

**SEC. 21205. RURAL AND TRIBAL INFRASTRUCTURE ADVANCEMENT.**

(a) **DEFINITIONS.**—In this section:

(1) **BUILD AMERICA BUREAU.**—The term “Build America Bureau” means the National Surface Transportation and Innovative Finance Bureau established under section 116 of title 49, United States Code.

(2) **ELIGIBLE ENTITY.**—The term “eligible entity” means—

(A) a unit of local government or political subdivision that is located outside of an urbanized area with a population of more than 150,000 residents, as determined by the Bureau of the Census;

(B) a State seeking to advance a project located in an area described in subparagraph (A);

(C) a federally recognized Indian Tribe; and

(D) the Department of Hawaiian Home Lands.

(3) **ELIGIBLE PROGRAM.**—The term “eligible program” means any program described in—

(A) subparagraph (A) or (B) of section 116(d)(1) of title 49, United States Code;

(B) section 118(d)(3)(A) of that title (as added by section 21101(a)); or

(C) chapter 67 of that title (as added by section 21201).

(4) **PILOT PROGRAM.**—The term “pilot program” means the Rural and Tribal Assistance Pilot Program established under subsection (b)(1).

(b) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—The Secretary shall establish within the Build America Bureau a pilot program, to be known as the “Rural and Tribal Assistance Pilot Program”, to provide to eligible entities the assistance and information described in paragraph (2).

(2) **ASSISTANCE AND INFORMATION.**—In carrying out the pilot program, the Secretary may provide to an eligible entity the following:

(A) Financial, technical, and legal assistance to evaluate potential projects reasonably expected to be eligible to receive funding or financing assistance under an eligible program.

(B) Assistance with development-phase activities, including—

(i) project planning;

(ii) feasibility studies;

(iii) revenue forecasting and funding and financing options analyses;

(iv) environmental review;

(v) preliminary engineering and design work;

(vi) economic assessments and cost-benefit analyses;

(vii) public benefit studies;

(viii) statutory and regulatory framework analyses;

(ix) value for money studies;

(x) evaluations of costs to sustain the project;

(xi) evaluating opportunities for private financing and project bundling; and

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

(C) Information regarding innovative financing best practices and case studies, if the eligible entity is interested in using innovative financing methods.

(c) ASSISTANCE FROM EXPERT FIRMS.—The Secretary may retain the services of expert firms, including counsel, in the field of municipal and project finance to assist in providing financial, technical, and legal assistance to eligible entities under the pilot program.

(d) WEBSITE.—

(1) DESCRIPTION OF PILOT PROGRAM.—

(A) IN GENERAL.—The Secretary shall make publicly available on the website of the Department a description of the pilot program, including—

(i) the resources available to eligible entities under the pilot program; and

(ii) the application process established under paragraph (2)(A).

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

(2) APPLICATIONS.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a process by which an eligible entity may submit to the Secretary an application under the pilot program, in such form and containing such information as the Secretary may require.

(B) ONLINE PORTAL.—The Secretary shall develop and make available to the public an online portal through which the Secretary may receive applications under subparagraph (A), on a rolling basis.

(C) APPROVAL.—

(i) IN GENERAL.—Not later than 60 days after the date on which the Secretary receives a complete application under subparagraph (A), the Secretary shall provide to each eligible entity that submitted the application a notice describing whether the application is approved or disapproved.

(ii) ADDITIONAL WRITTEN NOTIFICATION.—

(I) IN GENERAL.—Not later than 30 days after the date on which the Secretary provides to an eligible entity a notification under clause (i), the Secretary shall provide to the eligible entity an additional written notification of the approval or disapproval of the application.

(II) DISAPPROVED APPLICATIONS.—If the application of an eligible entity is disapproved under this subparagraph, the additional written notification provided to the eligible entity under subclause (I) shall include an offer for a written or telephonic debrief by the Secretary that will provide an explanation of, and guidance regarding, the reasons why the application was disapproved.

(iii) INSUFFICIENT APPLICATIONS.—The Secretary shall not approve an application under this subparagraph if the application fails to meet the applicable criteria established under this section.

(3) DASHBOARD.—The Secretary shall publish on the website of the Department a monthly report that includes, for each application received under the pilot program—

(A) the type of eligible entity that submitted the application;

(B) the location of each potential project described in the application;

(C) a brief description of the assistance requested;

(D) the date on which the Secretary received the application; and

(E) the date on which the Secretary provided the notice of approval or disapproval under paragraph (2)(C)(i).

(e) EXPERTS.—An eligible entity that receives assistance under the pilot program may retain the services of an expert for any phase of a project carried out using the assistance, including project development, regardless of whether the expert is retained by the Secretary under subsection (c).

(f) FUNDING.—

(1) IN GENERAL.—For each of fiscal years 2022 through 2026, the Secretary may use to carry out the pilot program, including to retain the services of expert firms under subsection (c), any amount made available to the Secretary to provide credit assistance under an eligible program that is not otherwise obligated, subject to paragraph (2).

(2) LIMITATION.—The amount used under paragraph (1) to carry out the pilot program shall be not more than—

(A) \$1,600,000 for fiscal year 2022;

(B) \$1,800,000 for fiscal year 2023;

(C) \$2,000,000 for fiscal year 2024;

(D) \$2,200,000 for fiscal year 2025; and

(E) \$2,400,000 for fiscal year 2026.

(3) GEOGRAPHICAL DISTRIBUTION.—Not more than 20 percent of the funds made available to carry out the pilot program for a fiscal year may be used for projects in a single State during that fiscal year.

(g) SUNSET.—The pilot program shall terminate on the date that is 5 years after the date of enactment of this Act.

(h) NONAPPLICABILITY.—Nothing in this section limits the ability of the Build America Bureau or the Secretary to establish or carry out any other assistance program under title 23 or title 49, United States Code.

(i) ADMINISTRATION BY BUILD AMERICA BUREAU.—Section 116(d)(1) of title 49, United States Code (as amended by section 21101(d)(4)), is amended by adding at the end the following:

“(D) The Rural and Tribal Assistance Pilot Program established under section 21205(b)(1) of the Surface Transportation Investment Act of 2021.”.

## Subtitle C—Railroad Rehabilitation and Improvement Financing Reforms

### SEC. 21301. RRIF CODIFICATION AND REFORMS.

(a) CODIFICATION OF TITLE V OF THE RAILROAD REVITALIZATION AND REGULATORY REFORM ACT OF 1976.—Part B of subtitle V of title 49, United States Code, is amended—