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

“(4) INFORMATION REGARDING RESPONSIBLE STEWARDSHIP REQUIRED.—

“(A) INFORMATION REQUIRED.—The Secretary shall describe in the report under paragraph (3) the safety record of each person (including any related person and any predecessor of such person or related person) holding a lease or producing oil and natural gas as a result of the 5-year oil and gas leasing program, including whether the person is meeting each of the following conditions:

“(i) The person is meeting due diligence, safety, and environmental requirements on other leases, easements, and rights-of-way.

“(ii) In the case of a person that is a responsible party for a vessel or a facility
from which oil is discharged, for purposes of section 1002 of the Oil Pollution Act of 1990 (33 U.S.C. 2702), the person has met all of its obligations under that Act to provide compensation for covered removal costs and damages.

“(iii) In the 7-year period ending on the date of certification, the person, in connection with activities in the oil industry (including exploration, development, production, transportation by pipeline, and refining)—

“(I) was not found to have committed willful or repeated violations under the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.) (including State plans approved under section 18(c) of such Act (29 U.S.C. 667(c))) at a rate that is higher than five times the rate determined by the Secretary to be the oil industry average for such violations for such period;
“(II) was not convicted of a criminal violation for death or serious bodily injury;

“(III) did not have more than 10 fatalities at its exploration, development, and production facilities and refineries as a result of violations of Federal or State health, safety, or environmental laws;

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

“(V) was not assessed, did not enter into an agreement to pay, and was not otherwise required to pay,
civil penalties and criminal fines for violations the person was found to have committed under the Clean Air Act (42 U.S.C. 7401 et seq.) (including State plans approved under section 110 of such Act (42 U.S.C. 7410)) in a total amount that is equal to more than $10,000,000.

“(B) Definition of related person.—For purposes of this paragraph, the term ‘related person’ includes a parent, subsidiary, affiliate, member of the same controlled group, contractor, subcontractor, a person holding a controlling interest or in which a controlling interest is held, and a person with substantially the same board members, senior officers, or investors.”.