

clear, this great concentration of greenhouse gas is changing our very climate in ways that are dangerous and costly in dollars and lives. If we fail to change our ways, fail to change how we generate and use energy, then we will face worse and worse—blistering wildfires, withering droughts, flooding events, super hurricanes.

As the Earth goes barreling past 400 parts per million of carbon dioxide in the atmosphere, let's take action now, this year, this Congress, to address climate change. Let's show that this is a turning point, not just a marker of inaction and environmental degradation.

PROTECT YOUR RIGHT TO REFUSE

(Mr. PALAZZO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PALAZZO. Mr. Speaker, 8 months from now, the Affordable Care Act's individual mandate will begin to punish Americans with a tax simply because they refuse to purchase health care. The mandate sets a dangerous new precedent.

If Congress has the power to tax our decision to not purchase health insurance, what else can a future Congress tax?

The Supreme Court has opened Pandora's box and has allowed future Congresses to tax Americans for failing to purchase any number of conceivable goods or services—basically, whatever Congress deems necessary.

That's why I introduced House Joint Resolution 28, the Right to Refuse Amendment, which would effectively reverse the mandate taxes and permanently prevent Congress from forcing Americans to choose between a purchase and a tax. The amendment is short and simple; Congress shall make no law that imposes a tax on a failure to purchase goods or services.

If my colleagues believe the Court got it wrong and if they believe in limited government, then I urge my colleagues to cosponsor House Joint Resolution 28.

THE NEXT TAMERLAN

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, in the wake of the terrorist attack on the Boston Marathon and in learning that their next target was Times Square in New York City, I hope my colleagues who oppose gun safety laws will reconsider.

We have learned that Tamerlan, the terrorist, was on the terror watch list for 18 months. Many of our colleagues say that someone should have done something to prevent the terrorist from killing; but strangely, making the next Tamerlan undergo a background check on the Internet or at a gun show to buy a gun is not one of them.

The pro-gun lobby insists that the next terrorists should still be able to

buy all of the assault weapons they want and all of the 100-round magazines they need—no problem, no background check necessary. The next terrorist, or the next Tamerlan, thinks they are absolutely right; but 90 percent of Americans disagree, and I hope my colleagues will reconsider gun safety legislation.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 853. An act to provide the Secretary of Transportation with the flexibility to transfer certain funds to prevent reduced operations and staffing of the Federal Aviation Administration, and for other purposes.

The message also announced that pursuant to Public Law 111-5, the Chair, on behalf of the Republican Leader, appoints the following individual to the Health Information Technology Policy Committee:

Dr. Scott Gottlieb of Connecticut.

The message also announced that pursuant to the provisions of section 3166 of Public Law 112-239, the Chair, on behalf of the Republican Leader, announces the appointment of the following individual to be a member of the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise:

Michael R. Anastasio of New Mexico.

The message also announced that pursuant to Public Law 101-509, the Chair, on behalf of the Majority Leader, announces the re-appointment of Steve Zink, of Nevada, to the Advisory Committee on the Records of Congress.

RESPONSIBLE HELIUM ADMINISTRATION AND STEWARDSHIP ACT

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill, H.R. 527.

The SPEAKER pro tempore (Mr. COLLINS of Georgia). Is there objection to the request of the gentleman from Washington?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 178 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 527.

Will the gentleman from Illinois (Mr. HULTGREN) kindly take the chair.

□ 1018

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 527) to amend the Helium Act to com-

plete 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, with Mr. HULTGREN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Thursday, April 25, 2013, all time for general debate had expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-9. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 527

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Responsible Helium Administration and Stewardship Act".

SEC. 2. DEFINITIONS.

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

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

(2) in paragraph (2), by striking "and" and inserting a period; and

(3) by adding at the end the following:

"(4) FEDERAL HELIUM RESERVE.—

"(A) IN GENERAL.—The term 'Federal Helium Reserve' means the Bureau of Land Management Cliffside Gas Field and supporting infrastructure.

"(B) INCLUSIONS.—The term 'Federal Helium Reserve' includes—

"(i) the Cliffside Gas Field helium storage reservoir; and

"(ii) all associated infrastructure owned, leased, or managed under contract by the Secretary for storage, transportation, withdrawal, purification, or management of helium.

"(5) QUALIFYING DOMESTIC HELIUM TRANSACTION.—The term 'qualifying domestic helium transaction'—

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

"(B) does not include any purchase of crude helium from the Secretary.

"(6) TOLLING AGREEMENT.—The term 'tolling agreement' means an agreement between a helium refiner and another party under which the helium refiner agrees to process the other person's helium at an agreed upon price."

SEC. 3. SALE AND AUCTION OF CRUDE HELIUM.

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

"SEC. 6. SALE OF HELIUM.

"(a) PHASE A: FINALIZING DEBT PAYOFF.—

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

“(2) MINIMUM QUANTITY.—The Secretary shall offer for sale during each fiscal year under paragraph (1) a quantity of crude helium equivalent to the quantity of crude helium produced from the Federal Helium Reserve during fiscal year 2012.

“(3) IN-KIND PURCHASE BY FEDERAL AGENCIES AND GRANTEES.—Federal agencies, and holders of 1 or more Federal research grants, may purchase refined helium under this subsection for Federal, medical, research and scientific uses from persons who have entered into enforceable contracts to purchase an equivalent quantity of crude helium from the Secretary.

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

“(5) DURATION.—This subsection applies during the period—

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

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

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

“(1) IN GENERAL.—The Secretary shall offer for sale at auction, as described in subsection (d), crude helium for medical, research, scientific, and commercial uses in such quantities, at such times, and under such conditions as the Secretary determines necessary—

“(A) to maximize total recovery and conservation of helium from the Federal Helium Reserve;

“(B) to manage crude helium sales according to the ability of the Secretary to extract and produce helium from the Federal Helium Reserve;

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

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

“(2) IN-KIND PURCHASE BY FEDERAL AGENCIES AND GRANTEES.—Any Federal agency, and any holder of 1 or more Federal research grants, may purchase refined helium for Federal, medical, research, and scientific uses from an eligible person. The Secretary shall then provide an equivalent volume of crude helium to the eligible person as if the eligible person was the successful bidder for the helium at auction. Provision of helium by the Secretary under this paragraph shall not be considered a sale of helium by the Secretary at auction. The Secretary shall provide such helium at the minimum price established by the Secretary for the most recent auction held under this subsection or such other price as may be specified by the Secretary.

“(3) ELIGIBLE PERSON.—For purposes of this subsection, the term ‘eligible person’ means a helium distributor who is registered as such with the Secretary.

“(4) DURATION.—This subsection applies during the period—

“(A) beginning on the expiration of the period described in subsection (a)(5)(B); and

“(B) ending on the date on which the volume of recoverable crude helium at the Federal Helium Reserve (other than privately owned quantities of crude helium stored temporarily at the Federal Helium Reserve under section 5 and this section) is 3,000,000,000 standard cubic feet.

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

“(A) the projected maximum total production capacity of the Federal Helium Reserve during that fiscal year; and

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

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

“(1) IN GENERAL.—The Secretary may offer for sale crude helium for Federal uses (including medical, research, and scientific uses) in such quantities, at such times, and under such conditions as the Secretary determines necessary to carry out this subsection.

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

“(3) EFFECTIVE DATE.—This subsection applies beginning on the day after the date described in subsection (b)(4)(B).

“(d) AUCTION AND MINIMUM PRICES DETERMINATION.—

“(1) IN GENERAL.—Sales of crude helium by the Secretary in auctions under subsection (b) shall be conducted under the conditions described in this section and at no less than the minimum price established by the Secretary.

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

“(A) 60 percent of the volume of crude helium made available in each auction shall be made available to entities that can show the Secretary they have either adequate refining capacity or tolling agreements for refining in place, in accordance with the conditions set forth in paragraph (3).

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

“(C) In each auction after the first auction under this subsection after the date of the enactment of the Responsible Helium Administration and Stewardship Act, the Secretary shall make available an additional volume of crude helium, in an amount equivalent to the amount made available under subparagraph (B) that the Secretary certifies can be refined, through tolling agreements or otherwise. Of such additional volume, a person may not acquire in the auction a volume in excess of the volume they demonstrate to the Secretary they have the ability to refine through either refining capacity or tolling agreements.

“(D) The Secretary shall conduct such auctions at such times as the Secretary deter-

mines necessary to ensure a reliable supply of helium and a fair return to taxpayers, but no less frequently than 2 times each fiscal year.

“(E) For purposes of the first auction under this subsection after the date of the enactment of the Responsible Helium Administration and Stewardship Act, the Secretary may revise the percentage under subparagraph (A) so as to make available for auction 100 percent of the volume of crude helium intended to be offered.

“(F) The Secretary may adjust the percentages and amount specified in subparagraphs (A) through (C), respectively, in any auction if the Secretary determines the adjustment is necessary to—

“(i) respond to market supply and demand and minimize market disruption; or

“(ii) increase participation in helium auctions.

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

“(3) AUCTION CONDITIONS.—

“(A) BIDDING METHOD.—The Secretary shall conduct each auction by sealed bid for predetermined volume lots, unless the Secretary determines that an alternative bidding method may result in more revenue to the Federal Government or may increase participation in the auction.

“(B) BIDDER QUALIFICATIONS AND LIMITS.—In carrying out an auction under subsection (b), the Secretary—

“(i) may accept bids only from persons the Secretary determines are seeking to purchase helium for their own use, for refining, or for delivery to users; and

“(ii) may not award to a person more than 30 percent of the total volume of crude helium offered in that auction, except that the Secretary may adjust such limitation based on the number of bidders in the auction.

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

“(i) shall begin charging each winning bidder a storage fee for crude helium purchased by the bidder that remains in the Federal Helium Reserve, beginning on the date the Secretary receives payment of the purchase price for the helium; and

“(ii) beginning 270 days after the date of the auction, shall charge increasing storage fees that will encourage the withdrawal of the helium no later than 2 years after the date of the auction.

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

“(A) a confidential survey of qualifying domestic helium transactions to which any holder of a contract with the Secretary for the acceptance, storage, and redelivery of crude helium in the Cliffside Gas Field helium storage reservoir is a party;

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

“(C) the volume-weighted average cost among helium refiners, producers, and liquefiers, in dollars per thousand cubic feet, of converting gaseous crude helium into bulk liquid helium;

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

“(E) the sale price for crude helium offered in the most recent auction under paragraph (2)(G).

“(5) **AUTHORITY OF SECRETARY.**—The Secretary shall—

“(A) require all persons that are parties to a contract with the Secretary for the acceptance, storage, and redelivery of crude helium to disclose, on a strictly confidential basis in dollars per thousand cubic feet, the weighted average price of all crude helium and bulk liquid helium purchased, sold, or processed by the persons in all qualifying domestic helium transactions during the fiscal year;

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

“(C) adopt such administrative policies and procedures as the Secretary considers necessary and reasonable to ensure robust protection of the confidentiality of data submitted by private persons.

“(6) **CHANGES IN MINIMUM PRICE.**—If the Secretary believes that the minimum price as determined by the survey under paragraph (4)(A) may not be reflective of the current market value of helium, or if a higher minimum price may result in greater conservation of the Federal crude helium resource, the Secretary may change the minimum price charged for crude helium sold under this section by up to 10 percent of the price determined under paragraph (4). If at any sale in which the minimum price is increased under this paragraph all crude helium offered is sold at the increased price, the Secretary shall consider that increased price to be the minimum price determined under paragraph (4) for all future sales of crude helium under this section unless that price is further changed in accordance with this paragraph.

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

“(8) **AUCTION RECORDS.**—

“(A) **FURNISHING RECORDS.**—Every person participating in auctions of helium from the Federal Helium Reserve shall furnish to the Secretary on request such records of transactions in helium auctions as the Secretary may require to reconstruct bidding or trading in the course of a particular inquiry or investigation being conducted by the Secretary for enforcement or surveillance purposes. In requiring information pursuant to this paragraph, the Secretary shall specify the information required, the period for which it is required, and the time and date on which the information must be furnished.

“(B) **REPORTING REQUIREMENTS.**—The Secretary may issue rules to require persons participating in helium auctions to file such reports as the Secretary determines to be necessary for purposes of this Act.

“(C) **RECORDKEEPING REQUIREMENTS.**—Rules under this subsection may require specified persons to make and keep for prescribed periods such records as the Secretary determines are necessary or appropriate to ensure that such persons can comply with reporting requirements under this subsection.

“(D) **LIMITATION ON DISCLOSURE OF INFORMATION.**—Notwithstanding any other provi-

sion of law, the Secretary shall not be compelled to disclose any proprietary information required to be kept or reported under this subsection. Nothing in this subsection authorizes the Secretary to withhold information from Congress, prevents the Secretary from complying with a request for information from any other Federal department or agency requesting information for purposes within the scope of its jurisdiction, or prevents the Secretary from complying with an order of a court of the United States in an action brought by the United States or by the Secretary.

“(e) **HELIUM PRODUCTION FUND.**—

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

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

“(3) **REPAYMENT AMOUNTS.**—During the period described in subsection (a)(4), amounts in the Helium Production Fund in excess of amounts the Secretary considers necessary to conduct helium auctions and otherwise administer this Act shall be paid to the general fund of the Treasury and credited against all amounts required to be repaid to the United States under this Act as of October 1, 1995.

“(4) **CAPITAL INVESTMENTS AND MAINTENANCE.**—Amounts in the Helium Production Fund in excess of amounts the Secretary considers necessary to carry out paragraphs (1) through (3) may be used to fund the following capital investments in upgrades and maintenance at the Federal Helium reserve:

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

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

“(C) Capital investments in maintenance and upgrades of equipment related to the storage, withdrawal, transportation, purification, and sale of crude helium at the Cliffside Gas Field helium storage reservoir.

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

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

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

“(g) **MAINTENANCE OF HELIUM SUPPLY.**—The Secretary shall ensure that there is no disruption in the supply of helium from the Federal Helium Reserve during the transition between phases of helium sales under subsections (a), (b), and (c).”.

(b) **REPORT.**—Not later than 1 year after the date of enactment of this Act and annually thereafter, the Secretary of the Interior shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report describing all expenditures by the Bureau of Land Management for operation and maintenance of the Federal Helium Reserve (as that term is defined in the amendment made by section 2(3)), investments made by the Bureau for such reserve, and scheduled or unscheduled maintenance of such reserve or its infrastructure to be conducted by the Bureau.

SEC. 4. BLM TRANSPARENCY REQUIREMENTS TO FACILITATE MARKET AND SUPPLY CHAIN INFORMATION.

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

“SEC. 15. PIPELINE ACCESS.

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

“(1) refinery capacity and future capacity estimates;

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

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

“(4) for each helium refiner—

“(A) the number of tolling agreements entered into before October 1, 2013; and

“(B) for each fiscal year thereafter—

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

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

“(iii) the total volume of helium refined under each tolling agreement entered into;

“(5) pipeline pressure constraints; and

“(6) other factors that will increase transparency for persons interested in entering refining contracts with existing refiners.

“(b) **NEW REFINING CAPACITY.**—The Secretary shall take any applications for new refining capacity on the Federal Helium Reserve pipeline. To create more competition, any new refining capacity added to the Federal Helium Reserve pipeline system shall be granted access to crude helium that is equal to the access provided to existing refining facilities.

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

“(d) **SCHEDULING DELIVERIES.**—The Secretary shall, to the greatest extent practicable, make the scheduling of crude helium deliveries through the Federal Helium Reserve pipeline open and transparent to all purchasers of helium through the auction process, and to the public if the Secretary believes that it is in the national interest.

“(e) **SCHEDULING PRIORITY.**—

“(1) **IN GENERAL.**—In scheduling crude helium deliveries through the Federal Helium Reserve pipeline the Secretary shall grant pipeline access in the following order of priority:

“(A) Helium held in the Reserve as a result of a purchase under subsection (b)(2).

“(B) Helium sold at auction being delivered to fulfill a tolling agreement.

“(C) Other helium sold at auction.

“(D) Helium held in the Reserve as a result of a crude helium exchange resulting from any temporary shutdown of the Reserve or of a refinery on the Reserve pipeline.

“(E) Helium held in inventory in the Reserve before the date of enactment of the Responsible Helium Administration and Stewardship Act.

“(2) In scheduling such deliveries of helium described in each of subparagraphs (A) through (E) of paragraph (1), the Secretary shall grant pipeline access based on the following order of priority:

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

“(B) The date the helium was purchased from the Secretary, giving higher priority to helium purchased on an earlier date.

“(C) Any other factor the Secretary considers appropriate to prioritize delivery.

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

“(a) IN GENERAL.—In order to provide the market with appropriate and timely information affecting the helium resource, the Director of the Bureau of Land Management shall establish, no later than 90 days after the date of enactment of the Responsible Helium Administration and Stewardship Act, a real-time reporting process, including reporting over the Internet, to provide data that will affect the helium industry, including such effects for all persons in such industry from crude helium suppliers to end users.

“(b) INCLUDED INFORMATION.—Information provided under this section shall include the following:

“(1) Annual maintenance schedules and quarterly updates thereof, which shall be available on the Internet, to the extent practicable, and shall include the following:

“(A) The date and duration of planned shutdowns of the Federal Helium Reserve pipeline.

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

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

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

“(E) Any concerns regarding maintenance of the Federal Helium Reserve pipeline, pressure of such pipeline, or deviation from normal operation of such pipeline.

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

“(A) The beginning of the outage.

“(B) The expected duration of outage.

“(C) A description of the problem.

“(D) The estimated impact on helium supply.

“(E) A plan to correct problems, an estimate of the potential timeframe for correction, and the likelihood of plan success within the timeframe.

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

“(G) Updates on repair status and the anticipated online date.

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

“(A) publication of the minutes of each meeting between the Bureau of Land Management and the Cliffside Refiners Limited Partnership, including attendees and their affiliations, on the Internet site of the Bureau within 1 week after the meeting; and

“(B) indication in the minutes of any action taken that could affect the supply or operating status related to the Federal helium program.

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

SEC. 5. HELIUM RESOURCE ASSESSMENT AND HELIUM-3 SEPARATION.

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

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

(A) complete a national helium gas assessment that identifies and quantifies the quantity of helium, including the isotope helium-3, in each reservoir, including assessments of the constituent gases found in each helium resource, such as carbon dioxide, nitrogen, and natural gas; and

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

(2) in coordination with appropriate international agencies and the global geology community, complete a global helium gas assessment that identifies and quantifies the quantity of the helium, including the isotope helium-3, in each reservoir;

(3) in consultation with the Secretary of Energy, acting through the Administrator of the Energy Information Administration, complete—

(A) an assessment of trends in global demand for helium, including the isotope helium-3;

(B) a 10-year forecast of domestic demand for helium across all sectors, including scientific and medical research, commercial, manufacturing, space technologies, cryogenics, and national defense; and

(C) an inventory of medical, research, scientific, industrial, commercial, and other uses of helium in the United States, including Federal and commercial helium uses, that identifies the nature of the helium use, the amounts required, the technical and commercial viability of helium recapture and recycling in that use, and the availability of material substitutes wherever possible; and

(4) submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report describing the results of the assessments required under this subsection.

(b) HELIUM-3 SEPARATION.—

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

(A) gas analysis;

(B) infrastructure studies; and

(C) cooperation with private helium refiners.

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

(A) the Federal Helium Reserve; or

(B) an existing helium separation or purification facility connected to the Federal Helium Reserve pipeline system.

(3) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Interior shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that contains a description of the results of the assessments conducted under this subsection.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 113-47. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. COLLINS OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 113-47.

Mr. COLLINS of Georgia. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 18, line 14, after “FUNDS” insert “AND DEFICIT REDUCTION”.

Page 18, line 18, before the period insert “and used to reduce the annual Federal budget deficit”.

The Acting CHAIR. Pursuant to House Resolution 178, the gentleman from Georgia (Mr. COLLINS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

□ 1020

Mr. COLLINS of Georgia. Mr. Chair, I offer this amendment to ensure that any excess funds as a result of this bipartisan bill are used to reduce the annual Federal budget deficit.

I am pleased that my colleagues on both sides of the aisle have proposed a commonsense bill that speaks to the heart of the free-market system.

The Congressional Budget Office estimates, as a result of this bill, \$340 million will be returned to the Federal Government. This amendment ensures that every penny of savings will go toward deficit reduction, furthering the goal of this House to create jobs and encourage economic growth.

This body has made significant strides in putting our country back on a path to fiscal prosperity. Passing a budget that will seek to balance in 10 years is no small achievement, but there is still more that we can do. This bill is just one example of savings that we can achieve by allowing innovation and private industry to do what it does best.

The underlying bill completes the privatization of the Federal Helium Reserve in a competitive market fashion, respecting hard-earned taxpayer dollars while ensuring the stability of the helium market. As we have seen in the current helium market, innovation thrives when government gets out of the way of private industry.

By applying free-market principles, this bill will spur cutting-edge research, development, and production of helium while bringing transparency and responsibility to how taxpayers' dollars are spent.

In my home State of Georgia, this legislation draws broad support from job creators such as GE Energy, IBM, Kodak, Philips, Siemens, and Texas Instruments.

I thank the gentleman from Washington and the gentleman from Massachusetts for their leadership on this issue. This legislation is a perfect example of how good policy knows no party line.

With that, I urge my colleagues to support this amendment.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. COLLINS of Georgia. I yield to the gentleman.

Mr. HASTINGS of Washington. I thank the gentleman for bringing this amendment to the floor, and I intend to support it. With our fiscal situation in this country, this is a good addition to the amendment; and I thank the gentleman for bringing it forward.

Mr. HOLT. Will the gentleman yield?

Mr. COLLINS of Georgia. I yield to the gentleman from New Jersey.

Mr. HOLT. I appreciate the gentleman's amendment, which reiterates language that is in the underlying bill, and we have no objection to it on the minority side. I applaud the gentleman for bringing it forward.

Mr. COLLINS of Georgia. I thank the gentleman.

Mr. Chair, at this point, I'm pleased to yield 2 minutes to my friend from Georgia (Mr. SCOTT), the cosponsor of this amendment.

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, I appreciate the gentleman from Georgia for allowing me a few minutes to speak on this issue.

I rise today in support of the Collins-Scott amendment, which requires that any funds received from the sale of helium will be used to pay down our country's debt.

I'm sure many of my colleagues would agree when I say our country's deficit is one of the top problems that we face. In fact, if we continue on this path, by the time my 13-year-old son is a freshman in college, this country will be paying more interest on the debt than we spend on national defense.

I understand this problem cannot be solved with one swift move; however, if we are not able to make reasonable changes to policies and allow additional revenue to reduce our debt, our children and grandchildren will not be given the chance to continue this country's greatness.

Due to the importance of protecting our children and grandchildren, we should support this amendment. It puts us one step closer to addressing our country's biggest problem. For this reason, I ask my colleagues to support this amendment.

Mr. COLLINS of Georgia. This is a commonsense amendment that will only enhance the benefits achieved by the underlying bill and by ensuring we privatize deficit reduction and effectively utilize the savings the bill creates.

I yield back the balance of my time.

The Acting CHAIR. Does any Member wish to claim 5 minutes in opposition?

Seeing none, the question is on the amendment offered by the gentleman from Georgia (Mr. COLLINS).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. DENT

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 113-47.

Mr. DENT. I seek to offer an amendment and address the House.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 19, after line 17, insert the following:
(c) EXISTING CONTRACTS NOT AFFECTED.—

(1) IN GENERAL.—Nothing in this Act or the amendments made by this Act shall be construed to affect any covered contract between the Bureau of Land Management and any person that owns—

(A) helium stored in the Federal Helium Reserve (as that term is used in those amendments); or

(B) a helium enrichment unit that is part of the Federal Helium Reserve.

(2) COVERED CONTRACT.—In this subsection the term “covered contract” means a contract relating to the operation of the Federal Helium Reserve, that is in effect on the date of enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 178, the gentleman from Pennsylvania (Mr. DENT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. DENT. Mr. Chairman, our amendment, the Dent-Higgins-Esty amendment, ensures the continued supply of helium for end users while requiring the BLM, Bureau of Land Management, to honor existing contracts for the supply and delivery of this vital resource. Most importantly, the amendment protects American manufacturers who use helium from the uncertainty of a disrupted helium supply. It's absolutely essential.

Some of my colleagues have repeatedly stated that helium has been given away by BLM at rock-bottom prices to “a monopoly of refiners.” Respectfully, the current price structure says otherwise.

Since BLM began selling off helium under this program, during most years far less than all the helium available to be purchased was purchased. In fact, during some years, no helium was purchased at all.

If the price were really so low, wouldn't all the available helium have been purchased? Instead, the BLM price set for the purchase of crude helium has been higher than the crude price for helium purchased elsewhere in the United States. Further, there is absolutely no bar to the taxpayer getting much more revenue from helium sales today. BLM can impose higher prices for helium right now. In fact, over the past 3 years, BLM has raised its prices by 30 percent.

When the Congress in 1996 decided to privatize helium in the BLM reserve, a few companies stepped up and spent tens of millions of dollars to build a helium enrichment unit, which the BLM operates, a highly unusual public-private partnership. If there are only a few companies who refine helium out of the BLM reserve today, it is because they, and not their competitors, chose to make investments that have benefited our Nation's manufacturers and society generally.

Our amendment does not seek to preserve a so-called “monopoly” over our Federal helium supply. Instead, our amendment seeks to uphold these existing contract and property rights while ensuring a continued supply of

helium for domestic manufacturers. In fact, many welders, the Welders Association, Welders Distributors Association, strongly support this amendment because they are deeply concerned. I'm just going to quickly read what they said. They are deeply concerned about “the effect of the remedies fashioned in H.R. 527 on the stability of the existing market for helium particularly as they affect the ability to meet contractual obligations for product supply.”

With that, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I rise to claim time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. I yield myself 2 minutes.

Mr. Chairman, I oppose this amendment.

While it is being sold as an attempt to protect contract and property rights, it does none of these things because there are no rights that are violated by this bill.

What the amendment actually does is undermine the free-market competition that is embodied in H.R. 527 that will ensure a fair return to taxpayers on the Federal helium that is in the repository.

This amendment seeks to guarantee a special carve-out for primarily three companies and thus block competition. For over a decade, these three companies have profited from helium handouts at low market prices that were granted to them by BLM. All of that ends, Mr. Chairman, in October of this year. These handouts end because the contracts say that when the money is paid back that the Federal Government has invested, these contracts end.

So this amendment does not protect existing valid contracts because they expire in October. What the amendment actually would do is revise the expiring special handouts of these three companies. The amendment would shut down competition from other bidders who may be willing to bid for a higher price of the helium.

I have a letter from three companies who jointly express strong opposition because it would prevent them in the future from bidding on this helium. And to be clear, there are no helium distributors or manufacturers of helium who are advocating for this amendment. It is just the three refiners.

To repeat, H.R. 527 does not alter or end existing contracts. In the actual clauses of these contracts, it specifically stated that the contracts are contingent upon BLM continuing to have authorization to run the reserves. That ends in October.

BLM has been selling helium at below-market prices, and I'll point that out later. But what this amendment really attempts to do is to end what should not be done.

With that, I reserve the balance of my time.

Mr. DENT. At this time, I would like to yield 1 minute to my colleague from New York (Mr. HIGGINS).

□ 1030

Mr. HIGGINS. I thank my friend and colleague for yielding.

Mr. Chairman, I would like to thank Congressman CHARLIE DENT and Congresswoman ESTY for working together on this bipartisan amendment. Our amendment would ensure that the Bureau of Land Management implements free market reforms while respecting its contractual obligations. High-tech manufacturing, MRIs, nuclear power reactors, and a host of critical national defense applications require helium.

Congress asked American companies to partner with the Federal Government to build the infrastructure needed to extract, store, and refine and bring to market this valuable domestic resource. Now that the infrastructure is built out, this legislation seeks to break our contracts with those partners. This is unfair and unnecessary.

Our amendment simply affirms that the Bureau of Land Management will honor its existing contracts that are set forth to expire over the next couple of years. I urge a "yes" vote on this bipartisan amendment to demonstrate that we can reform our helium policy in a way that respects the agreements and contracts we've made.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 2 minutes to the gentleman from New Jersey (Mr. HOLT), a cosponsor of H.R. 527.

Mr. HOLT. Mr. Chairman, I thank the chairman of the committee again for bringing forward this bipartisan legislation, and I rise in strong opposition to this amendment.

The Federal Helium Reserve is in rapid decline. It is being exhausted. At the current drawdown rate, in 5 or 6 or 7 years the helium in the reserve will be largely depleted.

The amendment by Mr. DENT seeks to run out the clock on this legislation to allow the existing regime to stand and prevent the reforms that H.R. 527 would bring forward. H.R. 527 does not alter or end the contracts that the refiners have with the Bureau of Land Management, but if we do nothing and allow the gentleman's amendment to go forward, under existing law and terms of those contracts, the entire helium program would come to an end in October of 2013—this year.

The amendment would delay the implementation of the reforms in the bill until 2018 at which time it is likely there would be little helium left to distribute to anyone, to the hospitals and the doctors who need it, to the electronics manufacturers who need it, to the scientists and researchers who need it. This amendment would gut the bipartisan reforms of the bill, and it should be defeated.

Although the gentleman claims he wants to prevent disruption in the supply, by preventing this legislation, he

would in fact do just that. He would create disruptions in the supply.

Mr. DENT. Mr. Chairman, I yield 1 minute to the gentlelady from Connecticut (Ms. ESTY).

Ms. ESTY. Mr. Chairman, I rise in support of this amendment to H.R. 527, the Responsible Helium Administration and Stewardship Act. I would like to thank Representative DENT and Representative HIGGINS for working together on this bipartisan amendment.

Our amendment is rather straightforward. It is about fairness and honoring contracts. At a time in our Nation's history when we are examining public-private partnerships to rebuild our infrastructure and create jobs, what kind of signal would we be sending to the private sector? What kind of certainty are we providing to the private sector that even if you have a valid contract that expires in 2015, the Federal Government will throw it out and change the rules?

We can pass a bill to prevent a global helium shortage by allowing the remainder of the helium from the reserve to be sold, but we should not ignore the contracts that BLM has already signed. I urge a "yes" vote on this bipartisan amendment.

Mr. DENT. Mr. Chairman, how much time remains?

The Acting CHAIR. The gentleman from Pennsylvania has 45 seconds remaining. The gentleman from Washington has 1¼ minutes remaining.

Mr. HASTINGS of Washington. Do I have the right to close?

The Acting CHAIR. Yes.

Mr. DENT. Mr. Chairman, I just want to quickly address a few of the issues.

My friend, Mr. HOLT, said that these reservoirs will be depleted. I agree. The issue is who's going to invest in an enrichment and refining facility at a reservoir that's going to be depleted in 5 years. Nobody's going to make that investment. That's really what's at issue here.

The prices of helium have gone up. BLM can charge more. Our amendment is about respecting preexisting contracts and about protecting property rights while ensuring continued supply of helium to American manufacturers.

Without this amendment, there will be a real disruption of supply for helium because they won't be contractually able to release that helium. They will be under no obligation to release it, so I think that is the greatest threat. This amendment protects the helium supply. As has been mentioned, MRIs, computer chips, and fiber optics all need this. American manufacturing needs this. Support this amendment. Vote for a helium supply. And again, vote to support our welders.

I yield back the balance of my time.

GASES AND WELDING
DISTRIBUTORS ASSOCIATION,
Doral, FL, April 25, 2013.

Hon. CHARLIE DENT,
House of Representatives,
Washington, DC.

DEAR MR. DENT: The Gases and Welding Distributors Association ("GAWDA") offers

its support to your proposed amendment to H.R. 527, legislation to reauthorize the sale of the Federal Helium Reserve.

GAWDA is a national trade association representing the interests of some 500 companies that distribute compressed and liquefied gases and related welding equipment, and includes some 300 additional companies that supply products or services to the gases and welding industry. GAWDA distributor members sell a variety of products, including helium, oxygen, argon, nitrogen and carbon dioxide, as well as specialty gases and mixtures, to customers involved in manufacturing, construction, welding, research, health care, and biomedical engineering.

Most GAWDA members are small businesses. Approximately 85 percent of GAWDA distributors have less than \$10 million in annual gross revenue, so they have limited leverage in negotiating supply agreements for products. In the vast majority of cases, GAWDA distributors will contract exclusively with a single manufacturer (or in the case of helium, a refiner) for a comprehensive menu of gas products. The contract generally will provide all of the distributor's needs for all of those gases.

In addition, the distributor will generally contract with its customers in an exclusive "requirements" arrangement to supply all of the customer's needs for a variety of gases as well. A small distributor might have a couple of dozen contracts to supply helium and other gases to customers, while a large distributor might have several hundred or more of these requirements contracts.

The GAWDA distributor will typically purchase bulk helium in gaseous form from a refiner; the distributor will then repack the helium into compressed gas cylinders and deliver them to customers for their use.

GAWDA distributors are concerned, however, about the effect of the remedies fashioned in H.R. 527 on the stability of the existing market for helium, particularly as they affect the ability to meet contractual obligations for product supply.

A periodic auction mechanism would set up a spot market for helium. If an established refiner is not able to secure all of the crude helium that it requires to meet the supply obligations set out in its contracts, then some distributor customers will receive less than their contractual allotments of helium, or perhaps none at all. The distributor will be forced to seek other sources of supply, presumably only if a force majeure clause in the agreement allows the distributor to obtain replacement product from another supplier.

In turn, if the distributor defaults, the distributor's customers might be forced to seek alternative supplies of helium for at least part of their needs for that period, and to pay above market prices to the winning auction bidder(s) to ensure a continuous supply of product. This also raises questions of the effect on the contractual obligations to sell and purchase the other gases in the contracts.

This same scenario will play out each time an auction is held, several times a year. Refiners, distributors and end users will not know which parties will have adequate supplies of helium to meet existing contractual demands. This will generate legal questions about contract default, partial product allocations, mitigation of damages, and obligations to cure, as well as commercial questions about which parties may be able to meet supply obligations on a consistent basis. The distributor will have to resolve these issues with each customer for that auction period; when another auction takes place, and different sales volumes of helium are awarded by BLM to new bidders, the distributors will have to go through the same

legal and commercial exercise to ensure that each of their customers will receive enough product to meet its requirements.

An unreliable product stream for helium will make it difficult for any distributor to entertain long-term, exclusive supply arrangements with customers that foster stable commercial relations and support economic growth.

Your amendment would protect those existing agreements between the Bureau of Land Management and refiners for a sufficient period to allow refiners and distributors to develop alternative arrangements and to access new supplies of crude helium. That approach will help to ensure a reliable supply of this critical product to all end users.

Thank you for your assistance with this issue.

Best Regards,

RICHARD P. SCHWEITZER,
General Counsel.

Mr. HASTINGS of Washington. I yield myself the balance of my time.

The assertion is made that this violates contracts. I want to be very specific: current law says that when the debt is paid back, the contracts that are entered into expire. Therefore, we are not violating any contracts because on October 1 that will happen.

Secondly, the pricing mechanism. I pointed out in opening remarks that the three refiners are the ones that are benefiting, and this chart shows how. This is what they are paying, the blue line. That's the bottom line. The red line is the market price. The yellow in between is what the refiners are accruing as far as profits are concerned. We're simply saying the market ought to dictate who gets that benefit, and that's precisely what H.R. 527 does. So this amendment simply prolongs the yellow, if you will, on this chart longer, and only three companies benefit by that. I don't think that's good for the taxpayers because the taxpayers are the ones that are failing or getting the low end of the deal with that yellow line.

So while I understand where the gentleman is coming from, and I respect him for bringing this issue to the floor—it is good to have a debate on it—no contracts are violated under current law. I urge my colleagues to reject this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. DENT).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. DENT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. HOLT

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 113-47.

Mr. HOLT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 27, strike “and” at line 6, and after line 6 insert the following (and redesignate the subsequent paragraph accordingly):

(4) complete an assessment of options for ensuring a domestic helium supply in the future, including—

(A) an analysis of how the Federal Helium Reserve has influenced domestic and global helium supply and prices historically; and

(B) an assessment of options for how the Federal Helium Reserve could promote the long term availability and security of domestic helium supplies; and

The Acting CHAIR. Pursuant to House Resolution 178, the gentleman from New Jersey (Mr. HOLT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. HOLT. Mr. Chairman, I yield myself such time as I may consume.

My amendment is quite simple. It would expand the study section of the act to provide an assessment of how the eventual closure of the Federal Helium Reserve would influence the availability of this critical resource in the future.

Let me take just a moment to say a little bit about why this is important. Helium is the second-lightest gas in existence. It remains liquid down to absolute zero. It is chemically very inert. It is hardly soluble in water or other fluids. It can be made into a quantum superfluid that flows without any viscous resistance at all. These are unique properties that make helium invaluable, necessary, irreplaceable for uses in magnetic resonance imaging in doctors' offices and hospitals, for fabricating electronic devices, for all sorts of research, whether it be in quantum computing or superfluids in any number of other areas.

Why is this a policy issue worthy of the consideration of the U.S. Congress? Well, because this invaluable, irreplaceable element is very rare on Earth. It is in fact the second most common element in the universe, but it has long since risen up through the atmosphere of the Earth and vanished into space. And small amounts of helium are created moment by moment deep in the Earth through radioactive decay caught in natural gas reserves, along with methane and the other things that we call natural gas. But it is rare, and it is difficult to separate, and yet we need it.

Farsighted legislators three-quarters of a century ago began stockpiling helium. They thought it would be used for dirigibles and blimps. They weren't sure what else it would be used for, but they understood helium had some very special properties.

□ 1040

It was a good investment for taxpayers. It was a very good investment for taxpayers that this stockpile was created.

Now the stockpile is running low because of decisions by Congress in past

years. It's important that, as we make the decisions and the changes that we make with this legislation, we not fail to recognize possible future uses, possible future demands, and possible failure of the market to provide an adequate supply of helium to meet those demands.

I know there is an ideology that's prevalent around here for any commodity, for any human need, that the market will provide. In fact, it doesn't always. And in this case, in the helium over the decades, it would not have, had it not been for the Federal Reserve. So it is important that we stop and take a look at the implications for the future.

And so my amendment would simply expand the study section that already exists in this legislation to make sure that we look at possible future uses, likely future supplies, and making sure that we are prepared to have an adequate supply of this valuable resource into the future. It should be a non-controversial amendment. I hope it will be unopposed, and I urge my colleagues to support it.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I ask unanimous consent to claim time in opposition to the amendment, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself as much time as I may consume.

I want to start by saying that the development of this legislation has truly been a bipartisan effort. I want to thank my colleague from New Jersey, who has been a leader in helping us bring this legislation to the floor.

One of the main goals of H.R. 527 is to stop the imminent shutdown of the Federal helium program this October by establishing a new program to complete the privatization of the helium reserve. However, this action remains only a Band-Aid to our long-term helium supply.

Helium, like many other resources, is something that requires significant investment and development to bring to market. While this bill will keep the helium flowing from the reserve, the future of the reserve is limited to only a handful of years. So the gentleman's amendment is really a question of what do we do next, and that's a good question.

The idea that, when the reserve closes, America could be left at the mercy of Qatar or Russia for securing our domestic helium is not a prospect that we relish any more than being dependent on China for rare Earth materials. And yet no one thinks that the solution is for the government to jump back into the helium business. Instead, we need to continue our focus on this issue to prevent resource scarcity that could threaten our manufacturing and national security.

While I understand there have been some initial conversations, I want to make it clear that this is not the last time that the committee will focus on the issue of helium. It is my intention that the committee examine other areas where we may be able to expand helium supply or promote additional steps for conservation.

The report directed to be developed in this bill will help guide our effort forward, and the gentleman's amendment will add additional important questions to help provide us a path forward. But it is up to us to act and continue to focus on what is a critical national security and economic security concern: a secure, stable supply of helium.

So I look forward to continuing to work with the gentleman from New Jersey as we seek these solutions, and I think his amendment adds to that prospect.

With that, I support the amendment and yield back the balance of my time.

Mr. HOLT. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. HOLT).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. THORNBERRY

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 113-47.

Mr. THORNBERRY. Mr. Chairman, I offer the amendment made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

SEC. ____ . ADDITIONAL CONNECTIONS TO THE FEDERAL HELIUM RESERVE.

The Secretary of the Interior may allow any person not connected to the Federal Helium Reserve, as that term is defined under section 2 of the Helium Act (50 U.S.C. 167), as amended by this Act, to connect to the Federal Helium Reserve for the purpose of storing helium, subject to such storage fees as may be required by the Secretary. Withdrawal of such helium shall be governed by that Act.

The Acting CHAIR. Pursuant to House Resolution 178, the gentleman from Texas (Mr. THORNBERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, let me first commend and express my appreciation to Chairman HASTINGS and Mr. HOLT and others who have worked on this legislation. Indeed, we have come a long way from the days when helium was essentially a government-run monopoly to this legislation, which helps bring in more market forces, more competition, more free enterprise, and, I think, will help move toward developing more supplies of helium in the future, as was just discussed on the last amendment.

It is in exactly that spirit that I offer this amendment which seeks to affirm

the authority of the Secretary of the Interior to allow others who are not currently connected to the helium repository to connect to it and to store their helium there, assuming, of course, they've got to pay their own way. So whatever costs are incurred with allowing others to connect and to store, those costs have to be met by the individuals, not by the taxpayer.

But by doing that, I think we do at least take a step towards encouraging more helium supplies to be developed. And the side benefit is, as these other helium supplies are stored in the repository, that helps keep the pressure up in the dome so that, ultimately, more helium, government helium and private helium, can be extracted.

So I think this is perfectly in keeping with the theme of the bill. It moves in the right direction to encourage the expansion of more helium supplies, and I hope that the Members will consider it favorably.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. THORNBERRY. I yield to the chairman.

Mr. HASTINGS of Washington. I thank the gentleman for bringing this amendment to the floor. He made the observation in his debate that this is something that we were talking about in the previous debate, because we're going to have to have more helium; and market forces, I believe, are one way to do that, and I think his amendment addresses that.

I support the amendment.

Mr. THORNBERRY. I thank the gentleman.

Mr. HOLT. Will the gentleman yield?

Mr. THORNBERRY. I will be happy to yield to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. I thank my friend from Texas, and I think the gentleman's amendment is a good one. It will clarify that producers of helium may connect to the Federal helium reserve to store helium. And by seeking to provide incentives for additional production and storage, I think his amendment will provide a public service.

I think, as the gentleman has said, we should examine ways that we can use the reserve to maximize the American supply of helium in the decades ahead. So I support him in this, and I urge all of my colleagues to do so.

Mr. THORNBERRY. I thank both gentlemen, Mr. Chairman.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. THORNBERRY).

The amendment was agreed to.

Mr. HASTINGS of Washington. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DENT) having assumed the chair, Mr. HULTGREN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Com-

mittee, having had under consideration the bill (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, had come to no resolution thereon.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 26, 2013.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Under clause 2(g) of Rule II of the Rules of the House of Representatives, I herewith designate Robert Reeves, Deputy Clerk, to sign any and all papers and do all other acts for me under the name of the Clerk of the House that he would be authorized to do by virtue of this designation, except such as are provided by statute, in case of my temporary absence or disability.

This designation shall remain in effect for the 113th Congress or until modified by me. With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

REDUCING FLIGHT DELAYS ACT OF 2013

Mr. LATHAM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1765) to provide the Secretary of Transportation with the flexibility to transfer certain funds to prevent reduced operations and staffing of the Federal Aviation Administration, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1765

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Reducing Flight Delays Act of 2013".

SEC. 2. AUTHORIZATION TO TRANSFER CERTAIN FUNDS TO PREVENT REDUCED OPERATIONS AND STAFFING OF THE FEDERAL AVIATION ADMINISTRATION.

(a) IN GENERAL.—Notwithstanding division G of the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113-6), any other provision of law, or a sequestration order issued or to be issued by the President pursuant to section 251A(7)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a(7)(A)), the Secretary of Transportation may transfer during fiscal year 2013 an amount equal to the amount specified in subsection (c) to the appropriations account providing for the operations of the Federal Aviation Administration, for any activity or activities funded by that account, from—

(1) the amount made available for obligation in that fiscal year as discretionary grants-in-aid for airports pursuant to section 47117(f) of title 49, United States Code; or