

**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:

1                   (III) in the case of a modification  
2                   that would necessitate an extension of  
3                   a final completion date under a per-  
4                   mitting timetable established under  
5                   subparagraph (A) to a date more than  
6                   30 days after the final completion  
7                   date originally established under sub-  
8                   paragraph (A), the facilitating or lead  
9                   agency submits a request to modify  
10                  the permitting timetable to the Execu-  
11                  tive Director, who shall consult with  
12                  the project sponsor and make a deter-  
13                  mination on the record, based on con-

1                   sideration of the relevant factors de-  
2                   scribed under subparagraph (B),  
3                   whether to grant the facilitating or  
4                   lead agency, as applicable, authority  
5                   to make such modification.

Page 964, after line 15, insert the following:

6                   (iii) LIMITATION ON LENGTH OF  
7                   MODIFICATIONS.—

8                   (I) IN GENERAL.—Except as pro-  
9                   vided in subclause (II), the total  
10                  length of all modifications to a per-  
11                  mitting timetable authorized or made  
12                  under this subparagraph, other than  
13                  for reasons outside the control of Fed-  
14                  eral, State, local, or tribal govern-  
15                  ments, may not extend the permitting  
16                  timetable for a period of time greater  
17                  than half of the amount of time from  
18                  the establishment of the permitting  
19                  timetable under subparagraph (A) to  
20                  the last final completion date origi-  
21                  nally established under subparagraph  
22                  (A).

23                  (II) ADDITIONAL EXTENSIONS.—  
24                  The Director of the Office of Manage-

1                   ment and Budget, after consultation  
2                   with the project sponsor, may permit  
3                   the Executive Director to authorize  
4                   additional extensions of a permitting  
5                   timetable beyond the limit prescribed  
6                   by subclause (I). In such a case, the  
7                   Director of the Office of Management  
8                   and Budget shall transmit, not later  
9                   than 5 days after making a deter-  
10                  mination to permit an authorization  
11                  of extension under this subclause, a  
12                  report to Congress explaining why  
13                  such modification is required. Such  
14                  report shall explain to Congress with  
15                  specificity why the original permitting  
16                  timetable and the modifications au-  
17                  thorized by the Executive Director  
18                  failed to be adequate. The lead or fa-  
19                  cilitating agency, as applicable, shall  
20                  transmit to Congress, the Director of  
21                  the Office of Management and Budg-  
22                  et, and the Executive Director a sup-  
23                  plemental report on progress toward  
24                  the final completion date each year  
25                  thereafter, until the permit review is

1 completed or the project sponsor with-  
2 draws its notice or application or  
3 other request to which this title ap-  
4 plies under section 61010.

5 (iv) LIMITATION ON JUDICIAL RE-  
6 VIEW.—The following shall not be subject  
7 to judicial review:

8 (I) A determination by the Exec-  
9 utive Director under clause (i)(III).

10 (II) A determination under  
11 clause (iii)(II) by the Director of the  
12 Office of Management and Budget to  
13 permit the Executive Director to au-  
14 thorize extensions of a permitting  
15 timetable.

