under each tolling agreement entered  
22 into;

23 “(5) pipeline pressure constraints; and

24 “(6) other factors that will increase trans-  
25 parency for persons interested in entering refining  
26 contracts with existing refiners.

1           “(b) NEW REFINING CAPACITY.—The Secretary shall  
2 take any applications for new refining capacity on the  
3 Federal Helium Reserve pipeline. To create more competi-  
4 tion, any new refining capacity added to the Federal He-  
5 lium Reserve pipeline system shall be granted access to  
6 crude helium that is equal to the access provided to exist-  
7 ing refining facilities.

8           “(c) ACCESS BY PURCHASERS OF HELIUM.—The  
9 Secretary shall manage Federal Helium Reserve pipeline  
10 access in a competitive manner to ensure that all persons  
11 purchasing helium have equal access to timing and deliv-  
12 ery of the helium, subject to the capacity of the system.

13           “(d) SCHEDULING DELIVERIES.—The Secretary  
14 shall, to the greatest extent practicable, make the sched-  
15 uling of crude helium deliveries through the Federal He-  
16 lium Reserve pipeline open and transparent to all pur-  
17 chasers of helium through the auction process, and to the  
18 public if the Secretary believes that it is in the national  
19 interest.

20           “(e) SCHEDULING PRIORITY.—

21                   “(1) IN GENERAL.—In scheduling crude helium  
22 deliveries through the Federal Helium Reserve pipe-  
23 line the Secretary shall grant pipeline access in the  
24 following order of priority:

1           “(A) Helium held in the Reserve as a re-  
2           sult of a purchase under subsection (b)(2).

3           “(B) Helium sold at auction being deliv-  
4           ered to fulfill a tolling agreement.

5           “(C) Other helium sold at auction.

6           “(D) Helium held in the Reserve as a re-  
7           sult of a crude helium exchange resulting from  
8           any temporary shutdown of the Reserve or of a  
9           refinery on the Reserve pipeline.

10           “(E) Helium held in inventory in the Re-  
11           serve before the date of enactment of the Re-  
12           sponsible Helium Administration and Steward-  
13           ship Act.

14           “(2) In scheduling such deliveries of helium de-  
15           scribed in each of subparagraphs (A) through (E) of  
16           paragraph (1), the Secretary shall grant pipeline ac-  
17           cess based on the following order of priority:

18           “(A) The price paid to the United States  
19           for the helium, giving higher priority to helium  
20           for which a greater price was paid.

21           “(B) The date the helium was purchased  
22           from the Secretary, giving higher priority to he-  
23           lium purchased on an earlier date.

24           “(C) Any other factor the Secretary con-  
25           siders appropriate to prioritize delivery.

1 **“SEC. 16. BLM REPORTING REQUIREMENTS TO FACILITATE**  
2 **SUPPLY CHAIN INFORMATION.**

3 “(a) IN GENERAL.—In order to provide the market  
4 with appropriate and timely information affecting the he-  
5 lium resource, the Director of the Bureau of Land Man-  
6 agement shall establish, no later than 90 days after the  
7 date of enactment of the Responsible Helium Administra-  
8 tion and Stewardship Act, a real-time reporting process,  
9 including reporting over the Internet, to provide data that  
10 will affect the helium industry, including such effects for  
11 all persons in such industry from crude helium suppliers  
12 to end users.

13 “(b) INCLUDED INFORMATION.—Information pro-  
14 vided under this section shall include the following:

15 “(1) Annual maintenance schedules and quar-  
16 terly updates thereof, which shall be available on the  
17 Internet, to the extent practicable, and shall include  
18 the following:

19 “(A) The date and duration of planned  
20 shutdowns of the Federal Helium Reserve pipe-  
21 line.

22 “(B) The nature of work to be undertaken,  
23 whether routine, extended, or extraordinary.

24 “(C) The anticipated impact on the helium  
25 supply.

1           “(D) The efforts to minimize any impact  
2           on the supply chain.

3           “(E) Any concerns regarding maintenance  
4           of the Federal Helium Reserve pipeline, pres-  
5           sure of such pipeline, or deviation from normal  
6           operation of such pipeline.

7           “(2) For each unplanned outage, the following:

8           “(A) The beginning of the outage.

9           “(B) The expected duration of outage.

10          “(C) A description of the problem.

11          “(D) The estimated impact on helium sup-  
12          ply.

13          “(E) A plan to correct problems, an esti-  
14          mate of the potential timeframe for correction,  
15          and the likelihood of plan success within the  
16          timeframe.

17          “(F) Efforts to minimize negative impacts  
18          on the helium supply chain.

19          “(G) Updates on repair status and the an-  
20          ticipated online date.

21          “(3) Minutes of meetings between the Bureau  
22          of Land Management and the Cliffside Refiners  
23          Limited Partnership, including—

24                 “(A) publication of the minutes of each  
25                 meeting between the Bureau of Land Manage-



1           ment and the Cliffside Refiners Limited Part-  
2           nership, including attendees and their affili-  
3           ations, on the Internet site of the Bureau with-  
4           in 1 week after the meeting; and

5           “(B) indication in the minutes of any ac-  
6           tion taken that could affect the supply or oper-  
7           ating status related to the Federal helium pro-  
8           gram.

9           “(4) Current predictions of the lifespan of the  
10          Federal Helium Reserve, including how much longer  
11          such crude helium supply will be available based on  
12          current and forecasted demand and the projected  
13          maximum production capacity of the Federal Helium  
14          Reserve for the following fiscal year.”.

15 **SEC. 5. HELIUM RESOURCE ASSESSMENT AND HELIUM-3**  
16 **SEPARATION.**

17          (a) **HELIUM GAS RESOURCE ASSESSMENT.**—Not  
18 later than 2 years after the date of enactment of this Act,  
19 the Secretary of the Interior shall—

20               (1) in coordination with appropriate heads of  
21 State geological surveys—

22                       (A) complete a national helium gas assess-  
23                       ment that identifies and quantifies the quantity  
24                       of helium, including the isotope helium-3, in  
25                       each reservoir, including assessments of the

1 constituent gases found in each helium re-  
2 source, such as carbon dioxide, nitrogen, and  
3 natural gas; and

4 (B) make available the modern seismic and  
5 geophysical log data for characterization of the  
6 Bush Dome Reservoir;

7 (2) in coordination with appropriate inter-  
8 national agencies and the global geology community,  
9 complete a global helium gas assessment that identi-  
10 fies and quantifies the quantity of the helium, in-  
11 cluding the isotope helium-3, in each reservoir;

12 (3) in consultation with the Secretary of En-  
13 ergy, acting through the Administrator of the En-  
14 ergy Information Administration, complete—

15 (A) an assessment of trends in global de-  
16 mand for helium, including the isotope helium-  
17 3;

18 (B) a 10-year forecast of domestic demand  
19 for helium across all sectors, including scientific  
20 and medical research, commercial, manufac-  
21 turing, space technologies, cryogenics, and na-  
22 tional defense; and

23 (C) an inventory of medical, research, sci-  
24 entific, industrial, commercial, and other uses  
25 of helium in the United States, including Fed-

1           eral and commercial helium uses, that identifies  
2           the nature of the helium use, the amounts re-  
3           quired, the technical and commercial viability of  
4           helium recapture and recycling in that use, and  
5           the availability of material substitutes wherever  
6           possible; and

7           (4) submit to the Committee on Natural Re-  
8           sources of the House of Representatives and the  
9           Committee on Energy and Natural Resources of the  
10          Senate a report describing the results of the assess-  
11          ments required under this subsection.

12          (b) HELIUM-3 SEPARATION.—

13           (1) INTERAGENCY COOPERATION.—The Sec-  
14          retary of the Interior shall cooperate with the Sec-  
15          retary of Energy, or a designee of the Secretary of  
16          Energy, on any assessment or research relating to  
17          the extraction and refining of the isotope helium-3  
18          from crude helium at the Federal Helium Reserve  
19          (as that term is defined in the amendments made by  
20          section 2) or along the Federal Helium Reserve  
21          pipeline system, including—

22                   (A) gas analysis;

23                   (B) infrastructure studies; and

24                   (C) cooperation with private helium refin-  
25          ers.

1           (2) FEASIBILITY STUDY.—The Secretary of the  
2 Interior shall assess the feasibility of establishing a  
3 facility to separate the isotope helium-3 from crude  
4 helium at—

5                   (A) the Federal Helium Reserve; or

6                   (B) an existing helium separation or purifi-  
7 cation facility connected to the Federal Helium  
8 Reserve pipeline system.

9           (3) REPORT.—Not later than 1 year after the  
10 date of enactment of this Act, the Secretary of the  
11 Interior shall submit to the Committee on Natural  
12 Resources of the House of Representatives and the  
13 Committee on Energy and Natural Resources of the  
14 Senate a report that contains a description of the re-  
15 sults of the assessments conducted under this sub-  
16 section.

