

116TH CONGRESS
2D SESSION

S. 3842

To require the Secretary of Transportation to establish a pilot program to provide assistance to certain entities in rural communities, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 21, 2020

Mr. WICKER introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To require the Secretary of Transportation to establish a pilot program to provide assistance to certain entities in rural communities, 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 “Rural Infrastructure
5 Advancement Act of 2020”.

6 **SEC. 2. RURAL ASSISTANCE PILOT PROGRAM.**

7 (a) ESTABLISHMENT.—

8 (1) IN GENERAL.—The Secretary shall establish
9 within the Build America Bureau a pilot program,

1 to be known as the “Rural Assistance Pilot Pro-
 2 gram”, to provide to eligible entities, through the
 3 services of expert firms described in subsection (c),
 4 assistance and information described in paragraph
 5 (2).

6 (2) ASSISTANCE AND INFORMATION.—In car-
 7 rying out the Rural Assistance Pilot Program, the
 8 Secretary may provide the following:

9 (A) Financial, technical, and legal assist-
 10 ance to evaluate potential projects eligible to re-
 11 ceive funding or financing assistance under an
 12 eligible program.

13 (B) Assistance with development phase ac-
 14 tivities, including—

- 15 (i) project planning;
- 16 (ii) feasibility studies;
- 17 (iii) revenue forecasting and funding
 18 and financing options analysis;
- 19 (iv) environmental review;
- 20 (v) preliminary engineering and de-
 21 sign work;
- 22 (vi) economic assessments and cost-
 23 benefit analyses;
- 24 (vii) public benefit studies;

1 (viii) statutory and regulatory frame-
2 work analyses;

3 (ix) value for money studies;

4 (x) evaluations of costs to sustain the
5 project;

6 (xi) evaluating opportunities for pri-
7 vate financing and project bundling; and

8 (xii) any other activity determined to
9 be appropriate by the Secretary.

10 (C) Information about innovative financing
11 best practices and case studies if the eligible en-
12 tity is interested in using innovative financing
13 methods.

14 (b) ELIGIBLE ENTITIES.—An entity eligible for as-
15 sistance under the Rural Assistance Pilot Program is an
16 entity that—

17 (1) is located in an area that is outside of an
18 urbanized area (as defined by the Bureau of the
19 Census) with a population greater than 150,000 in-
20 dividuals; or

21 (2) may pursue a project located in an area de-
22 scribed in paragraph (1).

23 (c) ASSISTANCE FROM EXPERT FIRMS.—The Sec-
24 retary may retain the services of expert firms, including
25 counsel, in the field of municipal and project finance to

1 assist in providing financial, technical, and legal assistance
2 to eligible entities.

3 (d) WEBSITE.—

4 (1) DESCRIPTION OF PROGRAM.—

5 (A) IN GENERAL.—The Secretary shall
6 make publicly available on the website of the
7 Department a description of the Rural Assist-
8 ance Pilot Program, including the resources
9 available to eligible entities.

10 (B) CLEARINGHOUSE.—The Secretary may
11 establish a clearinghouse for tools, templates,
12 and best practices on the page of the website of
13 the Department that contains the information
14 described in subparagraph (A).

15 (2) APPLICATION PROCESSES.—

16 (A) IN GENERAL.—Not later than 180
17 days after the date of enactment of this Act,
18 the Secretary shall establish a process for sub-
19 mitting an application.

20 (B) ONLINE PORTAL.—The Secretary shall
21 develop and make available to the public an on-
22 line portal through which the Secretary may re-
23 ceive, on a rolling basis, applications.

24 (C) REVIEW OF APPLICATIONS.—

1 (i) IN GENERAL.—Not later than 60
2 days after the date on which the Secretary
3 receives an application, the Secretary shall
4 notify each eligible entity that submitted
5 the application of the approval or dis-
6 approval of the application.

7 (ii) ADDITIONAL WRITTEN NOTIFICA-
8 TION.—

9 (I) IN GENERAL.—Not later than
10 30 days after the date on which the
11 Secretary initially notifies an eligible
12 entity under clause (i), the Secretary
13 shall provide to the eligible entity an
14 additional written notification of the
15 approval or disapproval of the applica-
16 tion.

17 (II) DISAPPROVED APPLICA-
18 TIONS.—If an application is not ap-
19 proved, a written notification under
20 subclause (I) shall include an offer for
21 a written or telephonic debrief by the
22 Secretary that will provide an expla-
23 nation of, and guidance on, the rea-
24 sons that the application was not ap-
25 proved.

1 (iii) INCOMPLETE APPLICATIONS.—

2 The Secretary shall not approve an appli-
3 cation if the application does not meet the
4 criteria established under this section.

5 (3) DASHBOARD.—The Secretary shall post on
6 the website of the Department a monthly report that
7 includes, for each application—

8 (A) the type of entity that submitted the
9 application;

10 (B) the location of the potential project or
11 projects;

12 (C) a brief description of the assistance re-
13 quested;

14 (D) the date on which the Secretary re-
15 ceived the application; and

16 (E) the date on which the Secretary pro-
17 vided notice of approval or disapproval under
18 paragraph (2)(C)(i).

19 (e) EXPERTS.—An eligible entity that receives assist-
20 ance under the Rural Assistance Pilot Program may re-
21 tain the services of any expert for any phase of a project,
22 including project development, regardless of whether the
23 expert was retained by the Secretary under subsection (c).

24 (f) FUNDING.—

1 (1) IN GENERAL.—For each of fiscal years
 2 2021 through 2025, the Secretary may use to carry
 3 out the Rural Assistance Pilot Program, including to
 4 retain the services of expert firms, any amounts
 5 made available to the Secretary that are used to pro-
 6 vide credit assistance under eligible programs and
 7 not otherwise obligated, not to exceed—

8 (A) \$2,000,000 for fiscal year 2021;

9 (B) \$2,400,000 for fiscal year 2022;

10 (C) \$3,200,000 for fiscal year 2023;

11 (D) \$4,000,000 for fiscal year 2024; and

12 (E) \$5,200,000 for fiscal year 2025.

13 (2) GEOGRAPHIC DISTRIBUTION.—Not more
 14 than 20 percent of the amounts made available for
 15 grants under this subsection for a fiscal year may be
 16 used to make grants for projects in any 1 State.

17 (g) SUNSET.—The Rural Assistance Pilot Program
 18 shall terminate on the date that is 5 years after the date
 19 of enactment of this Act.

20 (h) ADMINISTRATION OF APPLICATION PROCESS BY
 21 THE BUILD AMERICA BUREAU.—Section 116(d)(1) of
 22 title 49, United States Code, is amended by adding at the
 23 end the following:

1 “(E) The Rural Assistance Pilot Program
 2 established under the Rural Infrastructure Ad-
 3 vancement Act of 2020.”.

4 (i) DEFINITIONS.—In this section:

5 (1) APPLICATION.—The term “application”
 6 means an application for assistance under the Rural
 7 Assistance Pilot Program submitted by an eligible
 8 entity to the Secretary in such form and containing
 9 such information as the Secretary may require.

10 (2) BUILD AMERICA BUREAU.—The term
 11 “Build America Bureau” means the National Sur-
 12 face Transportation and Innovative Finance Bureau
 13 established under section 116 of title 49, United
 14 States Code.

15 (3) DEPARTMENT.—The term “Department”
 16 means the Department of Transportation.

17 (4) ELIGIBLE ENTITY.—The term “eligible enti-
 18 ty” means an entity described in subsection (b).

19 (5) ELIGIBLE PROGRAM.—The term “eligible
 20 program” means a program described in any of sub-
 21 paragraphs (A), (B), and (D) of section 116(d)(1) of
 22 title 49, United States Code.

23 (6) SECRETARY.—The term “Secretary” means
 24 the Secretary of Transportation.

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