

Informing Congress

HELPING ALONG ENERGY LEGISLATION

BY DARRELL DELAMAIDE

EDITOR'S NOTE Congressional Research Service reports are considered confidential to the member of Congress requesting them so the CRS does not publish any of them. However, the recipient may make them public. Those available on the Web can be searched through www.zfacts.com/p/576.html.

ENERGY IS A BIG DEAL IN CONGRESS.

In July, Senate Majority Leader Harry Reid was pushing his bill to stop excessive energy speculation through the upper house as lawmakers reacted to the sharp rise in oil and gas prices. In January, the new Congress under a new administration is expected to tackle carbon emissions through a cap-and-trade program or a carbon tax.

All this comes on the heels of two recent major pieces of legislation: the energy acts of 2005 and 2007.

So what makes lawmakers such energy experts? In fact, several members of Congress, such as Sen. Jeff Bingaman, chairman of the Energy Committee, and Rep. Jay Inslee, who has written a book on energy, are knowledgeable in their own right. And legions of industry lobbyists stand ready to fill in any information gaps.

For more objective information, however, on complex subjects like futures trading, emissions credits and alternative energy technologies, members are likely to turn to the largely unheralded Congressional Research Service.

"We are an extension of the Congressional staffs," says John Blodgett, deputy assistant director of the Resources, Science and Industry Division at CRS, hastening to add that, in contrast

to member or committee staffs, the CRS analysts are nonpartisan.

"The Energy Committee is not likely to have any geologists on its staff," says Blodgett. "We have a couple of geologists."

These two geologists belong to a 12-member energy department at the research agency, which has 450 professional analysts on its staff and 700 total employees. Matrixed with environmental and other

fields, as many as 30 analysts will work on energy issues, Blodgett says.

Housed in the Madison building of the Library of Congress, just across the street from the Capitol, CRS is one of the three major agencies that help Congress do its work. The other two are the Government Accountability Office, which audits operations of federal departments and agencies at the request of members, and the Congressional Budget Office, which helps Congress cost out legislation and provides lawmakers with their own experts on budgetary matters.

"Physical proximity is crucial," notes Blodgett. "Hardly a day goes by when one of our analysts isn't across the street providing a briefing to a member or a committee staff."

The agency responds to every request for information from a member of Congress or staff, whether in the printed form for such requests or a direct call to one of the analysts. It also initiates reports that may anticipate legislative issues, conducts workshops with outside experts and brokers information from relevant sources.

"The CRS is one of many resources we use," agrees Bill Wicker, communications director at the Senate Energy Committee. "It's a very broad relationship – some members have never looked at anything they have done and others use it on a near-daily basis."

Wicker says the committee relies on its staff for a good amount of expertise. For instance, most of the research and analysis on the excessive speculation bill at the committee was from a knowledgeable member of the staff, he says.

Committee members also tap into the Energy Information Administration, a research body attached to the Department of Energy. Although it is part of the executive branch, EIA operates at arm's length from the administration and is unbiased in its research, Wicker says. "If they were slanting anything, they wouldn't be a go-to resource."

Members will listen to what lobbyists say, but take it with a grain of salt. "Members are very sophisticated," says CRS's Blodgett. "They know why a lobbyist is biased and they will ask us about the factual basis."

NewsFlash

BUSINESS RALLIES TO COAL

Georgia business leaders have faulted a judge's ruling that halted development of a coal-fired generation plant to limit carbon dioxide emissions.

The Georgia Chamber of Commerce said that the \$2 billion Longleaf Energy Plant, the first coal plant to be built in the state in two decades, is needed, according to the *Associated Press*.

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The CRS will help lawmakers sort through contradictory reports, examining assumptions and sources to establish the reasons for any divergence on findings. In the discussion over the Clean Air Act of 1990, Blodgett recalls, the Environmental Protection Agency estimated that the measures would cost the industry \$25 billion, then considered the maximum acceptable threshold. The National Association of Manufacturers came up with a much higher estimate – \$80 billion – and the CRS examined the basis for this higher claim.

But it's a two-way street because members may question some of the CRS reports as well. "Some of the reports we agree with; some we do not agree with," says Wicker. Committee members may disagree with conclusions drawn, models used or methodology, he says.

And the legislators, putting a high value on accurate information, don't hesitate to push back. In July, a group of senators led by California Democrat Dianne Feinstein sent a letter to EIA chief Guy

Caruso questioning why its projections on gasoline prices were so far off the mark.

Not only were earlier projections of gasoline prices for this year well below the level they actually reached, this year's Annual Energy Outlook, published in June, forecast an average price of \$2.75 a gallon for next year, a 33 percent drop from this year. And yet, the senators observed: "EIA data shows that American gasoline prices have never dropped 33 percent in a single year."

The legislators "requested" EIA to undertake a thorough review of its National Energy Modeling System under an outside expert and publish a supplement to the AEO with the results. Specifically, they wanted EIA to explain whether the \$2.75 forecast is realistic and how the price would fall from mid-2008 levels to there.

The senators concluded their request with a reminder of what's at stake: "As policy makers, we rely on the EIA to provide sound analysis with which to develop our national energy policy."