

116TH CONGRESS
2D SESSION

S. 4336

To provide for the improvement of rural infrastructure in the United States,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 28, 2020

Mr. BENNET introduced the following bill; which was read twice and referred
to the Committee on Finance

A BILL

To provide for the improvement of rural infrastructure in
the United States, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Reforming, Expanding, and Simplifying Investment for
6 Local Infrastructure to Enhance our Neighborhoods and
7 Towns Act” or the “RESILIENT Act”.

8 (b) TABLE OF CONTENTS.—The table of contents for
9 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Definitions.

TITLE I—DEPARTMENT OF AGRICULTURE

- Sec. 101. Rural Partnerships Office.
- Sec. 102. Rural infrastructure partnerships.
- Sec. 103. Rural economic and community development.
- Sec. 104. Simplification of application process.

TITLE II—INTERAGENCY COORDINATION

- Sec. 201. Rural Liaisons.
- Sec. 202. Interagency rural infrastructure task force.

TITLE III—OTHER DEPARTMENTS AND AGENCIES

- Sec. 301. Rural infrastructure financing flexibility.
- Sec. 302. Drinking water and wastewater infrastructure.
- Sec. 303. Solicitation of public comment on conducting water audits with REAC inspections.

TITLE IV—ADMINISTRATION

- Sec. 401. Effect of definition.
- Sec. 402. Authorization of appropriations.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) rural infrastructure, such as roads, water
 4 systems, and broadband, is in dire need of upgrade
 5 and repair;

6 (2) rural areas face unique challenges when ad-
 7 dressing infrastructure;

8 (3) rural communities often lack staff with the
 9 necessary expertise to develop major infrastructure
 10 projects or to secure financing;

11 (4) many rural projects struggle to attract re-
 12 gional support or private sector investment;

13 (5) revenue sources, such as taxes or user fees,
 14 are limited in many rural areas;

1 (6) 13 percent of major rural roads are in poor
2 condition, and more than 50 percent of rural bridges
3 are considered to not be in good condition;

4 (7) only 60 percent of counties nationwide have
5 public transportation service, and over $\frac{1}{4}$ of those
6 counties have very limited public transportation serv-
7 ice;

8 (8) many rural transit vehicles are still on the
9 road despite being past their useful life, which can
10 lead to costly repairs, unreliable service, and safety
11 issues;

12 (9) every day, nearly 6,000,000,000 gallons of
13 treated drinking water are lost, an amount that
14 could support 15,000,000 households;

15 (10) without a full investment in water, by
16 2040, the cumulative impact from breakdowns in
17 water supply, treatment, and wastewater capacity is
18 estimated to cost manufacturers and other busi-
19 nesses \$7,500,000,000,000 in lost sales and
20 \$4,100,000,000,000 in lost gross domestic product;

21 (11) Federal agencies estimate that the cost of
22 drinking water and wastewater infrastructure
23 projects in rural communities will total almost
24 \$190,000,000,000 in the coming decades;

1 (12) small water systems reaching fewer than
2 3,300 people serve only 8 percent of the population
3 of the United States, but account for nearly 83 per-
4 cent of reported funding needs;

5 (13) Federal funding of water infrastructure
6 was 63 percent of total capital spending in 1977,
7 and was down to 9 percent in 2014;

8 (14) nearly 1 in 3 rural residents lack access to
9 basic broadband;

10 (15) every dollar spent on infrastructure gen-
11 erates up to \$2.50;

12 (16) Federal, State, and local governments
13 combined spent \$440,500,000,000 on infrastructure
14 in 2017, with less than 25 percent of that amount
15 provided by the Federal Government;

16 (17) fewer multidisciplinary Federal agency
17 field staff has reduced the capacity of rural commu-
18 nities to navigate complex infrastructure projects;

19 (18) lack of adequate infrastructure adversely
20 impacts the efforts of rural communities to create
21 jobs, stimulate economic growth, and diversify their
22 economies; and

23 (19) it is therefore in the national economic in-
24 terest to assist rural communities in addressing their
25 infrastructure needs.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

3 (1) **INFRASTRUCTURE.**—The term “infrastruc-
4 ture” means infrastructure for renewable or conven-
5 tional energy production, electricity transmission,
6 surface transportation, aviation, a port or waterway,
7 a water resource project, drinking water or waste-
8 water treatment, broadband, a pipeline, an elemen-
9 tary school or secondary school (as defined in section
10 8101 of the Elementary and Secondary Education
11 Act of 1965 (20 U.S.C. 7801)), and an institution
12 of higher education (as defined in section 101 of the
13 Higher Education Act of 1965 (20 U.S.C. 1001)).

14 (2) **RURAL.**—The term “rural” means any area
15 located outside—

16 (A) an urbanized area, as determined by
17 the latest available decennial census conducted
18 under section 141(a) of title 13, United States
19 Code; and

20 (B) a community or town that has a popu-
21 lation equal to or greater than 20,000 inhab-
22 itants.

23 (3) **RURAL INFRASTRUCTURE PROJECT.**—The
24 term “rural infrastructure project” means a project
25 for infrastructure in a rural area.

TITLE I—DEPARTMENT OF AGRICULTURE

3 SEC. 101. RURAL PARTNERSHIPS OFFICE.

4 (a) ESTABLISHMENT.—Subtitle C of the Department
5 of Agriculture Reorganization Act of 1994 (7 U.S.C. 6941
6 et seq.) is amended by adding at the end the following:

7 “SEC. 237. RURAL PARTNERSHIPS OFFICE.

8 “(a) ESTABLISHMENT.—The Secretary shall estab-
9 lish within the Department the Rural Partnerships Office.

10 “(b) DIRECTOR.—The Rural Partnerships Office
11 shall be headed by a Director, who shall be appointed by
12 the President.

13 “(c) FUNCTIONS.—The Secretary, acting through the
14 Director of the Rural Partnerships Office, shall carry
15 out—

16 “(1) subtitle I of the Consolidated Farm and
17 Rural Development Act; and

18 “(2) such other technical assistance relating to
19 rural infrastructure projects (as defined in section 3
20 of the Reforming, Expanding, and Simplifying In-
21 vestment for Local Infrastructure to Enhance our
22 Neighborhoods and Towns Act) as the Secretary de-
23 termines to be appropriate.”.

24 (b) CONFORMING AMENDMENT.—Section 296(b) of
25 the Department of Agriculture Reorganization Act of

1 1994 (7 U.S.C. 7014(b)) is amended by adding at the end
 2 the following:

3 “(11) The authority of the Secretary to carry
 4 out the amendments made to this title by the Re-
 5 forming, Expanding, and Simplifying Investment for
 6 Local Infrastructure to Enhance our Neighborhoods
 7 and Towns Act.”.

8 **SEC. 102. RURAL INFRASTRUCTURE PARTNERSHIPS.**

9 The Consolidated Farm and Rural Development Act
 10 is amended by inserting after subtitle H (7 U.S.C. 2009cc
 11 et seq.) the following:

12 **“Subtitle I—Rural Infrastructure**
 13 **Partnerships**

14 **“SEC. 385A. DEFINITIONS.**

15 “In this subtitle:

16 “(1) INFRASTRUCTURE.—The term ‘infrastruc-
 17 ture’ has the meaning given the term in section 3 of
 18 the Reforming, Expanding, and Simplifying Invest-
 19 ment for Local Infrastructure to Enhance our
 20 Neighborhoods and Towns Act.

21 “(2) RURAL.—The term ‘rural’ has the mean-
 22 ing given the term in section 3 of the Reforming,
 23 Expanding, and Simplifying Investment for Local
 24 Infrastructure to Enhance our Neighborhoods and
 25 Towns Act.

1 “(3) RURAL INFRASTRUCTURE PROJECT.—The
 2 term ‘rural infrastructure project’ has the meaning
 3 given the term in section 3 of the Reforming, Ex-
 4 panding, and Simplifying Investment for Local In-
 5 frastructure to Enhance our Neighborhoods and
 6 Towns Act.

7 “(4) RURAL LIAISON.—The term ‘Rural Liai-
 8 son’ means a Rural Liaison designated under section
 9 201(b)(1) of the Reforming, Expanding, and Simpli-
 10 fying Investment for Local Infrastructure to En-
 11 hance our Neighborhoods and Towns Act.

12 “(5) SECRETARY.—The term ‘Secretary’ means
 13 the Secretary, acting through the Director of the
 14 Rural Partnerships Office.

15 **“SEC. 385B. RURAL PARTNERS PROGRAM.**

16 “(a) ESTABLISHMENT.—The Secretary shall estab-
 17 lish a Rural Partners Program (referred to in this section
 18 as the ‘Program’) to provide technical assistance to im-
 19 prove the delivery, financing, operations, and maintenance
 20 of rural infrastructure projects.

21 “(b) COORDINATION.—In carrying out the Program,
 22 the Secretary shall coordinate with—

23 “(1) technical assistance programs of the De-
 24 partment of Agriculture and the Environmental Pro-
 25 tection Agency;

1 “(2) the Capacity Building for Affordable
 2 Housing and Community Development Program au-
 3 thorized under section 4 of the HUD Demonstration
 4 Act of 1993 (42 U.S.C. 9816 note; Public Law 103–
 5 120);

6 “(3) the rural and Tribal passenger transpor-
 7 tation technical assistance program established
 8 under section 310B(c)(3)(B)(iv); and

9 “(4) any other technical assistance programs
 10 that may impact rural infrastructure projects, in-
 11 cluding programs operated by States.

12 “(c) TECHNICAL ASSISTANCE PROVIDERS.—

13 “(1) SELECTION.—The Secretary shall select,
 14 through a competitive process, not more than 5 or-
 15 ganizations to provide to rural communities technical
 16 assistance under this section.

17 “(2) REQUIREMENTS.—To be eligible for selec-
 18 tion under paragraph (1), an organization shall—

19 “(A) provide technical assistance nation-
 20 ally; and

21 “(B) have the experience and capacity to
 22 provide technical assistance in each State, the
 23 Commonwealth of Puerto Rico, and the United
 24 States Virgin Islands.

25 “(d) APPLICATIONS.—

1 “(1) INITIAL PROPOSAL.—To be eligible to re-
2 ceive technical assistance under this section, a rural
3 community (including a rural passenger transpor-
4 tation agency) shall submit to the Secretary an ini-
5 tial proposal containing a basic statement of—

6 “(A) a description of the technical assist-
7 ance under subsection (e) being requested; and

8 “(B) how the technical assistance would
9 improve rural infrastructure in the rural com-
10 munity.

11 “(2) APPLICATION ASSISTANCE.—The Secretary
12 shall coordinate with State offices of the rural devel-
13 opment mission area to identify a point of contact
14 who shall assist the rural community with the re-
15 mainder of the application process.

16 “(3) REQUIREMENTS.—The Secretary—

17 “(A) shall not require the initial proposal
18 under paragraph (1) to contain any information
19 not required under that paragraph; and

20 “(B) shall determine the requirements for
21 the remainder of the application process.

22 “(4) CONSULTATION.—The Secretary shall con-
23 sult with the Rural Liaison for any relevant Federal
24 agencies in reviewing applications under this sub-
25 section.

1 “(e) ELIGIBLE ACTIVITIES.—A technical assistance
2 provider selected under subsection (c) may provide to a
3 rural community the application of which is approved
4 under subsection (d) technical assistance with—

5 “(1) infrastructure project planning;

6 “(2) asset management;

7 “(3) life-cycle accounting;

8 “(4) project delivery;

9 “(5) funding and financing;

10 “(6) regional coordination;

11 “(7) project affordability;

12 “(8) broadband predevelopment work; and

13 “(9) project oversight.

14 “(f) DURATION.—The Secretary shall assign a tech-
15 nical assistance provider selected under subsection (c) to
16 a rural community the application of which is approved
17 under subsection (d) for a period that is not longer than
18 2 years.

19 “(g) ONSITE PRESENCE REQUIRED.—Personnel of a
20 technical assistance provider shall be onsite in the rural
21 community for a significant portion of the period under
22 subsection (f), as determined by the Secretary.

23 “(h) REPORTS.—A technical assistance provider shall
24 submit to the Secretary and the Rural Liaison for any
25 relevant Federal agencies quarterly reports describing the

1 status of activities in each rural community to which the
 2 provider is assigned.

3 **“SEC. 385C. RURAL INFRASTRUCTURE BEST PRACTICES**
 4 **CLEARINGHOUSE.**

5 “The Secretary shall establish an online clearing-
 6 house of best practices specifically targeted to rural infra-
 7 structure project planning, asset management, life-cycle
 8 accounting, project delivery, funding and financing, re-
 9 gional coordination, affordability, and project oversight,
 10 including resources prepared by Federal agencies and ex-
 11 ternal resources.

12 **“SEC. 385D. PREDEVELOPMENT SCOPING GRANT PRO-**
 13 **GRAM.**

14 “(a) IN GENERAL.—The Secretary shall establish a
 15 predevelopment scoping grant program (referred to in this
 16 section as the ‘program’) to provide grants to assist rural
 17 communities in developing cost-effective rural infrastruc-
 18 ture projects, with a particular focus on regionally coordi-
 19 nated or bundled projects.

20 “(b) APPLICATION.—An application for a grant
 21 under the program shall—

22 “(1) require only such documentation as is nec-
 23 essary to demonstrate the potential for a viable
 24 project; and

1 “(2) be submitted by the State, local, or re-
 2 gional governmental entity, or nonprofit entity with
 3 the ability to provide technical assistance across a
 4 State, with primary responsibility for the project.

5 “(c) LIMITATION.—A grant under this section shall
 6 be in an amount not greater than \$150,000.

7 **“SEC. 385E. RURAL INFRASTRUCTURE BUNDLING PRO-**
 8 **GRAM.**

9 “(a) DEFINITION OF BUNDLED PROJECT.—In this
 10 section, the term ‘bundled project’ means 2 or more rural
 11 infrastructure projects of a local, regional, or State entity
 12 that are submitted in a single application and subject to
 13 a single procurement contract.

14 “(b) ESTABLISHMENT.—The Secretary, in coordina-
 15 tion with the Rural Liaisons, shall establish a Rural Infra-
 16 structure Bundling Program (referred to in this section
 17 as the ‘Program’) to improve the efficiency of rural infra-
 18 structure projects.

19 “(c) APPLICATIONS.—

20 “(1) IN GENERAL.—The Secretary shall solicit,
 21 on a rolling basis, letters of interest from local, re-
 22 gional, or State entities for bundled projects.

23 “(2) CONTENTS.—A letter of interest submitted
 24 by a local, regional, or State entity under paragraph
 25 (1) shall include a description of—

1 “(A) a bundled project concept;

2 “(B) likely funding sources; and

3 “(C) such other information as is nec-
 4 essary to determine whether the proposed
 5 project is unlikely to be completed but for as-
 6 sistance provided by the Program.

7 “(3) REVIEW.—

8 “(A) IN GENERAL.—The Secretary, State
 9 offices of the rural development mission area,
 10 and the Rural Liaison for any relevant Federal
 11 agencies shall review letters of interest sub-
 12 mitted by local, regional, or State entities to de-
 13 termine whether to approve each bundled
 14 project for assistance under the Program.

15 “(B) CONSIDERATION.—In reviewing let-
 16 ters of interest under subparagraph (A), the in-
 17 dividuals and entities described in that subpara-
 18 graph shall consider whether the proposed
 19 project is unlikely to be completed but for as-
 20 sistance provided by the Program.

21 “(d) PROGRAM ASSISTANCE.—The Secretary, in co-
 22 ordination with the Rural Liaisons, shall provide to a
 23 local, regional, or State entity that is approved for assist-
 24 ance under the Program—

1 “(1) technical assistance with the development
2 of a bundled project, including assistance with iden-
3 tifying appropriate financing; and

4 “(2) a grant to support project development
5 and ongoing project management.

6 “(e) COST THRESHOLDS.—

7 “(1) IN GENERAL.—For purposes of the pro-
8 grams and laws described in paragraph (2), each
9 rural infrastructure project that is included in a
10 bundled project that is approved for assistance
11 under the Program shall be considered a separate
12 rural infrastructure project.

13 “(2) PROGRAMS AND LAWS DESCRIBED.—The
14 programs and laws referred to in paragraph (1)
15 are—

16 “(A) water or waste disposal grants or di-
17 rect or guaranteed loans under paragraph (1)
18 or (2) of section 306(a);

19 “(B) rural water or wastewater technical
20 assistance and training grants under section
21 306(a)(14);

22 “(C) emergency community water assist-
23 ance grants under section 306A;

24 “(D) paragraphs (2)(C) and (5)(C) of sec-
25 tion 603(b) of title 23, United States Code;

1 “(E) paragraphs (2)(B) and (5)(C) of sec-
 2 tion 5029(b) of the Water Infrastructure Fi-
 3 nance and Innovation Act of 2014 (33 U.S.C.
 4 3908(b));

5 “(F) the program for national infrastruc-
 6 ture investments (commonly known as the ‘Bet-
 7 ter Utilizing Investments to Leverage Develop-
 8 ment (BUILD) discretionary grant program’)
 9 authorized under title I of division L of the
 10 Consolidated Appropriations Act, 2018 (Public
 11 Law 115–141) or a subsequent appropriations
 12 Act; and

13 “(G) a categorical exclusion under the Na-
 14 tional Environmental Policy Act of 1969 (42
 15 U.S.C. 4321 et seq.).

16 “(f) VOLUME CAP FOR PRIVATE ACTIVITY BONDS.—
 17 A bundled project that is approved for assistance under
 18 the Program shall be exempt from the volume cap for pri-
 19 vate activity bonds under section 146(d) of the Internal
 20 Revenue Code of 1986.

21 “(g) ELIGIBILITY FOR RURAL INFRASTRUCTURE FI-
 22 NANCING FLEXIBILITY.—Except as provided in subsection
 23 (e), a bundled project that is approved for assistance
 24 under the Program shall be considered to be—

1 “(1) a rural infrastructure project for purposes
 2 of the TIFIA program (as those terms are defined
 3 in section 601(a) of title 23, United States Code);
 4 and

5 “(2) a rural project for purposes of the Water
 6 Infrastructure Finance and Innovation Act of 2014
 7 (33 U.S.C. 3901 et seq.).

8 “(h) FEDERAL PERMITTING DASHBOARD.—A bun-
 9 dled project that is approved for assistance under the Pro-
 10 gram shall be considered to be a covered project under
 11 title XLI of the FAST Act (42 U.S.C. 4370m et seq.).

12 **“SEC. 385F. REPORTS.**

13 “The Secretary shall publish on the website of the
 14 Rural Partnerships Office an annual report describing the
 15 activities of the Office, including—

16 “(1) the status of projects funded with grants
 17 provided by the Office;

18 “(2) activities conducted under the Rural Part-
 19 ners Program under section 385B;

20 “(3) private sector investment leveraged by
 21 those projects and activities; and

22 “(4) the activities of the Rural Infrastructure
 23 Bundling Program under section 385E.”.

1 **SEC. 103. RURAL ECONOMIC AND COMMUNITY DEVELOP-**
 2 **MENT.**

3 Section 306(a)(19) of the Consolidated Farm and
 4 Rural Development Act (7 U.S.C. 1926(a)(19)) is amend-
 5 ed—

6 (1) in subparagraph (A), by striking “nonprofit
 7 corporations,” and all that follows through “feder-
 8 ally recognized” and inserting “nonprofit corpora-
 9 tions, rural passenger transportation facilities, In-
 10 dian tribes (as defined in section 4 of the Indian
 11 Self-Determination and Education Assistance Act
 12 (25 U.S.C. 5304)), and federally recognized”; and

13 (2) by adding at the end the following:

14 “(C) PRIORITY FOR CO-LOCATED FACILI-
 15 TIES.—In evaluating applications for grants
 16 under subparagraph (A), the Secretary shall
 17 give priority to a project that co-locates social
 18 services facilities or employment centers with
 19 passenger transportation facilities.”.

20 **SEC. 104. SIMPLIFICATION OF APPLICATION PROCESS.**

21 (a) IN GENERAL.—Not later than 30 days after the
 22 date of enactment of this Act, the Secretary of Agriculture
 23 shall consider ways to simplify and streamline the applica-
 24 tion processes for programs of the Department of Agri-
 25 culture that provide loans, grants, or other financing for
 26 rural infrastructure, including by—

1 (1) issuing a notice in the Federal Register re-
 2 questing public comment on ways to simplify and
 3 streamline those application processes; and

4 (2) evaluating the application processes of other
 5 Federal agencies, such as the Economic Develop-
 6 ment Administration.

7 (b) REPORT.—Not later than 180 days after the date
 8 on which the period for public comment under subsection
 9 (a)(1) ends, the Secretary of Agriculture shall submit to
 10 Congress a report describing the actions carried out, if
 11 any, to simplify and streamline the application processes
 12 referred to in subsection (a).

13 **TITLE II—INTERAGENCY** 14 **COORDINATION**

15 **SEC. 201. RURAL LIAISONS.**

16 (a) PURPOSE.—The purpose of this section is to es-
 17 tablish Rural Liaisons to improve coordination and proc-
 18 esses across Federal rural programs.

19 (b) DESIGNATION.—

20 (1) IN GENERAL.—Each Federal agency de-
 21 scribed in paragraph (2) shall designate a Rural Li-
 22 aison within the office of the head of the Federal
 23 agency.

24 (2) FEDERAL AGENCIES.—The Federal agen-
 25 cies referred to in paragraph (1) are—

- 1 (A) the Department of Transportation;
- 2 (B) the Department of Agriculture;
- 3 (C) the Department of Housing and Urban
- 4 Development;
- 5 (D) the Small Business Administration;
- 6 (E) the Department of Education;
- 7 (F) the Department of Health and Human
- 8 Services;
- 9 (G) the Department of Commerce;
- 10 (H) the Environmental Protection Agency;
- 11 (I) the Corps of Engineers;
- 12 (J) the Department of the Interior; and
- 13 (K) any other Federal agency that provides
- 14 financial assistance, including grants and credit
- 15 assistance, to rural communities for activities
- 16 related to rural infrastructure, as determined
- 17 by the Secretary of Agriculture.

18 (c) RESPONSIBILITIES.—A Rural Liaison designated
 19 under subsection (b)(1) shall—

- 20 (1)(A) review regulations, guidance, and proce-
- 21 dures of the agency of the Rural Liaison;
- 22 (B) identify any of those regulations, guidance,
- 23 or procedures that present a hardship for rural com-
- 24 munities; and

1 (C) recommend ways to streamline those regu-
2 lations, guidance, and procedures;

3 (2) serve as ombudsperson for rural commu-
4 nities working with the agency of the Rural Liaison
5 to help address issues and resolve problems;

6 (3) meet regularly with Rural Liaisons of other
7 Federal agencies to coordinate efforts and identify
8 ways to coordinate to support rural infrastructure
9 needs; and

10 (4)(A) advise the head of the agency of the
11 Rural Liaison about rural issues; and

12 (B) provide feedback to that head of the agency
13 on the rural impacts of potential activities of the
14 agency.

15 **SEC. 202. INTERAGENCY RURAL INFRASTRUCTURE TASK**
16 **FORCE.**

17 (a) IN GENERAL.—The Secretary of Commerce shall
18 establish a task force (referred to in this section as the
19 “task force”) to examine ways to coordinate rural infra-
20 structure programs and requirements across the Federal
21 Government that support rural infrastructure development
22 in order—

23 (1) to maximize efficiency;

24 (2) to leverage interagency resources; and

25 (3) to simplify processes for rural applicants.

1 (b) MEMBERSHIP.—

2 (1) FEDERAL MEMBERS.—

3 (A) IN GENERAL.—Each individual listed
4 in subparagraph (C) shall designate a member
5 of the agency in which the individual serves to
6 serve on the task force.

7 (B) QUALIFICATIONS.—A member of the
8 task force designated under subparagraph (A)
9 shall hold a position in the agency of deputy
10 secretary (or the equivalent) or higher.

11 (C) HEADS OF AGENCIES.—The individ-
12 uals that shall each designate a member of the
13 task force under subparagraph (A) are the fol-
14 lowing:

- 15 (i) The Secretary of Commerce.
- 16 (ii) The Secretary of Agriculture.
- 17 (iii) The Secretary of the Interior.
- 18 (iv) The Secretary of Transportation.
- 19 (v) The Secretary of Education.
- 20 (vi) The Secretary of Energy.
- 21 (vii) The Secretary of Health and
22 Human Services.
- 23 (viii) The Administrator of the Envi-
24 ronmental Protection Agency.

1 (ix) The Chairman of the Federal
2 Communications Commission.

3 (x) The Administrator of the Small
4 Business Administration.

5 (2) STATE MEMBERS.—The Secretary of Com-
6 merce shall appoint to the task force not less than
7 2 representatives of State rural development coun-
8 cils, based on—

9 (A) the expertise of the representative in
10 Federal infrastructure procedures; and

11 (B) geographic diversity.

12 (c) DUTIES.—

13 (1) IN GENERAL.—The task force shall—

14 (A) examine ways to coordinate Federal
15 programs and Federal program requirements
16 that support rural infrastructure projects, in-
17 cluding by developing a proposed standardized
18 application;

19 (B) develop, to the extent practicable, com-
20 mon guidelines that may be used for rural
21 funding or financing programs across Federal
22 agencies;

23 (C) identify opportunities to carry out ac-
24 tivities across Federal agencies to support rural
25 infrastructure needs; and

1 (D) provide rural communities guidance
2 on—

3 (i) projects that would be likely to re-
4 ceive Federal assistance; and

5 (ii) the application process for those
6 projects.

7 (2) PUBLIC INPUT.—In carrying out the duties
8 of the task force under paragraph (1)(A), the task
9 force shall—

10 (A) solicit input from employees of Federal
11 agencies in field offices and regional offices;
12 and

13 (B) provide an opportunity for public com-
14 ment.

15 (d) REPORT.—Not less frequently than annually, the
16 task force shall submit to Congress a report on the activi-
17 ties of the task force, including—

18 (1) specific metrics of performance developed by
19 the task force for rural infrastructure investment
20 and development; and

21 (2) the progress of the task force toward those
22 metrics of performance.

1 **TITLE III—OTHER**
 2 **DEPARTMENTS AND AGENCIES**
 3 **SEC. 301. RURAL INFRASTRUCTURE FINANCING FLEXI-**
 4 **BILITY.**

5 (a) TIFIA PROGRAM.—Section 603(b) of title 23,
 6 United States Code, is amended—

7 (1) in paragraph (2)—

8 (A) in subparagraph (A), by striking “sub-
 9 paragraph (B)” and inserting “subparagraphs
 10 (B) and (C)”; and

11 (B) by adding at the end the following:

12 “(C) RURAL INFRASTRUCTURE
 13 PROJECTS.—In the case of a rural infrastruc-
 14 ture project, the amount of a secured loan
 15 under this section shall not exceed the lesser
 16 of—

17 “(i) an amount equal to 67 percent of
 18 the reasonably anticipated eligible project
 19 costs; and

20 “(ii) if the secured loan does not re-
 21 ceive an investment-grade rating, the
 22 amount of the senior project obligations of
 23 the project.”; and

24 (2) in paragraph (5)—

(A) in subparagraph (A), in the matter preceding clause (i), by striking “subparagraph (B)” and inserting “subparagraphs (B) and (C)”; and

(B) by adding at the end the following:

“(C) RURAL INFRASTRUCTURE PROJECTS.—In the case of a rural infrastructure project, the final maturity date of the secured loan shall be the earlier of—

“(i) 40 years after the date of substantial completion of the rural infrastructure project; and

“(ii) if the useful life of the rural infrastructure project is less than 40 years, the useful life of the rural infrastructure project.”.

(b) WIFIA.—

(1) DEFINITIONS.—Section 5022 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901) is amended—

(A) by redesignating paragraphs (10) through (15) as paragraphs (11) through (16), respectively; and

(B) by inserting after paragraph (9) the following:

“(10) RURAL PROJECT.—The term ‘rural project’ means a project receiving financial assistance under this subtitle in an area that is rural (as defined in section 3 of the Reforming, Expanding, and Simplifying Investment for Local Infrastructure to Enhance our Neighborhoods and Towns Act).”.

(2) TERMS AND LIMITATIONS.—Section 5029(b) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)) is amended—

(A) in paragraph (2)—

(i) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(ii) in the matter preceding clause (i) (as so redesignated), by striking “The amount” and inserting the following:

“(A) IN GENERAL.—Except as provided in subparagraph (B), the amount”; and

(iii) by adding at the end the following:

“(B) RURAL PROJECTS.—In the case of a rural project, the amount of a secured loan under this section shall not exceed the lesser of—

1 “(i) an amount equal to 67 percent of
 2 the reasonably anticipated eligible project
 3 costs; and

4 “(ii) if the secured loan does not re-
 5 ceive an investment-grade rating, the
 6 amount of the senior project obligations of
 7 the project.”;

8 (B) in paragraph (5)—

9 (i) in subparagraph (A), in the matter
 10 preceding clause (i), by striking “The
 11 final” and inserting “Except as provided in
 12 subparagraphs (B) and (C), the final”; and

13 (ii) by adding at the end the fol-
 14 lowing:

15 “(C) SPECIAL RULE FOR RURAL
 16 PROJECTS.—In the case of a rural project, the
 17 final maturity date of a secured loan under this
 18 section shall be the earlier of—

19 “(i) the date that is 40 years after the
 20 date of substantial completion of the rel-
 21 evant project (as determined by the Sec-
 22 retary or the Administrator, as applicable);
 23 and

24 “(ii) if the useful life of the project
 25 (as determined by the Secretary or Admin-

1 istrator, as applicable) is less than 40
 2 years, the useful life the project.”; and

3 (C) in paragraph (7)—

4 (i) in subparagraph (A), by striking
 5 “subparagraph (B)” and inserting “sub-
 6 paragraphs (B) and (C)”; and

7 (ii) by adding at the end the fol-
 8 lowing:

9 “(C) WAIVER.—On request of an eligible
 10 entity, the Secretary or the Administrator, as
 11 applicable, may waive the application fee for—

12 “(i) a small community water infra-
 13 structure project described in section
 14 5028(a)(2)(B); and

15 “(ii) a rural project.”.

16 (3) OUTREACH AND STRATEGY DEVELOP-
 17 MENT.—

18 (A) IN GENERAL.—The Water Infrastruc-
 19 ture Finance and Innovation Act of 2014 (33
 20 U.S.C. 3901 et seq.) is amended by adding at
 21 the end the following:

22 **“SEC. 5036. OUTREACH AND COORDINATION.**

23 “(a) OUTREACH.—Not later than 180 days after the
 24 date of enactment of this section, the Administrator, in
 25 coordination with the Secretary of Agriculture, shall de-

1 develop an outreach campaign to promote financial assist-
 2 ance under this subtitle to small communities described
 3 in section 5028(a)(2)(B) and communities in areas that
 4 are rural (as defined in section 3 of the Reforming, Ex-
 5 panding, and Simplifying Investment for Local Infrastruc-
 6 ture to Enhance our Neighborhoods and Towns Act).

7 “(b) COORDINATED FUNDING STRATEGY.—

8 “(1) IN GENERAL.—Not later than 180 days
 9 after the date of enactment of this section, the Ad-
 10 ministrator, in coordination with the Secretary of
 11 Agriculture, shall develop a coordinated strategy to
 12 ensure that, to the maximum extent practicable, fi-
 13 nancial assistance under this subtitle complements
 14 rural development assistance provided by the Sec-
 15 retary of Agriculture.

16 “(2) REPORT.—Not later than 1 year after the
 17 date of enactment of this section, the Administrator
 18 and the Secretary of Agriculture shall submit to
 19 Congress a report that includes—

20 “(A) a description of the coordinated strat-
 21 egy developed under paragraph (1);

22 “(B) a description of any steps taken to
 23 implement that coordinated strategy; and

24 “(C) any recommendations for legislative
 25 changes to further improve coordination be-

tween this subtitle and rural development assistance provided by the Secretary of Agriculture.”.

(B) CLERICAL AMENDMENT.—The table of contents for the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1195) is amended—

(i) by striking the item relating to section 5034 and inserting the following:

“Sec. 5034. Reports on program implementation.”;

and

(ii) by inserting after the item relating to section 5035 the following:

“Sec. 5036. Outreach and coordination.”.

SEC. 302. DRINKING WATER AND WASTEWATER INFRASTRUCTURE.

(a) FEDERAL WATER POLLUTION CONTROL ACT.—Section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended—

(1) in subsection (c)—

(A) in paragraph (11)(B), by striking “and” at the end;

(B) in paragraph (12)—

(i) in the matter preceding subparagraph (A), by striking “(j)” and inserting “(l)”; and

1 (ii) in subparagraph (B), by striking
 2 the period at the end and inserting “;
 3 and”; and

4 (C) by adding at the end the following:

5 “(13) to expand publicly owned treatment
 6 works to meet demand due to expected population
 7 growth.”;

8 (2) in subsection (d)—

9 (A) in paragraph (1)(A), by striking “the
 10 lesser of 30 years and the projected” and in-
 11 serting “the intended”;

12 (B) by redesignating paragraphs (6) and
 13 (7) as paragraphs (7) and (8), respectively; and

14 (C) by inserting after paragraph (5) the
 15 following:

16 “(6) to provide technical assistance to waste-
 17 water utilities, except that not more than 2 percent
 18 of the funds annually allotted to the State under
 19 section 604 may be used to provide that technical
 20 assistance.”;

21 (3) by redesignating subsection (j) as sub-
 22 section (l); and

23 (4) by inserting after subsection (i) the fol-
 24 lowing:

1 “(j) TECHNICAL ASSISTANCE FOR DISADVANTAGED
2 COMMUNITIES.—

3 “(1) DEFINITION OF DISADVANTAGED COMMU-
4 NITY.—In this subsection, the term ‘disadvantaged
5 community’ means the service area of a publicly
6 owned treatment works that serves a population of
7 fewer than 10,000 individuals.

8 “(2) TECHNICAL ASSISTANCE.—A State may,
9 to provide regional coordinators for 1 or more dis-
10 advantaged communities, use any funds—

11 “(A) set aside in the State water pollution
12 control revolving fund of the State for technical
13 assistance under subsection (d)(6); or

14 “(B) provided to the State through a grant
15 for technical assistance under section 104.

16 “(k) INNOVATIVE MANAGEMENT, PROCUREMENT,
17 AND OWNERSHIP.—In determining whether to provide as-
18 sistance to a project from the water pollution control re-
19 volving fund of the State, a State may consider whether
20 the project would employ innovative management, pro-
21 curement, or ownership arrangements.”.

22 (b) SAFE DRINKING WATER ACT.—

23 (1) ENVIRONMENTAL FINANCE CENTERS REAU-
24 THORIZATION.—Section 1420(g)(4) of the Safe
25 Drinking Water Act (42 U.S.C. 300g–9(g)(4)) is

1 amended by striking “the fiscal years 1997 through
2 2003” and inserting “fiscal years 2021 through
3 2031”.

4 (2) STATE REVOLVING LOAN FUNDS.—Section
5 1452 of the Safe Drinking Water Act (42 U.S.C.
6 300j–12) is amended—

7 (A) in subsection (a)(2)—

8 (i) in subparagraph (G)(ii)(I)(aa), by
9 striking “subsection (d)(3)” and inserting
10 “subsection (d)(1)”; and

11 (ii) by adding at the end the fol-
12 lowing:

13 “(H) FUTURE GROWTH.—Funds made
14 available under this section may be used to as-
15 sist a public water system in expanding the
16 public water system to meet demand due to ex-
17 pected population growth.”;

18 (B) in subsection (b)(3)—

19 (i) in subparagraph (A)—

20 (I) in clause (ii), by striking
21 “and” at the end;

22 (II) in clause (iii), by striking the
23 period at the end and inserting “;
24 and”; and

1 (III) by adding at the end the
2 following:

3 “(iv) facilitate regional system part-
4 nerships.”; and

5 (ii) by adding at the end the fol-
6 lowing:

7 “(C) INNOVATIVE MANAGEMENT, PRO-
8 CUREMENT, AND OWNERSHIP.—In establishing
9 criteria for the distribution of funds from the
10 State loan fund, a State may include in those
11 criteria whether a project would develop, em-
12 ploy, or establish innovative management, pro-
13 curement, or ownership arrangements.”;

14 (C) in subsection (d)—

15 (i) in paragraph (2), by striking
16 “paragraph (1)” and inserting “paragraph
17 (2)”;

18 (ii) by redesignating paragraphs (1),
19 (2), and (3) as paragraphs (2), (3), and
20 (1), respectively, and reordering those
21 paragraphs so as to appear in numerical
22 order; and

23 (iii) by adding at the end the fol-
24 lowing:

1 “(4) TECHNICAL ASSISTANCE.—A State may
 2 use any funds set aside in the State loan fund of the
 3 State for technical assistance to provide regional co-
 4 ordinators for 1 or more disadvantaged commu-
 5 nities.”; and

6 (D) in subsection (f)(1), by striking sub-
 7 paragraph (C) and inserting the following:

8 “(C) each loan shall have a term not to ex-
 9 ceed the intended design life of the project;”.

10 (3) SYSTEM PARTNERSHIP GRANTS.—The Safe
 11 Drinking Water Act (42 U.S.C. 300f et seq.) is
 12 amended by adding after part F the following:

13 **“PART G—ADDITIONAL PROVISIONS**

14 **“SEC. 1471. SYSTEM PARTNERSHIP PROGRAM.**

15 “(a) DEFINITIONS.—In this section:

16 “(1) SYSTEM IN SIGNIFICANT NONCOMPLI-
 17 ANCE.—The term ‘system in significant noncompli-
 18 ance’ means—

19 “(A) a water system that is significantly
 20 noncompliant with regulations with respect to
 21 drinking water standards under this title; or

22 “(B) a treatment works that is in signifi-
 23 cant noncompliance with regulations with re-
 24 spect to effluent limitations under title III of

1 the Federal Water Pollution Control Act (33
2 U.S.C. 1311 et seq.).

3 “(2) TREATMENT WORKS.—The term ‘treat-
4 ment works’ has the meaning given the term in sec-
5 tion 212 of the Federal Water Pollution Control Act
6 (33 U.S.C. 1292).

7 “(b) ESTABLISHMENT.—The Administrator may, to
8 bring a system in significant noncompliance into compli-
9 ance with this title and with effluent limitations under title
10 III of the Federal Water Pollution Control Act (33 U.S.C.
11 1311 et seq.), as applicable, authorize the system in sig-
12 nificant noncompliance to be incorporated into—

13 “(1) a community water system;

14 “(2) a noncommunity water system;

15 “(3) the system operated by an operator of
16 multiple public water systems; or

17 “(4) the system operated by an operator of
18 multiple treatment works.

19 “(c) GRANTS.—

20 “(1) IN GENERAL.—The Administrator may
21 provide grants to—

22 “(A) a system described in paragraph (1),
23 (2), (3), or (4) of subsection (b) that seeks to
24 incorporate a separate system in significant

1 noncompliance under that subsection to provide
2 assistance in seeking that incorporation; and

3 “(B) a system in significant noncompliance
4 that seeks to be incorporated into a water sys-
5 tem described in paragraph (1), (2), (3), or (4)
6 of subsection (b).

7 “(2) AMOUNTS.—A grant under paragraph (1)
8 shall be not more than \$1,000,000.

9 “(d) GRACE PERIOD.—

10 “(1) IN GENERAL.—Notwithstanding any other
11 provision of this title or title III of the Federal
12 Water Pollution Control Act (33 U.S.C. 1311 et
13 seq.) and subject to paragraph (2), the Adminis-
14 trator may, to allow time to bring a system in sig-
15 nificant noncompliance into compliance with this
16 title or title III of the Federal Water Pollution Con-
17 trol Act (33 U.S.C. 1311 et seq.), as applicable, sus-
18 pend financial penalties for noncompliance with this
19 title or title III of the Federal Water Pollution Con-
20 trol Act (33 U.S.C. 1311 et seq.), as applicable,
21 for—

22 “(A) a system in significant noncompli-
23 ance; and

1 “(B) a system described in paragraph (1),
 2 (2), (3), or (4) of subsection (b) that has incor-
 3 porated a system in significant noncompliance.

4 “(2) TERM.—

5 “(A) IN GENERAL.—Except as provided in
 6 subparagraph (B), the Administrator may sus-
 7 pend the penalties described in paragraph (1)
 8 for a period of not more than 180 days.

9 “(B) EXTENSION.—The Administrator
 10 may, at the discretion of the Administrator, ex-
 11 tend the period described in subparagraph (A)
 12 after a period during which the Administrator
 13 provides notice of the proposed extension and
 14 an opportunity for public comment.

15 “(3) REGULATIONS.—The Administrator shall,
 16 after providing notice and an opportunity for public
 17 comment, promulgate regulations to carry out para-
 18 graph (1).”.

19 (4) CONFORMING AMENDMENTS.—

20 (A) Section 1459A(c)(2)(A) of the Safe
 21 Drinking Water Act (42 U.S.C. 300j–
 22 19a(c)(2)(A)) is amended in the matter pre-
 23 ceding clause (i) by striking “1452(d)(3)” and
 24 inserting “1452(d)(1)”.

1 (B) Section 1459B of the Safe Drinking
 2 Water Act (42 U.S.C. 300j–19b) is amended by
 3 striking “1452(d)(3)” each place it appears and
 4 inserting “1452(d)(1)”.

5 (c) AUDITS AND STUDIES.—

6 (1) BARRIERS TO DRINKING WATER AND CLEAN
 7 WATER SYSTEM REGIONALIZATION.—

8 (A) IN GENERAL.—The Administrator of
 9 the Environmental Protection Agency (referred
 10 to in this subsection as the “Administrator”),
 11 in consultation with the Secretary of Agri-
 12 culture, shall conduct an audit with respect to
 13 the barriers to drinking water and wastewater
 14 system regionalization.

15 (B) INCLUSIONS.—In conducting the audit
 16 under subparagraph (A), the Administrator
 17 shall focus on—

18 (i) regulatory impediments to—

19 (I) merging system operations;

20 (II) issuing multi-system or co-
 21 ordinated project procurements;

22 (III) accessing Federal funding
 23 and financing; and

24 (IV) forgiving or consolidating
 25 outstanding debt; and

1 (ii) the alignment and coordination of
2 regionalized technical assistance and guid-
3 ance among Federal agencies and con-
4 tracted technical assistance partners and
5 providers.

6 (C) REPORT.—Not later than 1 year after
7 the date of enactment of this Act, the Adminis-
8 trator shall submit to Congress a report that—

9 (i) describes the results of the audit
10 under subparagraph (A); and

11 (ii) includes legislative and regulatory
12 recommendations necessary to better facili-
13 tate drinking water and clean water system
14 partnerships in rural areas.

15 (2) COOPERATIVE PROCUREMENT STUDY.—

16 (A) IN GENERAL.—The Comptroller Gen-
17 eral of the United States shall conduct, and
18 submit to Congress a report describing the re-
19 sults of, a study with respect to the use of coop-
20 erative or joint procurement among water and
21 wastewater systems in rural areas.

22 (B) INCLUSIONS.—The study under sub-
23 paragraph (A) shall include—

- 1 (i) the extent to which rural water
- 2 and wastewater systems are currently con-
- 3 ducting joint or cooperative procurements;
- 4 (ii) the costs and benefits of using a
- 5 cooperative or joint procurement approach
- 6 in rural areas;
- 7 (iii) the barriers to water and waste-
- 8 water systems in rural areas in using coop-
- 9 erative or joint procurements; and
- 10 (iv) recommendations with respect to
- 11 ways that the Federal Government can en-
- 12 courage greater use of cooperative and
- 13 joint procurements among water and
- 14 wastewater systems in rural areas.

15 (3) CROSS-CUTTING FEDERAL REQUIREMENTS
 16 STUDY.—Not later than 1 year after the date of en-
 17 actment of this Act, the Administrator shall submit
 18 to the relevant committees of Congress a report de-
 19 scribing potential legislative and regulatory options
 20 for minimizing the costs related to cross-cutting
 21 Federal requirements (such as the requirements
 22 under section 608 of the Federal Water Pollution
 23 Control Act (33 U.S.C. 1388), section 1452(a)(4) of
 24 the Safe Drinking Water Act (42 U.S.C. 300j—

1 12(a)(4)), and similar requirements) in projects in
 2 rural areas that use funds from—

3 (A) a State water pollution control revol-
 4 ving fund established under title VI of the Fed-
 5 eral Water Pollution Control Act (33 U.S.C.
 6 1381 et seq.); or

7 (B) a State drinking water treatment re-
 8 volving loan fund established under section
 9 1452 of the Safe Drinking Water Act (42
 10 U.S.C. 300j–12).

11 **SEC. 303. SOLICITATION OF PUBLIC COMMENT ON CON-**
 12 **DUCTING WATER AUDITS WITH REAC INSPEC-**
 13 **TIONS.**

14 (a) IN GENERAL.—The Secretary of Housing and
 15 Urban Development, in coordination with each State hous-
 16 ing finance agency that participates in the Interagency
 17 Physical Inspection Alignment Initiative, shall solicit pub-
 18 lic comment on the costs and benefits of conducting water
 19 audits in conjunction with inspections of multifamily prop-
 20 erties by the Real Estate Assessment Center.

21 (b) REPORT.—Not later than 180 days after the date
 22 on which the period for public comment under subsection
 23 (a) ends, the Secretary of Housing and Urban Develop-
 24 ment and each State housing finance agency described in
 25 that subsection shall submit to Congress a report describ-

1 ing the actions carried out, if any, to conduct water audits
2 as described in that subsection.

3 **TITLE IV—ADMINISTRATION**

4 **SEC. 401. EFFECT OF DEFINITION.**

5 Nothing in the definition of the term “rural” in sec-
6 tion 3 affects any provision of law defining eligibility for
7 any program for rural infrastructure projects in existence
8 as of the date of enactment of this Act.

9 **SEC. 402. AUTHORIZATION OF APPROPRIATIONS.**

10 There are authorized to be appropriated such sums
11 as are necessary to carry out this Act and the amendments
12 made by this Act.

○