

tion fund established under section 7384e of this title.

(Pub. L. 106-398, §1 [div. C, title XXXVI, §3685], as added Pub. L. 108-375, div. C, title XXXI, §3161, Oct. 28, 2004, 118 Stat. 2185.)

§ 7385s-15. Office of Ombudsman

(a) Establishment

There is established in the Department of Labor an office to be known as the “Office of the Ombudsman” (in this section referred to as the “Office”).

(b) Head

The head of the Office shall be the Ombudsman. The individual serving as Ombudsman shall be either of the following:

(1) An officer or employee of the Department of Labor designated by the Secretary for purposes of this section from among officers and employees of the Department who have experience and expertise necessary to carry out the duties of the Office specified in subsection (c) of this section.

(2) An individual employed by the Secretary from the private sector from among individuals in the private sector who have experience and expertise necessary to carry out the duties of the Office specified in subsection (c) of this section.

(c) Duties

The duties of the Office shall be as follows:

(1) To provide information on the benefits available under this part and part B and on the requirements and procedures applicable to the provision of such benefits.

(2) To make recommendations to the Secretary regarding the location of centers (to be known as “resource centers”) for the acceptance and development of claims for benefits under this part and part B.

(3) To carry out such other duties with respect to this part and part B as the Secretary shall specify for purposes of this section.

(d) Independent Office

The Secretary shall take appropriate actions to ensure the independence of the Office within the Department of Labor, including independence from other officers and employees of the Department engaged in activities relating to the administration of the provisions of this part and part B.

(e) Annual report

(1) Not later than February 15 each year, the Ombudsman shall submit to Congress a report on activities under this part and part B.

(2) Each report under paragraph (1) shall set forth the following:

(A) The number and types of complaints, grievances, and requests for assistance received by the Ombudsman under this part and part B during the preceding year.

(B) An assessment of the most common difficulties encountered by claimants and potential claimants under this part and part B during the preceding year.

(3) The first report under paragraph (1) shall be the report submitted in 2006.

(f) Outreach

The Secretary of Labor and the Secretary of Health and Human Services shall each undertake outreach to advise the public of the existence and duties of the Office.

(g) National Institute for Occupational Safety and Health Ombudsman

In carrying out the duties of the Ombudsman under this section, the Ombudsman shall work with the individual employed by the National Institute for Occupational Safety and Health to serve as an ombudsman to individuals making claims under part B.

(h) Sunset

Effective October 28, 2012, this section shall have no further force or effect.

(Pub. L. 106-398, §1 [div. C, title XXXVI, §3686], as added Pub. L. 108-375, div. C, title XXXI, §3161, Oct. 28, 2004, 118 Stat. 2185; amended Pub. L. 110-181, div. C, title XXXI, §3116, Jan. 28, 2008, 122 Stat. 578; Pub. L. 111-84, div. C, title XXXI, §3142(a), Oct. 28, 2009, 123 Stat. 2715.)

AMENDMENTS

2009—Subsecs. (c) to (e). Pub. L. 111-84, §3142(a)(1)–(3), inserted “and part B” after “this part” wherever appearing.

Subsecs. (g), (h). Pub. L. 111-84, §3142(a)(4), (5), added subsec. (g) and redesignated former subsec. (g) as (h).

2008—Subsec. (g). Pub. L. 110-181 substituted “October 28, 2012” for “on the date that is 3 years after October 28, 2004”.

CONSTRUCTION

Pub. L. 111-84, div. C, title XXXI, §3142(b), Oct. 28, 2009, 123 Stat. 2716, provided that: “Except as specifically provided in subsection (g) of section 3686 of the Energy Employees Occupational Illness Compensation Program Act of 2000 [42 U.S.C. 7385s-15(g)], as amended by subsection (a) of this section, nothing in the amendments made by such subsection (a) shall be construed to alter or affect the duties and functions of the individual employed by the National Institute for Occupational Safety and Health to serve as an ombudsman to individuals making claims under subtitle B of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384f et seq.).”

SUBCHAPTER XVII—[Repealed]

AMENDMENTS

2003—Pub. L. 108-136, div. C, title XXXI, §3141(m)(1), Nov. 24, 2003, 117 Stat. 1787, struck out heading for subchapter XVII “Department of Energy National Security Authorizations General Provisions”.

§§ 7386 to 7386k. Transferred

CODIFICATION

Sections 7386 to 7386k, Pub. L. 107-314, div. C, title XXXVI, §§3620-3631, Dec. 2, 2002, 116 Stat. 2756-2762, were renumbered sections 4701 to 4712, respectively, of Pub. L. 107-314, the Bob Stump National Defense Authorization Act for Fiscal Year 2003, by Pub. L. 108-136, div. C, title XXXI, §3141(j)(2)(A)–(C), Nov. 24, 2003, 117 Stat. 1781, and are classified to sections 2741 to 2752, respectively, of Title 50, War and National Defense.

Section 7386 related to definitions for purposes of former sections 7386 to 7386k of this title.

Section 7386a related to reprogramming of amounts appropriated pursuant to a Department of Energy national security authorization.

Section 7386b related to minor construction projects.

Section 7386c related to limits on construction projects.

Section 7386d related to fund transfer authority.
 Section 7386e related to conceptual and construction design.
 Section 7386f related to authority for emergency planning, design, and construction activities.
 Section 7386g related to scope of authority to carry out plant projects.
 Section 7386h related to availability of funds.
 Section 7386i related to transfer of defense environmental management funds.
 Section 7386j related to transfer of weapons activities funds.
 Section 7386k related to funds available for all national security programs of the Department of Energy.

CHAPTER 85—AIR POLLUTION PREVENTION AND CONTROL

SUBCHAPTER I—PROGRAMS AND ACTIVITIES

PART A—AIR QUALITY AND EMISSION LIMITATIONS

Sec.
 7401. Congressional findings and declaration of purpose.
 7402. Cooperative activities.
 7403. Research, investigation, training, and other activities.
 7404. Research relating to fuels and vehicles.
 7405. Grants for support of air pollution planning and control programs.
 7406. Interstate air quality agencies; program cost limitations.
 7407. Air quality control regions.
 7408. Air quality criteria and control techniques.
 7409. National primary and secondary ambient air quality standards.
 7410. State implementation plans for national primary and secondary ambient air quality standards.
 7411. Standards of performance for new stationary sources.
 7412. Hazardous air pollutants.
 7413. Federal enforcement.
 7414. Recordkeeping, inspections, monitoring, and entry.
 7415. International air pollution.
 7416. Retention of State authority.
 7417. Advisory committees.
 7418. Control of pollution from Federal facilities.
 7419. Primary nonferrous smelter orders.
 7420. Noncompliance penalty.
 7421. Consultation.
 7422. Listing of certain unregulated pollutants.
 7423. Stack heights.
 7424. Assurance of adequacy of State plans.
 7425. Measures to prevent economic disruption or unemployment.
 7426. Interstate pollution abatement.
 7427. Public notification.
 7428. State boards.
 7429. Solid waste combustion.
 7430. Emission factors.
 7431. Land use authority.

PART B—OZONE PROTECTION

7450 to 7459. Repealed.

PART C—PREVENTION OF SIGNIFICANT DETERIORATION OF AIR QUALITY

SUBPART I—CLEAN AIR

7470. Congressional declaration of purpose.
 7471. Plan requirements.
 7472. Initial classifications.
 7473. Increments and ceilings.
 7474. Area redesignation.
 7475. Preconstruction requirements.
 7476. Other pollutants.
 7477. Enforcement.

Sec.
 7478. Period before plan approval.
 7479. Definitions.

SUBPART II—VISIBILITY PROTECTION

7491. Visibility protection for Federal class I areas.
 7492. Visibility.

PART D—PLAN REQUIREMENTS FOR NONATTAINMENT AREAS

SUBPART 1—NONATTAINMENT AREAS IN GENERAL

7501. Definitions.
 7502. Nonattainment plan provisions in general.
 7503. Permit requirements.
 7504. Planning procedures.
 7505. Environmental Protection Agency grants.
 7505a. Maintenance plans.
 7506. Limitations on certain Federal assistance.
 7506a. Interstate transport commissions.
 7507. New motor vehicle emission standards in nonattainment areas.
 7508. Guidance documents.
 7509. Sanctions and consequences of failure to attain.
 7509a. International border areas.

SUBPART 2—ADDITIONAL PROVISIONS FOR OZONE NONATTAINMENT AREAS

7511. Classifications and attainment dates.
 7511a. Plan submissions and requirements.
 7511b. Federal ozone measures.
 7511c. Control of interstate ozone air pollution.
 7511d. Enforcement for Severe and Extreme ozone nonattainment areas for failure to attain.
 7511e. Transitional areas.
 7511f. NO_x and VOC study.

SUBPART 3—ADDITIONAL PROVISIONS FOR CARBON MONOXIDE NONATTAINMENT AREAS

7512. Classification and attainment dates.
 7512a. Plan submissions and requirements.

SUBPART 4—ADDITIONAL PROVISIONS FOR PARTICULATE MATTER NONATTAINMENT AREAS

7513. Classifications and attainment dates.
 7513a. Plan provisions and schedules for plan submissions.
 7513b. Issuance of RACM and BACM guidance.

SUBPART 5—ADDITIONAL PROVISIONS FOR AREAS DESIGNATED NONATTAINMENT FOR SULFUR OXIDES, NITROGEN DIOXIDE, OR LEAD

7514. Plan submission deadlines.
 7514a. Attainment dates.

SUBPART 6—SAVINGS PROVISIONS

7515. General savings clause.

SUBCHAPTER II—EMISSION STANDARDS FOR MOVING SOURCES

PART A—MOTOR VEHICLE EMISSION AND FUEL STANDARDS

7521. Emission standards for new motor vehicles or new motor vehicle engines.
 7522. Prohibited acts.
 7523. Actions to restrain violations.
 7524. Civil penalties.
 7525. Motor vehicle and motor vehicle engine compliance testing and certification.
 7541. Compliance by vehicles and engines in actual use.
 7542. Information collection.
 7543. State standards.
 7544. State grants.
 7545. Regulation of fuels.
 7546. Renewable fuel.
 7547. Nonroad engines and vehicles.