

rule making, judicial and administrative proceedings commenced or pending, all voluntary agreements, plans of action, and all other actions of whatever nature taken, continued, confirmed, ratified or made effective under Executive Order 11930, shall, in accordance with the Federal Energy Administration Act Amendments of 1976 [for classification, see Short Title of 1976 Amendment note set out above], be deemed to have been actions of the Federal Energy Administration and shall continue and remain in full force and effect, unless amended or revoked by the Federal Energy Administration.

SEC. 3. All authority and responsibility vested in the Federal Energy Administration by Executive order or proclamation prior to July 31, 1976 was not revoked by Executive Order No. 11930, subsists in the Federal Energy Administration, and shall be deemed to have been continuously vested in the Federal Energy Administration, whose existence has been retroactively extended by the Federal Energy Administration Act Amendments of 1976 [for classification, see Short Title of 1976 Amendment note set out above].

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### § 762. Establishment

There is hereby established an independent agency in the executive branch to be known as the Federal Energy Administration (hereinafter in this chapter referred to as the "Administration").

(Pub. L. 93-275, § 3, May 7, 1974, 88 Stat. 97.)

#### TRANSFER OF FUNCTIONS

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

### § 763. Repealed. Pub. L. 95-91, title VII, § 709(a)(1), Aug. 4, 1977, 91 Stat. 607

Section, Pub. L. 93-275, § 4, May 7, 1974, 88 Stat. 97, related to officers of Federal Energy Administration.

### § 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 Administra-

tion 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 submit-

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