

**AMENDMENT TO H.R. 1231, AS REPORTED  
OFFERED BY MR. GEORGE MILLER OF  
CALIFORNIA**

Page 6, line 13, strike the closing quotation marks and the second period, and after line 13 insert the following new paragraph

1           “(4) INFORMATION REGARDING RESPONSIBLE  
2           STEWARDSHIP REQUIRED.—

3                   “(A) INFORMATION REQUIRED.—The Sec-  
4           retary shall describe in the report under para-  
5           graph (3) the safety record of each person (in-  
6           cluding any related person and any predecessor  
7           of such person or related person) holding a  
8           lease or producing oil and natural gas as a re-  
9           sult of the 5-year oil and gas leasing program,  
10          including whether the person is meeting each of  
11          the following conditions:

12                   “(i) The person is meeting due dili-  
13           gence, safety, and environmental require-  
14           ments on other leases, easements, and  
15           rights-of-way.

16                   “(ii) In the case of a person that is a  
17           responsible party for a vessel or a facility

1 from which oil is discharged, for purposes  
2 of section 1002 of the Oil Pollution Act of  
3 1990 (33 U.S.C. 2702), the person has  
4 met all of its obligations under that Act to  
5 provide compensation for covered removal  
6 costs and damages.

7 “(iii) In the 7-year period ending on  
8 the date of certification, the person, in con-  
9 nection with activities in the oil industry  
10 (including exploration, development, pro-  
11 duction, transportation by pipeline, and re-  
12 fining)—

13 “(I) was not found to have com-  
14 mitted willful or repeated violations  
15 under the Occupational Safety and  
16 Health Act of 1970 (29 U.S.C. 651 et  
17 seq.) (including State plans approved  
18 under section 18(e) of such Act (29  
19 U.S.C. 667(e))) at a rate that is high-  
20 er than five times the rate determined  
21 by the Secretary to be the oil industry  
22 average for such violations for such  
23 period;

1           “(II) was not convicted of a  
2 criminal violation for death or serious  
3 bodily injury;

4           “(III) did not have more than 10  
5 fatalities at its exploration, develop-  
6 ment, and production facilities and re-  
7 fineries as a result of violations of  
8 Federal or State health, safety, or en-  
9 vironmental laws;

10           “(IV) was not assessed, did not  
11 enter into an agreement to pay, and  
12 was not otherwise required to pay,  
13 civil penalties and criminal fines for  
14 violations the person was found to  
15 have committed under the Federal  
16 Water Pollution Control Act (33  
17 U.S.C. 1251 et seq.) (including State  
18 programs approved under sections  
19 402 and 404 of such Act (33 U.S.C.  
20 1342 and 1344)) in a total amount  
21 that is equal to more than  
22 \$10,000,000; and

23           “(V) was not assessed, did not  
24 enter into an agreement to pay, and  
25 was not otherwise required to pay,

1 civil penalties and criminal fines for  
2 violations the person was found to  
3 have committed under the Clean Air  
4 Act (42 U.S.C. 7401 et seq.) (includ-  
5 ing State plans approved under sec-  
6 tion 110 of such Act (42 U.S.C.  
7 7410)) in a total amount that is equal  
8 to more than \$10,000,000.

9 “(B) DEFINITION OF RELATED PERSON.—  
10 For purposes of this paragraph, the term ‘re-  
11 lated person’ includes a parent, subsidiary, af-  
12 filiate, member of the same controlled group,  
13 contractor, subcontractor, a person holding a  
14 controlling interest or in which a controlling in-  
15 terest is held, and a person with substantially  
16 the same board members, senior officers, or in-  
17 vestors.”.

