

116TH CONGRESS  
1ST SESSION

# S. 353

To amend title 23, United States Code, to improve the transportation infrastructure finance and innovation (TIFIA) program, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 6, 2019

Mr. CORNYN (for himself and Mr. Kaine) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To amend title 23, United States Code, to improve the transportation infrastructure finance and innovation (TIFIA) program, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Revitalizing American  
5       Priorities for Infrastructure Development Act” or the  
6       “RAPID Act”.

1 **SEC. 2. TRANSPORTATION INFRASTRUCTURE FINANCE AND**  
 2 **INNOVATION PROGRAM.**

3 (a) ELIGIBILITY.—Section 602(a)(2) of title 23,  
 4 United States Code, is amended—

5 (1) in subparagraph (A)(iv)—

6 (A) by striking “a rating” and inserting  
 7 “an investment-grade rating”; and

8 (B) by striking “\$75,000,000” and insert-  
 9 ing “\$150,000,000”; and

10 (2) in subparagraph (B)—

11 (A) by striking “the senior debt” and in-  
 12 serting “senior debt”; and

13 (B) by striking “credit instrument is for  
 14 an amount less than \$75,000,000” and insert-  
 15 ing “total amount of other senior debt and the  
 16 Federal credit instrument is less than  
 17 \$150,000,000”.

18 (b) STREAMLINED APPLICATION PROCESS.—Section  
 19 603(f) of title 23, United States Code, is amended by add-  
 20 ing at the end the following:

21 “(3) ADDITIONAL TERMS FOR EXPEDITED DE-  
 22 CISIONS.—

23 “(A) IN GENERAL.—Not later than 120  
 24 days after the date of enactment of this para-  
 25 graph, the Secretary shall implement an expe-

1 dited decision timeline for public agency bor-  
2 rowers seeking secured loans that meet—

3 “(i) the terms under paragraph (2);  
4 and

5 “(ii) the additional criteria described  
6 in subparagraph (B).

7 “(B) ADDITIONAL CRITERIA.—The addi-  
8 tional criteria referred to in subparagraph  
9 (A)(ii) are the following:

10 “(i) The secured loan is made on  
11 terms and conditions that substantially  
12 conform to the conventional terms and  
13 conditions established by the National Sur-  
14 face Transportation Innovative Finance  
15 Bureau.

16 “(ii) The secured loan is rated in the  
17 A category or higher.

18 “(iii) The TIFIA program share of el-  
19 igible project costs is 33 percent or less.

20 “(iv) The applicant demonstrates a  
21 reasonable expectation that the contracting  
22 process for the project can commence by  
23 not later than 90 days after the date on  
24 which a Federal credit instrument is obli-

gated for the project under the TIFIA program.

“(v) The project has received a categorical exclusion, a finding of no significant impact, or a record of decision under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(C) WRITTEN NOTICE.—The Secretary shall provide to an applicant seeking a secured loan under the expedited decision process under this paragraph a written notice informing the applicant whether the Secretary has approved or disapproved the application by not later than 180 days after the date on which the Secretary submits to the applicant a letter indicating that the National Surface Transportation Innovative Finance Bureau has commenced the creditworthiness review of the project.”.

(c) STATUS REPORTS.—Section 609 of title 23, United States Code, is amended by adding at the end the following:

“(c) STATUS REPORTS.—

“(1) IN GENERAL.—The Secretary shall publish on the website for the TIFIA program—

1           “(A) on a monthly basis, a current status  
 2           report on all submitted letters of interest and  
 3           applications received for assistance under the  
 4           TIFIA program; and

5           “(B) on a quarterly basis, a current status  
 6           report on all approved applications for assist-  
 7           ance under the TIFIA program.

8           “(2) INCLUSIONS.—Each monthly and quar-  
 9           terly status report under paragraph (1) shall in-  
 10          clude, at a minimum, with respect to each project in-  
 11          cluded in the status report—

12           “(A) the name of the party submitting the  
 13           letter of interest or application;

14           “(B) the name of the project;

15           “(C) the date on which the letter of inter-  
 16           est or application was received;

17           “(D) the estimated project eligible costs;

18           “(E) the type of credit assistance sought;

19           and

20           “(F) the anticipated fiscal year and quar-  
 21           ter for closing of the credit assistance.”.

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