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:

SEC. _____. ADDITIONAL REQUIREMENTS FOR CERTAIN TRANSPORTATION PROJECTS.

(a) In general.—Section 106 of title 23, United States Code, is amended by adding at the end the following:

“(k) Megaprojects.—

“(1) Megaproject defined.—In this subsection, the term ‘megaproject’ means a project that has an estimated total cost of $2,500,000,000 or more, and such other projects as may be identified by the Secretary.

“(2) Comprehensive risk management plan.—A recipient of Federal financial assistance under this title for a megaproject shall, in order to be authorized for construction, submit to the Secretary a comprehensive risk management plan that contains—
“(A) a description of the process by which the recipient will identify, quantify, and monitor the risks that might result in cost overruns, project delays, reduced construction quality, or reductions in benefits with respect to the megaproject;

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

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

“(D) such assurances as the Secretary considers appropriate that the recipient will, with respect to the megaproject—

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

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

“(3) PEER REVIEW GROUP.—

“(A) IN GENERAL.—A recipient of Federal financial assistance under this title for a megaproject shall, not later than 90 days after the date when such megaproject is authorized for construction, establish a peer review group for such megaproject that consists of at least 5
individuals (including at least 1 individual with project management experience) to give expert advice on the scientific, technical, and project management aspects of the megaproject.

“(B) Membership.—Not later than 180 days after the date of the enactment of this subsection, the Secretary shall establish guidelines describing how a recipient described in subparagraph (A) shall—

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

“(ii) ensure that no member of the peer group has a conflict of interest relating to the project; and

“(iii) make publicly available the criteria for such selection and the identity of members so selected.

“(C) Tasks.—A peer review group established under subparagraph (A) by a recipient of Federal financial assistance for a megaproject shall—

“(i) meet annually until completion of the megaproject;
“(ii) not later than 90 days after the
date of the establishment of the peer re-
view group and not later than 90 days
after the date of any significant change, as
determined by the Secretary, to the scope,
schedule, or budget of the megaproject, re-
view the scope, schedule, and budget of the
megaproject, including planning, engineer-
ing, financing, and any other elements de-
determined appropriate by the Secretary; and
“(iii) submit a report on the findings
of each review under clause (ii) to the Sec-
etary, Congress, and the recipient.
“(4) TRANSPARENCY.—A recipient of Federal
financial assistance under this title for a
megaproject shall publish on the Internet Web site
of such recipient—
“(A) the name, license number, and license
type of each engineer supervising an aspect of
the megaproject; and
“(B) the report submitted under para-
graph (3)(C)(iii), not later than 90 days after
such submission.”.
(b) APPLICABILITY.—The amendment made by sub-
section (a) applies with respect to projects that are author-
ized for construction on or after the date that is 1 year after the date of the enactment of this Act.