

113TH CONGRESS
1ST SESSION

H. R. 527

To amend the Helium Act to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 2013

Mr. HASTINGS of Washington (for himself, Mr. MARKEY, Mr. FLORES, and Mr. HOLT) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To amend the Helium Act to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, 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 “Responsible Helium
5 Administration and Stewardship Act”.

1 **SEC. 2. DEFINITIONS.**

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

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

6 (2) in paragraph (2), by striking “; and” and
7 inserting a period; and

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

9 “(4) FEDERAL HELIUM RESERVE.—

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

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

16 “(i) the Cliffside Gas Field helium
17 storage reservoir; and

18 “(ii) all associated infrastructure
19 owned, leased, or managed under contract
20 by the Secretary for storage, transpor-
21 tation, withdrawal, purification, or man-
22 agement of helium.

23 “(5) QUALIFYING DOMESTIC HELIUM TRANS-
24 ACTION.—The term ‘qualifying domestic helium
25 transaction’—

1 “(A) except as provided in subparagraph
2 (B), means any new or newly negotiated agree-
3 ment for the purchase or sale of at least
4 15,000,000 standard cubic feet of crude helium
5 or bulk liquid helium delivered in the United
6 States in the most recent 2-fiscal-year period;
7 and

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

10 “(6) TOLLING AGREEMENT.—The term ‘tolling
11 agreement’ means an agreement between a helium
12 refiner and another party under which the helium
13 refiner agrees to process the other person’s helium
14 at an agreed upon price.”.

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

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

18 **“SEC. 6. SALE OF HELIUM.**

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

20 “(1) IN GENERAL.—Subject to paragraph (2),
21 the Secretary shall offer for sale crude helium for
22 Federal, medical, scientific, and commercial uses in
23 such quantities, at such times, and under such con-
24 ditions as the Secretary determines necessary to

1 carry out this subsection with minimum market dis-
2 ruption.

3 “(2) MINIMUM QUANTITY.—The Secretary shall
4 offer for sale during each fiscal year under para-
5 graph (1) a quantity of crude helium that is not less
6 than the quantity of crude helium offered for sale by
7 the Secretary during fiscal year 2012.

8 “(3) PURCHASE BY FEDERAL AGENCIES.—Fed-
9 eral agencies, and holders of 1 or more Federal re-
10 search grants, may purchase refined helium under
11 this subsection for Federal, medical, and scientific
12 uses from persons who have entered into enforceable
13 contracts to purchase an equivalent quantity of
14 crude helium from the Secretary.

15 “(4) PRICES AND DETERMINATIONS.—Sales of
16 crude helium by the Secretary under this subsection
17 shall be at prices established by the Secretary that
18 shall not be less than the price in the last sale of
19 crude helium from the Federal Helium Reserve be-
20 fore the date of enactment of the Responsible He-
21 lium Administration and Stewardship Act.

22 “(5) DURATION.—This subsection applies dur-
23 ing the period—

1 “(A) beginning on the date of enactment of
2 the Responsible Helium Administration and
3 Stewardship Act; and

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

6 “(b) PHASE B: MAXIMIZING TOTAL RECOVERY OF
7 HELIUM AND INCREASING RETURNS TO THE AMERICAN
8 TAXPAYER.—

9 “(1) IN GENERAL.—The Secretary shall offer
10 for sale at auction, as described in subsection (d),
11 crude helium for Federal, medical, scientific, and
12 commercial uses in such quantities, at such times,
13 and under such conditions as the Secretary deter-
14 mines necessary—

15 “(A) to maximize total recovery and con-
16 servation of helium from the Federal Helium
17 Reserve;

18 “(B) to manage crude helium sales accord-
19 ing to the ability of the Secretary to extract and
20 produce helium from the Federal Helium Re-
21 serve;

22 “(C) to respond to helium market supply
23 and demand and minimize market disruption;
24 and

1 “(D) to give priority to meeting the helium
2 demand of Federal users in the event of any
3 disruption to the Federal Helium Reserve.

4 “(2) PURCHASE BY DESIGNATED FEDERAL
5 AGENCIES AND GRANTEES.—Any Federal agency,
6 and any holder of 1 or more Federal research
7 grants, may purchase refined helium for Federal,
8 medical, research, and scientific uses from an eligi-
9 ble person, at the minimum auction price or other
10 price designated by the Secretary. The Secretary
11 shall then provide an equivalent volume of crude he-
12 lium to the eligible person as if the eligible person
13 was the successful bidder for the helium at auction.

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

18 “(4) DURATION.—This subsection applies dur-
19 ing the period—

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

22 “(B) ending on the date on which the vol-
23 ume of recoverable crude helium at the Federal
24 Helium Reserve (other than privately owned
25 quantities of crude helium stored temporarily at

1 the Federal Helium Reserve under section 5
2 and this section) is 3,000,000,000 standard
3 cubic feet.

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

5 “(1) IN GENERAL.—The Secretary may offer
6 for sale crude helium for Federal uses (including
7 medical and scientific uses) in such quantities, at
8 such times, and under such conditions as the Sec-
9 retary determines necessary to carry out this sub-
10 section.

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

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

23 “(d) AUCTION AND MINIMUM PRICES DETERMINA-
24 TION.—

1 “(1) IN GENERAL.—Sales of crude helium by
2 the Secretary under subsection (b) shall be con-
3 ducted at auction under the conditions described in
4 this section and at no less than the minimum price
5 established by the Secretary.

6 “(2) AUCTION.—The Secretary shall conduct
7 auctions of crude helium in the Federal Helium Re-
8 serve as soon as practical but no later than begin-
9 ning 180 days after the first day of the period de-
10 scribed in subsection (b)(4), under the following con-
11 ditions:

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

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

23 “(C) In each auction after the first auction
24 under this subsection after the date of the en-
25 actment of the Responsible Helium Administra-

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

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

17 “(E) For purposes of the first auction
18 under this subsection after the date of the en-
19 actment of the Responsible Helium Administra-
20 tion and Stewardship Act, the Secretary may
21 revise the percentage under subparagraph (A)
22 so as to make available for auction 100 percent
23 of the volume of crude helium intended to be of-
24 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) Notwithstanding any other provision
11 of this subsection, for each fiscal year, the Sec-
12 retary may not offer a total volume of crude he-
13 lium for sale under this subsection that exceeds
14 the lesser of—

15 “(i) the projected maximum total pro-
16 duction capacity of the Federal Helium
17 Reserve during that fiscal year; and

18 “(ii) the maximum refining capacity
19 of persons connected by pipeline to the
20 Federal Helium Reserve during that fiscal
21 year.

22 “(3) AUCTION CONDITIONS.—

23 “(A) BIDDING METHOD.—The Secretary
24 shall conduct each auction by sealed bid for
25 predetermined volume lots, unless the Secretary

1 determines that an alternative bidding method
2 may result in more revenue to the Federal Gov-
3 ernment.

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

7 “(i) may accept bids only from per-
8 sons the Secretary determines are seeking
9 to purchase helium for their own use, for
10 refining, or for delivery to users; and

11 “(ii) may not award to a person more
12 than 30 percent of the total volume of
13 crude helium offered in that auction, ex-
14 cept that the Secretary may adjust such
15 limitation based on the number of bidders
16 in the auction.

17 “(C) STORAGE FEES.—In each auction the
18 Secretary—

19 “(i) shall begin charging each winning
20 bidder a storage fee for crude helium pur-
21 chased by the bidder that remains in the
22 Federal Helium Reserve, beginning on the
23 date the Secretary receives payment of the
24 purchase price for the helium; and

1 “(ii) beginning 270 days after the
2 date of the auction, shall charge increasing
3 storage fees that will encourage the with-
4 drawal of the helium no later than 2 years
5 after the date of the auction.

6 “(4) DETERMINATION OF MINIMUM SALE
7 PRICE.—The Secretary shall make a determination
8 of the minimum sale price for sales described in
9 paragraph (1) using—

10 “(A) a confidential survey of qualifying do-
11 mestic helium transactions to which any holder
12 of a contract with the Secretary for the accept-
13 ance, storage, and redelivery of crude helium in
14 the Cliffside Gas Field helium storage reservoir
15 is a party;

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

19 “(C) the volume-weighted average cost
20 among helium refiners, producers, and lique-
21 fiers, in dollars per thousand cubic feet, of con-
22 verting gaseous crude helium into bulk liquid
23 helium; and

1 “(D) the additional layer of cost and profit
2 associated with the sale or resale of bulk liquid
3 helium.

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

6 “(A) require all persons that are parties to
7 a contract with the Secretary for the accept-
8 ance, storage, and redelivery of crude helium to
9 disclose, on a strictly confidential basis in dol-
10 lars per thousand cubic feet, the weighted aver-
11 age price of all crude helium and bulk liquid he-
12 lium purchased, sold, or processed by the per-
13 sons in all qualifying domestic helium trans-
14 actions during the fiscal year;

15 “(B) appoint a qualified independent third
16 party to perform data collection and analysis
17 for the purposes of the survey under paragraph
18 (4)(A); and

19 “(C) adopt such administrative policies
20 and procedures as the Secretary considers nec-
21 essary and reasonable to ensure robust protec-
22 tion of the confidentiality of data submitted by
23 private persons.

24 “(6) CHANGES IN MINIMUM PRICE.—If the Sec-
25 retary believes that the minimum price as deter-

1 mined by the survey under paragraph (4)(A) may
2 not be reflective of the current market value of he-
3 lium, or if a higher minimum price may result in
4 greater conservation of the Federal crude helium re-
5 source, the Secretary may change the minimum
6 price charged for crude helium sold under this sec-
7 tion by up to 10 percent of the price determined
8 under paragraph (4). If at any sale in which the
9 minimum price is increased under this paragraph all
10 crude helium offered is sold at the increased price,
11 the Secretary shall consider that increased price to
12 be the minimum price determined under paragraph
13 (4) for all future sales of crude helium under this
14 section unless that price is further changed in ac-
15 cordance with this paragraph.

16 “(7) ENSURING FAIR ACTS AND PRACTICES.—
17 The Secretary may issue such rules and regulations
18 with respect to bidding, transfer, and refining of he-
19 lium produced from or held in the Federal Helium
20 Reserve as may be necessary to prevent unfair acts
21 and practices.

22 “(8) AUCTION RECORDS.—

23 “(A) FURNISHING RECORDS.—Every per-
24 son participating in auctions of helium from the
25 Federal Helium Reserve shall furnish to the

1 Secretary on request such records of trans-
2 actions in helium auctions as the Secretary may
3 require to reconstruct bidding or trading in the
4 course of a particular inquiry or investigation
5 being conducted by the Secretary for enforce-
6 ment or surveillance purposes. In requiring in-
7 formation pursuant to this paragraph, the Sec-
8 retary shall specify the information required,
9 the period for which it is required, and the time
10 and date on which the information must be fur-
11 nished.

12 “(B) REPORTING REQUIREMENTS.—The
13 Secretary may issue rules to require persons
14 participating in helium auctions to file such re-
15 ports as the Secretary determines to be nec-
16 essary for purposes of this Act.

17 “(C) RECORDKEEPING REQUIREMENTS.—
18 Rules under this subsection may require speci-
19 fied persons to make and keep for prescribed
20 periods such records as the Secretary deter-
21 mines are necessary or appropriate to ensure
22 that such persons can comply with reporting re-
23 quirements under this subsection.

24 “(D) LIMITATION ON DISCLOSURE OF IN-
25 FORMATION.—Notwithstanding any other provi-

1 sion of law, the Secretary shall not be compelled
2 to disclose any proprietary information required
3 to be kept or reported under this subsection.
4 Nothing in this subsection authorizes the Sec-
5 retary to withhold information from Congress,
6 prevents the Secretary from complying with a
7 request for information from any other Federal
8 department or agency requesting information
9 for purposes within the scope of its jurisdiction,
10 or prevents the Secretary from complying with
11 an order of a court of the United States in an
12 action brought by the United States or by the
13 Secretary.

14 “(e) HELIUM PRODUCTION FUND.—

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

20 “(2) ADMINISTRATIVE EXPENSES.—Amounts in
21 the Helium Production Fund may be used by the
22 Secretary to conduct helium auctions and otherwise
23 administer this Act.

24 “(3) REPAYMENT AMOUNTS.—During the pe-
25 riod described in subsection (a)(4), amounts in the

1 Helium Production Fund in excess of amounts the
2 Secretary considers necessary to conduct helium auc-
3 tions and otherwise administer this Act shall be paid
4 to the general fund of the Treasury and credited
5 against all amounts required to be repaid to the
6 United States under this Act as of October 1, 1995.

7 “(4) CAPITAL INVESTMENTS AND MAINTENANCE.—Amounts in the Helium Production Fund
8 in excess of amounts the Secretary considers nec-
9 essary to carry out paragraphs (1) through (3) may
10 be used to fund the following capital investments in
11 upgrades and maintenance at the Federal Helium
12 reserve:
13

14 “(A) Wellhead maintenance at the Cliffside
15 Gas Field helium storage reservoir.

16 “(B) Capital investments in maintenance
17 and upgrades of facilities that pressurize the
18 Cliffside Gas Field helium storage reservoir.

19 “(C) Capital investments in maintenance
20 and upgrades of equipment related to the stor-
21 age, withdrawal, transportation, purification,
22 and sale of crude helium at the Cliffside Gas
23 Field helium storage reservoir.

1 “(D) Any other scheduled or unscheduled
2 maintenance of the Cliffside Gas Field helium
3 storage reservoir and helium pipeline.

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

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

15 (b) REPORT.—Not later than 1 year after the date
16 of enactment of this Act and annually thereafter, the Sec-
17 retary of the Interior shall submit to the Committee on
18 Natural Resources of the House of Representatives and
19 the Committee on Energy and Natural Resources of the
20 Senate a report describing all expenditures by the Bureau
21 of Land Management for operation and maintenance of
22 the Federal Helium Reserve (as that term is defined in
23 the amendment made by section 2(3)), investments made
24 by the Bureau for such reserve, and scheduled or unsched-

1 uled maintenance of such reserve or its infrastructure to
2 be conducted by the Bureau.

3 **SEC. 4. BLM TRANSPARENCY REQUIREMENTS TO FACILI-**
4 **TATE MARKET AND SUPPLY CHAIN INFORMA-**
5 **TION.**

6 The Helium Act (50 U.S.C. 167 et seq.) is further
7 amended by redesignating sections 15 through 17 as sec-
8 tions 17 through 19, and by inserting after section 14 the
9 following:

10 **“SEC. 15. PIPELINE ACCESS.**

11 “(a) ANNUAL REPORT.—The Secretary, acting
12 through the Bureau of Land Management, shall make
13 available on the Internet the current refining capacity on
14 the Federal Helium Reserve pipeline, including—

15 “(1) refinery capacity and future capacity esti-
16 mates;

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

19 “(3) volume of helium delivered to individual
20 buyers through such pipeline;

21 “(4) pipeline pressure constraints; and

22 “(5) other factors that will increase trans-
23 parency for persons interested in entering refining
24 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 **“SEC. 16. BLM REPORTING REQUIREMENTS TO FACILITATE**
21 **SUPPLY CHAIN INFORMATION.**

22 “(a) IN GENERAL.—In order to provide the market
23 with appropriate and timely information affecting the he-
24 lium resource, the Director of the Bureau of Land Man-
25 agement shall establish, no later than 90 days after the

1 date of enactment of the Responsible Helium Administra-
2 tion and Stewardship Act, a real-time reporting process,
3 including reporting over the Internet, to provide data that
4 will affect the helium industry, including such effects for
5 all persons in such industry from crude helium suppliers
6 to end users.

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

9 “(1) Annual maintenance schedules and quar-
10 terly updates thereof, which shall be available on the
11 Internet, to the extent practicable, and shall include
12 the following:

13 “(A) The date and duration of planned
14 shutdowns of the Federal Helium Reserve pipe-
15 line.

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

18 “(C) The anticipated impact on the helium
19 supply.

20 “(D) The efforts to minimize any impact
21 on the supply chain.

22 “(E) Any concerns regarding maintenance
23 of the Federal Helium Reserve pipeline, pres-
24 sure of such pipeline, or deviation from normal
25 operation of such pipeline.

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

2 “(A) The beginning of the outage.

3 “(B) The expected duration of outage.

4 “(C) A description of the problem.

5 “(D) The estimated impact on helium sup-
6 ply.

7 “(E) A plan to correct problems, an esti-
8 mate of the potential timeframe for correction,
9 and the likelihood of plan success within the
10 timeframe.

11 “(F) Efforts to minimize negative impacts
12 on the helium supply chain.

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

15 “(3) Minutes of meetings between the Bureau
16 of Land Management and the Cliffside Refiners
17 Limited Partnership, including—

18 “(A) publication of the minutes of each
19 meeting between the Bureau of Land Manage-
20 ment and the Cliffside Refiners Limited Part-
21 nership, including attendees and their affili-
22 ations, on the Internet site of the Bureau with-
23 in 1 week after the meeting; and

24 “(B) indication in the minutes of any ac-
25 tion taken that could affect the supply or oper-

1 ating status related to the Federal helium pro-
2 gram.

3 “(4) Current predictions of the lifespan of the
4 Federal Helium Reserve, including how much longer
5 such crude helium supply will be available based on
6 current and forecasted demand and the projected
7 maximum production capacity of the Federal Helium
8 Reserve for the following fiscal year.”.

9 **SEC. 5. HELIUM RESOURCE ASSESSMENT AND HELIUM-3**
10 **SEPARATION.**

11 (a) HELIUM GAS RESOURCE ASSESSMENT.—Not
12 later than 2 years after the date of enactment of this Act,
13 the Secretary of the Interior shall—

14 (1) in coordination with appropriate heads of
15 State geological surveys—

16 (A) complete a national helium gas assess-
17 ment that identifies and quantifies the quantity
18 of helium, including the isotope helium-3, in
19 each reservoir, including assessments of the
20 constituent gases found in each helium re-
21 source, such as carbon dioxide, nitrogen, and
22 natural gas; and

23 (B) make available the modern seismic and
24 geophysical log data for characterization of the
25 Bush Dome Reservoir;

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

6 (3) in consultation with the Secretary of En-
7 ergy, acting through the Administrator of the En-
8 ergy Information Administration, complete—

9 (A) an assessment of trends in global de-
10 mand for helium, including the isotope helium-
11 3;

12 (B) a 10-year forecast of domestic demand
13 for helium across all sectors, including scientific
14 and medical research, commercial, manufac-
15 turing, space technologies, cryogenics, and na-
16 tional defense; and

17 (C) an inventory of medical, scientific, in-
18 dustrial, commercial, and other uses of helium
19 in the United States, including Federal and
20 commercial helium uses, that identifies the na-
21 ture of the helium use, the amounts required,
22 the technical and commercial viability of helium
23 recapture and recycling in that use, and the
24 availability of material substitutes wherever
25 possible; and

1 (4) submit to the Committee on Natural Re-
2 sources of the House of Representatives and the
3 Committee on Energy and Natural Resources of the
4 Senate a report describing the results of the assess-
5 ments required under this subsection.

6 (b) HELIUM-3 SEPARATION.—

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

16 (A) gas analysis;

17 (B) infrastructure studies; and

18 (C) cooperation with private helium refin-
19 ers.

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

24 (A) the Federal Helium Reserve; or

1 (B) an existing helium separation or purifi-
2 cation facility connected to the Federal Helium
3 Reserve pipeline system.

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

○