

105TH CONGRESS  
1ST SESSION

# H. R. 2178

To amend the Helium Act with respect to disposal of helium.

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IN THE HOUSE OF REPRESENTATIVES

JULY 16, 1997

Mr. THORNBERRY introduced the following bill; which was referred to the  
Committee on Resources

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## A BILL

To amend the Helium Act with respect to disposal of helium.

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 “Helium Privatization  
5       Act of 1997”.

6       **SEC. 2. AMENDMENT OF HELIUM ACT.**

7       Whenever in this Act an amendment or repeal is ex-  
8       pressed in terms of an amendment to, or repeal of, a sec-  
9       tion or other provision, the reference shall be considered  
10      to be made to a section or other provision of the Helium  
11      Act (50 U.S.C. 167–167n), as amended by the Helium  
12      Privatization Act of 1996 (Public Law 104–273).

1 **SEC. 3. DISPOSAL OF FACILITIES.**

2 Section 4 is amended by—

3 (1) striking subsection (c); and

4 (2) redesignating subsection (d) as subsection  
5 (c).

6 **SEC. 4. SALE OF CRUDE HELIUM.**

7 Subsection 6(c) is amended by striking “—” and all  
8 that follows through “(2)”.

9 **SEC. 5. ELIMINATION OF STOCKPILE.**

10 Section 8 is amended to read as follows:

11 **“SEC. 8. ELIMINATION OF STOCKPILE.**

12 “(a) SECRETARY OF DEFENSE.—

13 “(1) IN GENERAL.—Half of the helium reserves  
14 owned by the United States on the date of the en-  
15 actment of the Helium Privatization Act of 1997  
16 shall be placed under the authority of the Secretary  
17 of Defense, who shall determine and execute the  
18 storage, transportation, and use of helium from the  
19 reserves. The Federal Government shall forgive any  
20 share of debt owed on these reserves.

21 “(2) LOCATION OF RESERVES.—The Secretary  
22 of Defense may maintain the reserves under the au-  
23 thority of the Secretary of Defense at the site on  
24 which they are located on the date of enactment of  
25 this Act, or transfer the reserves to another site. In  
26 a case in which the Secretary of Defense elects to

1 transfer the reserves, the Secretary shall notify the  
2 Secretary of the Interior of the transfer not later  
3 than the predetermined date agreed to by the Sec-  
4 retary of Defense and Secretary of the Interior.

5 “(b) DEPARTMENT OF THE INTERIOR.—

6 “(1) IN GENERAL.—The remaining half of the  
7 helium reserves owned by the United States on the  
8 date of the enactment of the Helium Privatization  
9 Act of 1997 shall remain under the authority of the  
10 Secretary of the Interior.

11 “(2) DISPOSAL OF RESERVES.—

12 “(A) INVESTMENT ADMINISTRATOR.—In  
13 order to dispose of the helium reserves under  
14 the authority of the Secretary of the Interior,  
15 the Secretary of the Interior shall appoint an  
16 Investment Administrator to sell—

17 “(i) the helium from the helium re-  
18 serves; and

19 “(ii) any production, refining, and  
20 marketing assets of the reserves, unless the  
21 Secretary of Defense determines that such  
22 assets are essential to the transportation  
23 or storage needs of the Secretary of De-  
24 fense.

1 The proceeds from any sales shall be paid to  
2 the Treasury of the United States. A percent-  
3 age of the proceeds, as agreed to by the Sec-  
4 retary of the Interior and the Investment Ad-  
5 ministrator, shall be used to pay the salary of  
6 the Investment Administrator.

7 “(B) SELECTION CRITERIA FOR INVEST-  
8 MENT ADMINISTRATOR.—Any individual inter-  
9 ested in the position of Investment Adminis-  
10 trator shall, within a time period to be deter-  
11 mined by the Secretary of the Interior—

12 “(i) submit in writing to the Secretary  
13 of the Interior a plan for disposing of the  
14 helium reserves under the authority of the  
15 Secretary of the Interior (including any  
16 unobligated natural gas reserves and real  
17 estate at the helium reserves used in he-  
18 lium refinement and production); and

19 “(ii) make an oral presentation to the  
20 Secretary of the Interior on such plan.

21 “(C) INTERIM DISPOSAL.—The Secretary  
22 of the Interior may determine a price in con-  
23 sultation with the helium industry, and sell he-  
24 lium described in paragraph (1) during the pe-

1           riod in which an Investment Administrator has  
2           not been selected.

3           “(c) DISCOVERY OF ADDITIONAL RESERVES.—The  
4   discovery of additional helium reserves shall not affect the  
5   duties of the Secretaries to make sales of helium under  
6   this section.”.

7   **SEC. 6. REPORT ON HELIUM.**

8           (a) NATIONAL ACADEMY OF SCIENCES REPORT.—  
9   Subsection 15(a) is amended by inserting after “disposal  
10   of helium reserves” the following: “under the authority of  
11   the Secretary of Defense”.

12          (b) REPORT TO CONGRESS.—Subsection 15(b) is  
13   amended—

14               (1) in paragraph (1) by inserting “and” after  
15   the semicolon;

16               (2) in paragraph (2) by striking “; and” and in-  
17   serting a period; and

18               (3) by striking paragraph (3).

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