

ENERGY INFORMATION AVAILABILITY

AUGUST 3, 2007.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. DINGELL, from the Committee on Energy and Commerce, submitted the following

R E P O R T

[To accompany H.R. 3240]

The Committee on Energy and Commerce, to whom was referred the bill (H.R. 3240) to enhance availability of critical energy information, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

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PURPOSE AND SUMMARY

The purpose of H.R. 3240 is to assure that the Energy Information Administration (EIA), the statistical and analytical branch of the Department of Energy (DOE), will continue, reinstate, and expand its collection and reporting of vital energy data.

EIA data concerning energy use and production informs energy market decisions, policymaking, and public understanding, all of which require a solid basis of facts concerning energy supplies and demands. EIA has the principal responsibility for developing this essential information, and the purpose of this legislation is to assure that it has both the resources and the direction to meet that responsibility.

The Committee on Energy and Commerce appreciates EIA's work and recognizes that maintaining high standards cannot be assured if resources are constrained and data collection is reduced. The bill directs EIA to prepare and submit to Congress a five-year plan to enhance the quality and scope of its data collection and publication activities, with particular focus on state-level data collection. It requires EIA to work collaboratively with the States, while not imposing any mandates, and to report to Congress on the results. It authorizes additional funds for a significant upgrading of EIA's state-level and other data collection activities.

BACKGROUND AND NEED FOR LEGISLATION

EIA's published and on-line statistical reports have long been the foundation for energy analysis in the United States. Established in 1977, EIA has developed many data series that report on fuels, prices, and other key elements of U.S. energy markets.

The data series EIA collects and publishes forms the basis not only for its own analyses of proposed energy policies, projections of future trends, and quantitative modeling, but also for those produced by independent academic and private-sector experts and scholars. EIA uses this data to provide timely and accurate reports to Congress, to respond to specific Congressional inquiries, and to produce bulletins and publications relied upon by energy markets. To prepare forecasts against which to consider policy options, it is essential that EIA collect detailed data over time.

In recent years, budget and personnel constraints have threatened the continuity of a number of data series that provide such input. In particular a number of series that provide data for each State have been curtailed or are threatened with discontinuance. Since some States do not collect information on their energy supply and demand, a degradation of EIA data would hinder State as well as national policy-making.

Over the same period, energy markets have changed, with the emergence of futures markets, derivatives markets, and spot markets that exhibit great sensitivity to official data reports. Some pricing anomalies or short-term volatility in energy markets have been linked to release of EIA data, and it has become more important than ever that EIA's data products are timely, soundly sourced, and credible.

The legislation will help ensure that EIA can continue to play its vital role as an independent source of complete and accurate energy market information as the Nation grapples with energy-related challenges to the economy, environment, and national security.

SUBCOMMITTEE CONSIDERATION

Prior to the introduction of H.R. 3240, its text was considered in the Committee on Energy and Commerce as a Committee Print.

On Wednesday, June 20, 2007, the Subcommittee on Energy and Air Quality met in open markup session and considered a Committee Print to enhance availability of energy information. The Committee Print was favorably forwarded to the full Committee, without amendment, by a voice vote. The Committee Print forwarded by the Subcommittee was subsequently designated Committee Print #6 for full Committee consideration.

COMMITTEE CONSIDERATION

On Thursday, June 28, 2007, the full Committee met in open markup session and considered the Committee Print, which was then ordered favorably reported to the House, amended, by a voice vote. On July 31, 2007, a clean bill, H.R. 3240, was introduced with the approved language of the Committee Print, and was referred to the full Committee to be reported to the House without further consideration.

COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires the Committee to list the record votes on the motion to report legislation and amendments thereto. Mr. Dingell moved that the Committee favorably report the Committee Print, amended, to the House. The motion to report the Committee Print favorably to the House was agreed to by a voice vote. There were no recorded votes taken on the Committee Print during full Committee consideration.

COMMITTEE OVERSIGHT FINDINGS

Regarding clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the oversight findings of the Committee on the bill are reflected in this report.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

The goals and objectives of H.R. 3240 are to improve the energy information collected and made available by the Energy Information Administration to help ensure the efficient functioning of energy markets and related financial operations, and to improve State-specific energy information.

NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

Regarding compliance with clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee finds that H.R. 3240 would result in no new or increased budget authority, entitlement authority, or tax expenditures or revenues.

EARMARKS AND TAX AND TARIFF BENEFITS

Regarding compliance with clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 3240 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.

COMMITTEE COST ESTIMATE

The Committee will adopt as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

CONGRESSIONAL BUDGET OFFICE ESTIMATE

Regarding clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, a cost estimate on H.R. 3240 by the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974 was not available as of the time of the filing of this report by the Committee.

FEDERAL MANDATES STATEMENT

The Committee will adopt as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

ADVISORY COMMITTEE STATEMENT

Regarding section 5(b) of the Federal Advisory Committee Act, the bill does not establish any advisory committee.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds that the Constitutional authority for this legislation is provided in the provisions of Article I, section 8, clause 1, that relate to expending funds to provide for the general welfare of the United States.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Sections 1 and 2. Energy Information Enhancement.—Improves State data collection required by the Energy Information Administration (EIA) to support efficient energy markets.