

## PRIOR PROVISIONS

A prior section 3 of act Mar. 3, 1925, related to disposal of helium by sale, use of funds so obtained, and reports to Congress on such uses and was classified to section 164 of this title, prior to the general amendment of this chapter by Pub. L. 86-777.

## AMENDMENTS

2013—Subsec. (c). Pub. L. 113-40 added subsec. (c).  
1996—Pub. L. 104-273 amended section generally. Prior to amendment, section enumerated various aspects of Secretary's authority, including provisions in subsec. (a) relating to conserving, producing, buying, and selling helium, in subsec. (b) relating to helium on public domain, and in subsec. (c) relating to contract price for helium.

**§ 167b. Storage, transportation, and withdrawal of crude helium**

**(a) Storage, transportation, and withdrawal**

The Secretary may store, transport, and withdraw crude helium and maintain and operate crude helium storage facilities, in existence on October 9, 1996, at the Bureau of Mines Cliffside Field, and related helium transportation and withdrawal facilities.

**(b) Cessation of production, refining, and marketing**

Not later than 18 months after October 9, 1996, the Secretary shall cease producing, refining, and marketing refined helium and shall cease carrying out all other activities relating to helium which the Secretary was authorized to carry out under this chapter before October 9, 1996, except activities described in subsection (a) of this section.

**(c) Disposal of facilities**

**(1) In general**

Subject to paragraph (5), not later than 24 months after the cessation of activities referred to in subsection (b) of this section, the Secretary shall designate as excess property and dispose of all facilities, equipment, and other real and personal property, and all interests therein, held by the United States for the purpose of producing, refining and marketing refined helium.

**(2) Applicable law**

The disposal of such property shall be in accordance with chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41.

**(3) Proceeds**

All proceeds accruing to the United States by reason of the sale or other disposal of such property shall be treated as moneys received under this chapter for purposes of section 167d(e) of this title.

**(4) Costs**

All costs associated with such sale and disposal (including costs associated with termination of personnel) and with the cessation of activities under subsection (b) of this section shall be paid from amounts available in the helium production fund established under section 167d(e) of this title.

**(5) Exception**

Paragraph (1) shall not apply to any facilities, equipment, or other real or personal

property, or any interest therein, necessary for the storage, transportation, and withdrawal of crude helium or any equipment, facilities, or other real or personal property, required to maintain the purity, quality control, and quality assurance of crude helium in the Bureau of Mines Cliffside Field.

**(d) Existing contracts**

**(1) In general**

All contracts that were entered into by any person with the Secretary for the purchase by the person from the Secretary of refined helium and that are in effect on October 9, 1996, shall remain in force and effect until the date on which the refining operations cease, as described in subsection (b) of this section.

**(2) Costs**

Any costs associated with the termination of contracts described in paragraph (1) shall be paid from the helium production fund established under section 167d(e) of this title.

(Mar. 3, 1925, ch. 426, § 4, as added Pub. L. 86-777, § 2, Sept. 13, 1960, 74 Stat. 920; amended Pub. L. 104-273, § 3, Oct. 9, 1996, 110 Stat. 3316; Pub. L. 113-40, § 7(a), Oct. 2, 2013, 127 Stat. 544.)

## CODIFICATION

In subsec. (c)(2), “chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41” substituted for “the Federal Property and Administrative Services Act of 1949” on authority of Pub. L. 107-217, § 5(c), Aug. 21, 2002, 116 Stat. 1303, which Act enacted Title 40, Public Buildings, Property, and Works, and Pub. L. 111-350, § 6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

## PRIOR PROVISIONS

A prior section 4 of act Mar. 3, 1925, related to exportation of helium gas and was classified to section 165 of this title, prior to repeal by act Aug. 26, 1954, ch. 937, title V, § 542(a)(13), 68 Stat. 861.

## AMENDMENTS

2013—Subsecs. (c)(3), (4), (d)(2). Pub. L. 113-40 substituted “section 167d(e)” for “section 167d(f)”.

1996—Pub. L. 104-273 amended section generally. Prior to amendment, section consisted of single par. authorizing Secretary to maintain and operate helium production and purification plants and to conduct or contract for research as to helium production, purification, transportation, liquefaction, storage, and utilization.

**§ 167c. Storage, withdrawal and transportation**

**(a) In general**

If the Secretary provides helium storage, withdrawal, or transportation services to any person, the Secretary shall impose a fee on the person that accurately reflects the economic value of those services.

**(b) Minimum fees**

The fees charged under subsection (a) shall be not less than the amount required to reimburse the Secretary for the full costs of providing storage, withdrawal, or transportation services, including capital investments in upgrades and maintenance at the Federal Helium System.

**(c) Schedule of fees**

Prior to sale or auction under subsection (a), (b), or (c) of section 167d of this title, the Sec-