

TO AMEND AN ACT AUTHORIZING CONSERVATION OF
HELIUM GAS, ETC.

JANUARY 3, 1927.—Committed to the Committee of the Whole House on the
state of the Union and ordered to be printed

Mr. FROTHINGHAM, from the Committee on Military Affairs, sub-
mitted the following

R E P O R T

[To accompany H. R. 15344]

The Committee on Military Affairs, to which was referred the bill (H. R. 15344) to amend the act entitled "An act authorizing the conservation, production, and exploitation of helium gas, a mineral resource pertaining to the national defense, and to the development of commercial aeronautics, and for other purposes," having considered the same, report favorably thereon with the recommendation that it be passed with the following amendments:

Page 3, line 17, strike out the word "and," and capitalize the word "provided."

Page 3, line 18, after the word "helium" insert the following: "in an amount not to exceed five thousand cubic feet in any one year."

Page 3, line 18, strike out the word "furnished" and insert in lieu thereof the words, "leased or sold."

On March 3, 1925, Congress enacted legislation which provided that all existing Government plants operated by the Government or under lease or contract with it for the production of helium should be transferred to the jurisdiction of the Bureau of Mines on or before June 30, 1925. As the Bureau of Mines at that time was under the jurisdiction of the Secretary of the Interior, the legislation provided that the Secretary of the Interior should carry out the various provisions of the act.

On June 4, 1925, the President issued an Executive order transferring jurisdiction over the Bureau of Mines to the Secretary of Commerce, thereby relieving the Secretary of the Interior of the authority over that bureau. It is therefore necessary to amend the act of March 3, 1925, affecting the conservation, production, and exploitation of

helium gas, so that the Secretary of Commerce is charged with the responsibility of conservation, etc.

After careful consideration by a joint subcommittee of the Committee on Military Affairs and the Committee on Naval Affairs it was agreed that public law 544 of the Sixty-eighth Congress be amended as follows:

(NOTE.—Language of present law eliminated indicated by stricken-through type. New language in italic type.)

SECTION 1. That for the purpose of producing helium with which to supply the needs of the Army and Navy and other branches of the Federal Government, the Secretary of the Interior *Secretary of Commerce* is hereby authorized to acquire land or interest in land by purchase, lease, or condemnation, where necessary, when helium can not be purchased from private parties at less cost, to explore, for, procure, or conserve helium-bearing gas; to drill or otherwise test such lands; and to construct plants, pipe lines, facilities, and accessories for the production, storage, and repurification of helium: *Provided*, That any known helium-gas bearing land on the public domain not covered at the time by leases or permits under the act of February 25, 1920, entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain," may be reserved for the purposes of this act, and that the United States reserves the ownership and the right to extract, under such rules and regulations as shall be prescribed by the Secretary of the Interior, helium from all gas produced from lands so permitted, leased, or otherwise granted for development.

SEC. 2. That the Bureau of Mines, acting under the direction of the ~~Secretary of the Interior~~ *Secretary of Commerce*, is authorized to maintain and operate helium production and repurification plants, together with facilities and accessories thereto; to store and care for helium; to conduct exploration for and production of helium on and from the lands acquired or set aside under this Act: to conduct experimentation and research for the purpose of discovering helium supplies and improving processes and methods of helium production, repurification storage, and utilization.

SEC. 3. That ~~on or before June 30, 1925, all existing~~ Government plants operated by the Government or under lease or contract with it, for the production of helium shall be ~~transferred to under the jurisdiction of the Bureau of Mines:~~ *Provided*, That thereafter the Army and Navy and other branches of the Federal service requiring helium may requisition it from said bureau and make payment therefor ~~by transfer of funds on the books of the Treasury~~ from any applicable appropriation at actual cost of said helium to the United States, including all expenses connected therewith: *Provided further*, That any surplus helium produced may, until needed for Government use, be leased to American citizens or American corporations under regulations approved by the President: *Provided further*, That even though no surplus exists, helium in an amount not to exceed five thousand cubic feet in any one year may be leased or sold to aid scientific and commercial development upon approval of the Secretary of War, the Secretary of the Navy, and the Secretary of Commerce, and under regulations approved by the President: And *provided further*, That all moneys received from the sale or leasing of helium shall be credited to a helium-production account and shall be and remain available for the purposes of this section; and that any gas belonging to the United States, after the extraction of helium or any by-product not needed for Government use, shall be sold; and the proceeds of such sales *in excess of the cost of said gas or by-product* shall be deposited in the Treasury to the credit of miscellaneous receipts.

SEC. 4. That hereafter no helium gas shall be exported from the United States, or from its possessions, until after application for such exportation has been made to the ~~Secretary of the Interior~~ *Secretary of Commerce* and permission for said exportation has been obtained from the President of the United States, on the joint recommendation of the Secretary of War, the Secretary of the Navy, and the ~~Secretary of the Interior~~ *Secretary of Commerce*.

That any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall be punished by a fine of not more than \$5,000 or by imprisonment of not more than one year, or by both such fine and imprisonment, and the Federal courts of the United States are hereby granted jurisdiction to try and determine all questions arising under this section.

SEC. 5. The Army and Navy may each designate an officer to cooperate with the Department of Commerce in carrying out the purposes of this act, and shall have complete right of access to plants, data, and accounts.

The following letter from the Department of Commerce on this measure is made a part of this report, as follows:

CHAIRMAN MILITARY AFFAIRS COMMITTEE,
House of Representatives, Washington, D. C.

SIR: The proposed amendments, as set forth in H. R. 15344, to amend "An act authorizing the conservation, production, and exploitation of helium gas and mineral resources pertaining to the national defense, and the development of commercial aeronautics, and for other purposes," as recommended by the War Department and the Navy Department, have been examined and found satisfactory to this department.

Respectfully,

(Signed) WILLIAM P. MACCRACKEN, Jr.,
Assistant Secretary of Commerce for Aeronautics.



