AMENDMENT TO THE SENATE AMENDMENTS TO

H.R. 22

OFFERED BY MR. GOODLATTE OF VIRGINIA

Page 964, line 6, insert after “the participating agencies” the following: “and the project sponsor”.

Page 964, line 7, strike “and”.

Page 964, line 11, strike the period and insert the following: “; and”

Page 964, after line 11, insert the following:

(III) in the case of a modification that would necessitate an extension of a final completion date under a permitting timetable established under subparagraph (A) to a date more than 30 days after the final completion date originally established under subparagraph (A), the facilitating or lead agency submits a request to modify the permitting timetable to the Executive Director, who shall consult with the project sponsor and make a determination on the record, based on con-
sideration of the relevant factors described under subparagraph (B), whether to grant the facilitating or lead agency, as applicable, authority to make such modification.

Page 964, after line 15, insert the following:

(iii) LIMITATION ON LENGTH OF MODIFICATIONS.—

(I) IN GENERAL.—Except as provided in subclause (II), the total length of all modifications to a permitting timetable authorized or made under this subparagraph, other than for reasons outside the control of Federal, State, local, or tribal governments, may not extend the permitting timetable for a period of time greater than half of the amount of time from the establishment of the permitting timetable under subparagraph (A) to the last final completion date originally established under subparagraph (A).

(II) ADDITIONAL EXTENSIONS.—
The Director of the Office of Manage-
ment and Budget, after consultation with the project sponsor, may permit the Executive Director to authorize additional extensions of a permitting timetable beyond the limit prescribed by subclause (I). In such a case, the Director of the Office of Management and Budget shall transmit, not later than 5 days after making a determination to permit an authorization of extension under this subclause, a report to Congress explaining why such modification is required. Such report shall explain to Congress with specificity why the original permitting timetable and the modifications authorized by the Executive Director failed to be adequate. The lead or facilitating agency, as applicable, shall transmit to Congress, the Director of the Office of Management and Budget, and the Executive Director a supplemental report on progress toward the final completion date each year thereafter, until the permit review is
completed or the project sponsor withdraws its notice or application or other request to which this title applies under section 61010.

(iv) LIMITATION ON JUDICIAL REVIEW.—The following shall not be subject to judicial review:

(I) A determination by the Executive Director under clause (i)(III).

(II) A determination under clause (iii)(II) by the Director of the Office of Management and Budget to permit the Executive Director to authorize extensions of a permitting timetable.