

Economic Regulation

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Proposed Appropriation Language

Explanation of Change

Appropriation language is being deleted due to phase out of Interior and Related Agencies funded activities.

Economic Regulation Office of Hearings and Appeals

Appropriation Summary by Program

(dollars in thousands)

	FY 2003 Comparable Appropriation	FY 2004 Comparable Appropriation	FY 2004 Base	FY 2005 Request	FY 2005 Request vs. Base	
					\$ Change	% Change
Economic Regulation						
Program Direction.....	1,487	1,047	1,047	0	-1,047	-100.0%
Subtotal, Economic Regulation.....	1,487	1,047	1,047	0	-1,047	-100.0%
Rescission ^{ab}	0	-13	-13	0	+13	-100.0%
Total, Economic Regulation	1,487	1,034	1,034	0	-1,034	-100.0%

Preface

The Office of Hearings and Appeals provides legal adjudicatory services for the Department’s programs in order to resolve any conflicting interests in a fair, impartial and efficient manner.

Within the Economic Regulation Appropriation, the Office of Hearings and Appeals has three principal legal staffs –the Office of Legal Analysis, the Office of Financial Analysis and the Office of Economic Analysis.

This Overview will describe Strategic Context, Mission and Benefits. These items together put this Appropriation in context.

Strategic Context

Following publication of the Administration’s National Energy Policy, the Department developed a Strategic Plan that defines the mission, four strategic goals for accomplishing that mission, and seven general goals to support the strategic goals. As stated in the Departmental Strategic Plan, DOE’s Strategic and General Goals will be accomplished not only through the efforts of the major program offices in the Department but with additional effort from offices which support the programs in carrying out DOE’s mission. The Office of Hearings and Appeals performs critical functions which directly support the mission of the Department. These functions include careful, effective stewardship

^a Distribution of the rescission from the Consolidated Omnibus Appropriation Bill in FY2004.

^b Also includes a general reduction of \$7,000 in the FY 2004 Interior and Related Agencies Appropriation.

of the oil overcharge monies entrusted to the Department and providing efficient restitution to those firms and individuals that had been injured by oil overcharges pursuant to the Emergency Petroleum Allocation Act of 1973 (EPAA).

Mission

The Office of Hearings and Appeals (OHA) mission is to conduct fair and efficient hearings and to issue decisions of the Department with respect to any adjudicative proceedings delegated by the Secretary. OHA's jurisdiction includes review of determinations issued by officials within the Department.

Benefits

In regard to its Economic Regulation mission, OHA adjudicates cases arising under the Emergency Petroleum Allocation Act of 1973 (EPAA), and continues to conduct refund proceedings returning petroleum overcharge funds collected by the Department. As directed by Congress, OHA will finish all Interior-funded Economic Regulation activities by the end of FY 2004.

Program Direction

Funding Profile by Category

(dollars in thousands/whole FTEs)

	FY 2003	FY 2004	FY 2005	\$ Change	% Change
Headquarters					
Salaries and Benefits.....	987	793	0	-793	-100.0%
Travel.....	15	15	0	-15	-100.0%
Support Services.....	20	20	0	-20	-100.0%
Other Related Expenses.....	465	206	0	-206	-100.0%
Total, Program Direction.....	1,487	1,034	0	-1,034	-100.0%
Total, Full Time Equivalents.....	8	2	0	-2	-100.0%

Mission

The Office of Hearings and Appeals (OHA) mission is to conduct fair and efficient hearings and to issue decisions of the Department with respect to any adjudicative proceedings which the Secretary may delegate. OHA's jurisdiction includes appeals requesting review of any determination reached by any other official within the Department under OHA's jurisdiction.

As stated in the Departmental Strategic Plan, DOE's Strategic and General Goals will be accomplished not only through the efforts of the major program offices in the Department but with additional effort from offices which support the programs in carrying out DOE's mission. The Office of Hearings and Appeals performs critical functions which directly support the mission of the Department. These functions include effective stewardship of oil overcharge monies entrusted to the Department and through monetary restitution to firms and individuals injured by oil overcharges.

Detailed Justification

(dollars in thousands)

	FY 2003	FY 2004	FY 2005
Salaries and Benefits	987	793	0
<p>Funding for personnel costs including pay raises and promotions. No funding requested in FY 2005 due to phase out of Interior and Related Agencies funded activities.</p>			
Travel	15	15	0
<p>For transportation to DOE field sites to conduct hearings on crude oil overcharge cases. No funding requested in FY 2005 due to phase out of Interior and Related Agencies funded activities.</p>			
Support Services	20	20	0
<p>Funding for computer hardware and related contractual support services. No funding requested in FY 2005 due to phase out of Interior and Related Agencies funded activities.</p>			
Other Related Expenses	465	206	0
<p>Funding for the Working Capital Fund expenses, which include rent, telephone, supplies, postage, building operations, equipment maintenance, printing and Automated Office Support System support and maintenance. No funding requested in FY 2005 due to phase out of Interior and Related Agencies funded activities.</p>			
Total, Program Direction	1,487	1,034	0

Explanation of Funding Change

FY 2005 vs. FY 2004 (\$000)
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Salaries and Benefits

Decrease is due to phase out of Interior-funded activities in FY 2004.....	-793
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Travel

Decrease is due to phase out of Interior-funded activities in FY 2004.....	-15
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Support Services

Decrease is due to phase out of Interior-funded activities in FY 2004.....	-20
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Other Related Expenses

Decrease is due to phase out of Interior-funded activities in FY 2004..	<u>-206</u>
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Total Funding Change, Program Direction.....	<u>-1,034</u>
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Support Services by Category

(dollars in thousands)

	FY 2003	FY 2004	FY 2005	\$ Change	% Change
Technical Support.....	20	20	0	-20	-100.0%
Total, Support Services.....	20	20	0	-20	-100.0%

Other Related Expenses by Category

(dollars in thousands)

	FY 2003	FY 2004	FY 2005	\$ Change	% Change
Working Capital Fund.....	465	206	0	-206	-100.0%
Total, Other Related Expenses...	465	206	0	-206	-100.0%