

title; and evaluation of the exploration or commercial recovery activities conducted by the licensee or permittee.

(c) Public disclosure

Copies of any document, report, communication, or other record maintained or received by the Administrator containing data or information required under this subchapter shall be made available to any person upon any request which (1) reasonably describes such record and (2) is made in accordance with rules adopted by the Administrator stating the time, place, fees (if any, not to exceed the direct cost of the services rendered), and procedures to be followed, except that neither the Administrator nor any other officer or employee of the United States may disclose any data or information knowingly and willingly required under this subchapter the disclosure of which is prohibited by section 1905 of title 18. Any officer or employee of the United States who discloses data or information in violation of this subsection shall be subject to the penalties set forth in section 1463(b) of this title.

(Pub. L. 96-283, title I, §113, June 28, 1980, 94 Stat. 571.)

Editorial Notes

REFERENCES IN TEXT

Section 1469 of this title, referred to in subsec. (b), was omitted from the Code.

§ 1424. Monitoring of activities of licensees and permittees

Each license and permit issued under this subchapter shall require the licensee or permittee—

(1) to allow the Administrator to place appropriate Federal officers or employees as observers aboard vessels used by the licensee or permittee in exploration or commercial recovery activities (A) to monitor such activities at such time, and to such extent, as the Administrator deems reasonable and necessary to assess the effectiveness of the terms, conditions, and restrictions of the license or permit, and (B) to report to the Administrator whenever such officers or employees have reason to believe there is a failure to comply with such terms, conditions, and restrictions;

(2) to cooperate with such officers and employees in the performance of monitoring functions; and

(3) to monitor the environmental effects of the exploration and commercial recovery activities in accordance with guidelines issued by the Administrator and to submit such information as the Administrator finds to be necessary and appropriate to assess environmental impacts and to develop and evaluate possible methods of mitigating adverse environmental effects.

(Pub. L. 96-283, title I, §114, June 28, 1980, 94 Stat. 572.)

§ 1425. Relinquishment, surrender, and transfer of licenses and permits

(a) Relinquishment and surrender

Any licensee or permittee may at any time, without penalty—

(1) surrender to the Administrator a license or a permit issued to the licensee or permittee; or

(2) relinquish to the Administrator, in whole or in part, any right to conduct any exploration or commercial recovery activities authorized by the license or permit.

Any licensee or permittee who surrenders a license or permit, or relinquishes any such right, shall remain liable with respect to all violations and penalties incurred, and damage to persons or property caused, by the licensee or permittee as a result of activities engaged in by the licensee or permittee under such license or permit.

(b) Transfer

Any license or permit, upon written request of the licensee or permittee, may be transferred by the Administrator; except that no such transfer may occur unless the proposed transferee is a United States citizen and until the Administrator determines that (1) the proposed transfer is in the public interest, and (2) the proposed transferee and the exploration or commercial recovery activities the transferee proposes to conduct meet the requirements of this chapter and regulations issued under this chapter.

(Pub. L. 96-283, title I, §115, June 28, 1980, 94 Stat. 572.)

§ 1426. Public notice and hearings

(a) Required procedures

The Administrator may issue regulations to carry out this chapter, establish and significantly modify terms, conditions, and restrictions in licenses and permits issued under this subchapter, and issue or transfer licenses and permits under this subchapter, only after public notice and opportunity for comment and hearings in accordance with the following:

(1) The Administrator shall publish in the Federal Register notice of all applications for licenses and permits, all proposals to issue or transfer licenses and permits, all regulations implementing this chapter, all terms, conditions, and restrictions on licenses and permits, and all proposals to significantly modify licenses and permits. Interested persons shall be permitted to examine the materials relevant to any of these actions, and shall have at least 60 days after publication of such notice to submit written comments to the Administrator.

(2) The Administrator shall hold a public hearing in an appropriate location and may employ such additional methods as the Administrator deems appropriate to inform interested persons about each action specified in paragraph (1) and to invite their comments thereon.

(b) Adjudicatory hearing

If the Administrator determines that there exists one or more specific and material factual issues which require resolution by formal processes, at least one adjudicatory hearing shall be held in the District of Columbia in accordance with the provisions of section 554 of title 5. The record developed in any such adjudicatory hearing shall be part of the basis for the Administra-