

AMENDMENT TO RULES COMMITTEE PRINT

114-32

OFFERED BY MR. DESAULNIER OF CALIFORNIA

At the end of subtitle D of title I of Division A, add the following:

1 **SEC. ____ . ADDITIONAL REQUIREMENTS FOR CERTAIN**
2 **TRANSPORTATION PROJECTS.**

3 (a) IN GENERAL.—Section 106 of title 23, United
4 States Code, is amended by adding at the end the fol-
5 lowing:

6 “(k) MEGAPROJECTS.—

7 “(1) MEGAPROJECT DEFINED.—In this sub-
8 section, the term ‘megaproject’ means a project that
9 has an estimated total cost of \$2,500,000,000 or
10 more, and such other projects as may be identified
11 by the Secretary.

12 “(2) COMPREHENSIVE RISK MANAGEMENT
13 PLAN.—A recipient of Federal financial assistance
14 under this title for a megaproject shall, in order to
15 be authorized for construction, submit to the Sec-
16 retary a comprehensive risk management plan that
17 contains—

1 “(A) a description of the process by which
2 the recipient will identify, quantify, and monitor
3 the risks that might result in cost overruns,
4 project delays, reduced construction quality, or
5 reductions in benefits with respect to the
6 megaproject;

7 “(B) examples of mechanisms the recipient
8 will use to track risks identified pursuant to
9 subparagraph (A);

10 “(C) a plan to control such risks; and

11 “(D) such assurances as the Secretary con-
12 siders appropriate that the recipient will, with
13 respect to the megaproject—

14 “(i) regularly submit to the Secretary
15 updated cost estimates; and

16 “(ii) maintain and regularly reassess
17 financial reserves for addressing known
18 and unknown risks.

19 “(3) PEER REVIEW GROUP.—

20 “(A) IN GENERAL.—A recipient of Federal
21 financial assistance under this title for a
22 megaproject shall, not later than 90 days after
23 the date when such megaproject is authorized
24 for construction, establish a peer review group
25 for such megaproject that consists of at least 5

1 individuals (including at least 1 individual with
2 project management experience) to give expert
3 advice on the scientific, technical, and project
4 management aspects of the megaproject.

5 “(B) MEMBERSHIP.—Not later than 180
6 days after the date of the enactment of this
7 subsection, the Secretary shall establish guide-
8 lines describing how a recipient described in
9 subparagraph (A) shall—

10 “(i) recruit and select members for a
11 peer review group established under such
12 subparagraph;

13 “(ii) ensure that no member of the
14 peer group has a conflict of interest relat-
15 ing to the project; and

16 “(iii) make publicly available the cri-
17 teria for such selection and the identity of
18 members so selected.

19 “(C) TASKS.—A peer review group estab-
20 lished under subparagraph (A) by a recipient of
21 Federal financial assistance for a megaproject
22 shall—

23 “(i) meet annually until completion of
24 the megaproject;

1 “(ii) not later than 90 days after the
2 date of the establishment of the peer re-
3 view group and not later than 90 days
4 after the date of any significant change, as
5 determined by the Secretary, to the scope,
6 schedule, or budget of the megaproject, re-
7 view the scope, schedule, and budget of the
8 megaproject, including planning, engineer-
9 ing, financing, and any other elements de-
10 termined appropriate by the Secretary; and

11 “(iii) submit a report on the findings
12 of each review under clause (ii) to the Sec-
13 retary, Congress, and the recipient.

14 “(4) TRANSPARENCY.—A recipient of Federal
15 financial assistance under this title for a
16 megaproject shall publish on the Internet Web site
17 of such recipient—

18 “(A) the name, license number, and license
19 type of each engineer supervising an aspect of
20 the megaproject; and

21 “(B) the report submitted under para-
22 graph (3)(C)(iii), not later than 90 days after
23 such submission.”.

24 (b) APPLICABILITY.—The amendment made by sub-
25 section (a) applies with respect to projects that are author-

- 1 ized for construction on or after the date that is 1 year
- 2 after the date of the enactment of this Act.

