

**§ 764. Specific functions and purposes****(a) Limitation on discretionary powers**

Subject to the provisions and procedures set forth in this chapter, the Administrator shall be responsible for such actions as are taken to assure that adequate provision is made to meet the energy needs of the Nation. To that end, he shall make such plans and direct and conduct such programs related to the production, conservation, use, control, distribution, rationing, and allocation of all forms of energy as are appropriate in connection with only those authorities or functions—

- (1) specifically transferred to or vested in him by or pursuant to this chapter;
- (2) delegated to him by the President pursuant to specific authority vested in the President by law; and
- (3) otherwise specifically vested in the Administrator by the Congress.

**(b) Duties**

To the extent authorized by subsection (a) of this section, the Administrator shall—

- (1) advise the President and the Congress with respect to the establishment of a comprehensive national energy policy in relation to the energy matters for which the Administration has responsibility, and, in coordination with the Secretary of State, the integration of domestic and foreign policies relating to energy resource management;
- (2) assess the adequacy of energy resources to meet demands in the immediate and longer range future for all sectors of the economy and for the general public;
- (3) develop effective arrangements for the participation of State and local governments in the resolution of energy problems;
- (4) develop plans and programs for dealing with energy production shortages;
- (5) promote stability in energy prices to the consumer, promote free and open competition in all aspects of the energy field, prevent unreasonable profits within the various segments of the energy industry, and promote free enterprise;
- (6) assure that energy programs are designed and implemented in a fair and efficient manner so as to minimize hardship and inequity while assuring that the priority needs of the Nation are met;
- (7) develop and oversee the implementation of equitable voluntary and mandatory energy conservation programs and promote efficiencies in the use of energy resources;
- (8) develop and recommend policies on the import and export of energy resources;
- (9) collect, evaluate, assemble, and analyze energy information on reserves, production, demand, and related economic data;
- (10) work with business, labor, consumer and other interests and obtain their cooperation;
- (11) in administering any pricing authority, provide by rule, for equitable allocation of all component costs of producing propane gas. Such rules may require that (a) only those costs directly related to the production of propane may be allocated by any producer to such gas for purposes of establishing any price for

propane, and (b) prices for propane shall be based on the prices for propane in effect on May 15, 1973. The Administrator shall not allow costs attributable to changes in ownership and movement of propane gas where, in the opinion of the Administrator, such changes in ownership and movement occur primarily for the purpose of establishing a higher price; and

(12) perform such other functions as may be prescribed by law.

**(c) Exercise of delegated discretion concerning exemptions**

(1) The Administrator shall not exercise the discretion delegated to him by the President, pursuant to section 754(b)<sup>1</sup> of this title, to submit to the Congress as one energy action any amendment to the regulation under section 753(a)<sup>1</sup> of this title, pursuant to section 760a<sup>1</sup> of this title, which amendment exempts any oil, refined petroleum product, or refined product category from both the allocation and pricing provisions of the regulation under section 753<sup>1</sup> of this title.

(2) Nothing in this subsection shall prevent the Administrator from concurrently submitting an energy action relating to price together with an energy action relating to allocation of the same oil, refined petroleum product, or refined product category.

(Pub. L. 93-275, §5, May 7, 1974, 88 Stat. 98; Pub. L. 94-385, title I, §102, Aug. 14, 1976, 90 Stat. 1127.)

## REFERENCES IN TEXT

Sections 753, 754, and 760a of this title, referred to in subsec. (c)(1), were omitted from the Code pursuant to section 760g of this title, which provided for the expiration of the President's authority under those sections on Sept. 30, 1981.

## AMENDMENTS

1976—Subsec. (c). Pub. L. 94-385 added subsec. (c).

## TRANSFER OF FUNCTIONS

Federal Energy Administration terminated and functions vested by law in Administrator thereof transferred to Secretary of Energy (unless otherwise specifically provided) by sections 7151(a) and 7293 of Title 42, The Public Health and Welfare.

**§ 765. Transfer of functions****(a) Functions of Secretary and Department of the Interior**

There are hereby transferred to and vested in the Administrator all functions of the Secretary of the Interior, the Department of the Interior, and officers and components of that Department—

- (1) as relate to or are utilized by the Office of Petroleum Allocation;
- (2) as relate to or are utilized by the Office of Energy Conservation;
- (3) as relate to or are utilized by the Office of Energy Data and Analysis; and
- (4) as relate to or are utilized by the Office of Oil and Gas.

**(b) Functions of Chairman and Executive Director of Cost of Living Council**

There are hereby transferred to and vested in the Administrator all functions of the Chairman

<sup>1</sup> See References in Text note below.