

**AMENDMENT TO H.R. 1230, AS ORDERED  
REPORTED  
OFFERED BY MR. GEORGE MILLER OF  
CALIFORNIA**

Page 5, after line 14, insert the following (and re-designate accordingly):

1 **SEC. \_\_\_\_ . CERTIFICATION OF RESPONSIBLE STEWARDSHIP**  
2 **REQUIRED.**

3 (a) **REQUIREMENT.**—The Secretary of the Interior  
4 shall not accept a bid in a lease sale under this Act unless  
5 the person submitting the bid certifies to the Secretary  
6 that the person (including any related person and any  
7 predecessor of such person or related person) meets each  
8 of the following requirements:

9 (1) The person is meeting due diligence, safety,  
10 and environmental requirements on other leases,  
11 easements, and rights-of-way.

12 (2) In the case of a person that is a responsible  
13 party for a vessel or a facility from which oil is dis-  
14 charged, for purposes of section 1002 of the Oil Pol-  
15 lution Act of 1990 (33 U.S.C. 2702), the person has  
16 met all of its obligations under that Act to provide

1 compensation for covered removal costs and dam-  
2 ages.

3 (3) In the 7-year period ending on the date of  
4 certification, the person, in connection with activities  
5 in the oil industry (including exploration, develop-  
6 ment, production, transportation by pipeline, and re-  
7 fining)—

8 (A) was not found to have committed will-  
9 ful or repeated violations under the Occupa-  
10 tional Safety and Health Act of 1970 (29  
11 U.S.C. 651 et seq.) (including State plans ap-  
12 proved under section 18(c) of such Act (29  
13 U.S.C. 667(e))) at a rate that is higher than  
14 five times the rate determined by the Secretary  
15 to be the oil industry average for such viola-  
16 tions for such period;

17 (B) was not convicted of a criminal viola-  
18 tion for death or serious bodily injury;

19 (C) did not have more than 10 fatalities at  
20 its exploration, development, and production fa-  
21 cilities and refineries as a result of violations of  
22 Federal or State health, safety, or environ-  
23 mental laws;

24 (D) was not assessed, did not enter into an  
25 agreement to pay, and was not otherwise re-

1           required to pay, civil penalties and criminal fines  
2           for violations the person was found to have  
3           committed under the Federal Water Pollution  
4           Control Act (33 U.S.C. 1251 et seq.) (including  
5           State programs approved under sections 402  
6           and 404 of such Act (33 U.S.C. 1342 and  
7           1344)) in a total amount that is equal to more  
8           than \$10,000,000; and

9           (E) was not assessed, did not enter into an  
10          agreement to pay, and was not otherwise re-  
11          quired to pay, civil penalties and criminal fines  
12          for violations the person was found to have  
13          committed under the Clean Air Act (42 U.S.C.  
14          7401 et seq.) (including State plans approved  
15          under section 110 of such Act (42 U.S.C.  
16          7410)) in a total amount that is equal to more  
17          than \$10,000,000.

18          (b) ENFORCEMENT.—If the Secretary determines  
19          that a certification made under subsection (a) is false, the  
20          Secretary shall reject the bid for which the certification  
21          was required.

22          (c) DEFINITION OF RELATED PERSON.—For pur-  
23          poses of this section, the term “related person” includes  
24          a parent, subsidiary, affiliate, member of the same con-  
25          trolled group, contractor, subcontractor, a person holding

- 1 a controlling interest or in which a controlling interest is
- 2 held, and a person with substantially the same board
- 3 members, senior officers, or investors.

