

participate in their official capacity in the activities of any organization (which is not a Federal entity) which relate to the promulgation of commercial standards. Such guidelines and criteria may allow for such participation if it is in the public interest and relates to the purposes of this chapter, but in no event may such employees who are participating in their official capacity be allowed under such guidelines or criteria to vote on any matter relating to commercial standards.

(f) “Commercial standards” defined

As used in this section, the term “commercial standards” means—

- (1) specifications of materials;
- (2) methods of testing;
- (3) criteria for adequate performance or operation;
- (4) model codes;
- (5) classification of components;
- (6) delineation of procedures or definition of terms;
- (7) measurement of quantity or quality for evaluating or referring to materials, products, systems, services, or practices; or
- (8) similar rules, procedures, requirements, or standards;

which are promulgated by any organization which is not a Federal entity. For purposes of the preceding sentence, any revision by any such organization of any such rule, procedure, requirement, or standard shall be considered to be the same as the promulgation of such standard.

(Pub. L. 93-275, §32, as added Pub. L. 95-70, §9, July 21, 1977, 91 Stat. 278.)

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.

§ 789. Repealed. Pub. L. 104-106, div. D, title XLIII, § 4304(b)(2), Feb. 10, 1996, 110 Stat. 664

Section, Pub. L. 93-275, §33, as added Pub. L. 95-70, §10, July 21, 1977, 91 Stat. 279, related to organizational conflicts of interest of persons contracting to perform research, development, or evaluation activities or technical and management support services.

EFFECTIVE DATE OF REPEAL

For effective date and applicability of repeal, see section 4401 of Pub. L. 104-106, set out as an Effective Date of 1996 Amendment note under section 2302 of Title 10, Armed Forces.

SUBCHAPTER II—OFFICE OF ENERGY INFORMATION AND ANALYSIS

§ 790. Establishment of Office of Energy Information and Analysis

(a) Director; appointment; qualifications

(1) There is established within the Federal Energy Administration an Office of Energy Information and Analysis (hereinafter in this chapter referred to as the “Office”) which shall be headed by a Director who shall be appointed by the President, by and with the advice and consent of the Senate.

(2) The Director shall be a person who, by reason of professional background and experience, is specially qualified to manage an energy information system.

(b) Delegation of authority by Administrator

The Administrator shall delegate (which delegation may be on a nonexclusive basis as the Administrator may determine may be necessary to assure the faithful execution of his authorities and responsibilities under law) the authority vested in him under section 796 of this title and section 772 of this title and the Director may act in the name of the Administrator under section 797 of this title and section 772 of this title for the purpose of obtaining enforcement of the authorities delegated to him.

(c) “Energy information” defined

As used in this chapter the term “energy information” shall have the meaning described in section 796 of this title.

(Pub. L. 93-275, §51, as added Pub. L. 94-385, title I, §142, Aug. 14, 1976, 90 Stat. 1135.)

EFFECTIVE DATE

Pub. L. 94-385, title I, §143, Aug. 14, 1976, 90 Stat. 1140, provided that: “The amendments made by this part C to the Federal Energy Administration Act of 1974 [enacting this subchapter] shall take effect 150 days after the date of enactment of this Act [Aug. 14, 1976], except that section 56(c) of the Federal Energy Administration Act of 1974 (as added by this part) [section 790e(c) of this title] shall take effect on the date of enactment of this Act [Aug. 14, 1976].”

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.

Functions assigned to Director of Office of Energy Information and Analysis under this subchapter vested in Administrator of Energy Information Administration within Department of Energy by section 7135(c) of Title 42.

CONGRESSIONAL FINDINGS AND PURPOSE

Pub. L. 94-385, title I, §141, Aug. 14, 1976, 90 Stat. 1135, provided that:

“(a) The Congress finds that the public interest requires that decisionmaking, with respect to this Nation’s energy requirements and the sufficiency and availability of energy resources and supplies, be based on adequate, accurate, comparable, coordinated, and credible energy information.

“(b) The purpose of this title [see Short Title note set out under section 761 of this title] is to establish within the Federal Energy Administration an Office of Energy Information and Analysis and a National Energy Information System to assure the availability of adequate, comparable, accurate, and credible energy information to the Federal Energy Administration, to other Government agencies responsible for energy-related policy decisions, to the Congress, and to the public.”

§ 790a. National Energy Information System; information required to be maintained

(a) It shall be the duty of the Director to establish a National Energy Information System (hereinafter referred to in this chapter as the “System”), which shall be operated and maintained by the Office. The System shall contain such information as is required to provide a de-