

116TH CONGRESS
1ST SESSION

S. 2518

To amend title 49, United States Code, to establish an Assistant Secretary for Rural Economic Investment and an Office of Rural Economic Investment, to ensure that rural communities are adequately represented in Federal decisionmaking for transportation policy, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 19, 2019

Mr. DURBIN (for himself and Mr. BRAUN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend title 49, United States Code, to establish an Assistant Secretary for Rural Economic Investment and an Office of Rural Economic Investment, to ensure that rural communities are adequately represented in Federal decisionmaking for transportation policy, 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 Economic Infra-
5 structure Equity Act of 2019”.

1 **SEC. 2. RURAL ECONOMIC INVESTMENT.**

2 (a) DEFINITIONS.—In this section:

3 (1) DEPARTMENT.—The term “Department”
4 means the Department of Transportation.

5 (2) RELEVANT CONGRESSIONAL COMMIT-
6 TEES.—The term “relevant congressional commit-
7 tees” means—

8 (A) the Committee on Transportation and
9 Infrastructure of the House of Representatives;

10 (B) the Committee on Energy and Com-
11 merce of the House of Representatives;

12 (C) the Committee on Environment and
13 Public Works of the Senate;

14 (D) the Committee on Commerce, Science,
15 and Transportation of the Senate;

16 (E) the Committee on Banking, Housing,
17 and Urban Affairs of the Senate;

18 (F) the Subcommittee on Transportation,
19 Housing and Urban Development, and Related
20 Agencies of the Committee on Appropriations of
21 the House of Representatives; and

22 (G) the Subcommittee on Transportation,
23 Housing and Urban Development, and Related
24 Agencies of the Committee on Appropriations of
25 the Senate.

1 (3) SECRETARY.—The term “Secretary” means
2 the Secretary of Transportation.

3 (b) ESTABLISHMENT.—

4 (1) IN GENERAL.—Section 102 of title 49,
5 United States Code, is amended—

6 (A) in subsection (a), by inserting “(re-
7 ferred to in this section as the ‘Department’)”
8 after “Department of Transportation”;

9 (B) in subsection (e)(1)—

10 (i) in the matter preceding subpara-
11 graph (A), by striking “6” and inserting
12 “7”;

13 (ii) in subparagraph (C), by striking
14 “and” at the end;

15 (iii) by redesignating subparagraph
16 (D) as subparagraph (E); and

17 (iv) by inserting after subparagraph
18 (C) the following:

19 “(D) an Assistant Secretary for Rural
20 Economic Investment, who shall be appointed
21 by the Secretary; and”;

22 (C) in subsection (f)(1), by striking “De-
23 partment of Transportation” each place it ap-
24 pears and inserting “Department”;

1 (D) by redesignating subsection (h) as sub-
2 section (i); and

3 (E) by inserting after subsection (g) the
4 following:

5 “(h) OFFICE OF RURAL ECONOMIC INVESTMENT.—

6 “(1) IN GENERAL.—There is established in the
7 Department an Office of Rural Economic Invest-
8 ment (referred to in this subsection as the ‘Office’).

9 “(2) LEADERSHIP.—The head of the Office
10 shall be the Assistant Secretary for Rural Economic
11 Investment (referred to in this subsection as the ‘As-
12 sistant Secretary’), who shall report directly to the
13 Secretary.

14 “(3) MISSION AND GOALS.—The mission and
15 goals of the Office shall be to coordinate with other
16 offices and agencies within the Department and with
17 other Federal agencies—

18 “(A) to ensure that the unique needs and
19 attributes of rural transportation, involving all
20 modes, are fully addressed and prioritized dur-
21 ing the development and implementation of
22 transportation policies, programs, and activities
23 within the Department;

24 “(B) to improve coordination of Federal
25 transportation policies, programs, and activities

1 within the Department in a manner that ex-
2 pands economic development in rural commu-
3 nities and regions, and to provide recommenda-
4 tions for improvement, including additional re-
5 organization and realignments;

6 “(C) to expand Federal transportation in-
7 frastructure investment in rural communities,
8 including by providing recommendations for
9 changes in formula funds or other existing
10 funding distribution patterns;

11 “(D) to use innovation to resolve local and
12 regional transportation challenges faced by
13 rural communities;

14 “(E) to promote and improve planning and
15 coordination among rural areas to maximize the
16 unique competitive advantage in those areas
17 while avoiding duplicative Federal, State, and
18 local investments; and

19 “(F) to ensure that all rural communities
20 lacking resources receive proactive outreach,
21 education, and technical assistance to improve
22 access to Federal transportation programs.

23 “(4) DUTIES OF ASSISTANT SECRETARY.—The
24 Assistant Secretary shall—

1 “(A) provide information and outreach to
2 rural communities concerning the availability
3 and eligibility requirements of participating in
4 programs of the Department;

5 “(B) help rural communities identify com-
6 petitive economic advantages and avoid duplica-
7 tive transportation investments in order to en-
8 sure continued economic growth;

9 “(C) serve as a resource for assisting rural
10 communities with respect to Federal transpor-
11 tation programs;

12 “(D) ensure and coordinate a routine rural
13 consultation on the development of policies, pro-
14 grams, and activities of the Department;

15 “(E) serve as an advocate within the De-
16 partment on behalf of rural communities; and

17 “(F) work in coordination with the Depart-
18 ment of Agriculture, the Department of Health
19 and Human Services, the Department of Com-
20 merce, the Federal Communications Commis-
21 sion, and other Federal agencies, as the Sec-
22 retary determines to be appropriate, in carrying
23 out the responsibilities of the Assistant Sec-
24 retary.

1 “(5) CONTRACTS AND AGREEMENTS.—For the
2 purpose of carrying out the mission and goals of the
3 Office under paragraph (3) and the duties of the As-
4 sistant Secretary under paragraph (4), the Assistant
5 Secretary may enter into contracts, cooperative
6 agreements, and other agreements as necessary, in-
7 cluding with research centers, institutions of higher
8 education, States, units of local government, non-
9 profit organizations, or a combination of any of
10 those entities—

11 “(A) to conduct research on transportation
12 investments that promote rural economic devel-
13 opment;

14 “(B) to solicit information in the develop-
15 ment of policy, programs, and activities of the
16 Department that can improve infrastructure in-
17 vestment and economic development in rural
18 areas;

19 “(C) to develop educational and outreach
20 materials, including the conduct of workshops,
21 courses, and certified training for rural commu-
22 nities and regions that can further the mission
23 and goals of the Office and the Department;
24 and

1 “(D) to carry out any other activities, as
2 determined by the Secretary to be appropriate.

3 “(6) EMPLOYEES.—The Secretary shall ensure
4 that not more than 4 full-time equivalent employees
5 are assigned to the Office.

6 “(7) APPLICABILITY.—In carrying out the mis-
7 sion and goals of the Office under paragraph (3)
8 and the duties of the Assistant Secretary under
9 paragraph (4), the Assistant Secretary shall consider
10 as rural any area considered to be a rural area
11 under a Federal transportation program of the De-
12 partment.”.

13 (2) COUNCIL ON CREDIT AND FINANCE.—Sec-
14 tion 117(b)(1) of title 49, United States Code, is
15 amended by adding at the end the following:

16 “(I) The Assistant Secretary for Rural
17 Economic Investment.”.

18 (c) REORGANIZATION PROPOSAL.—

19 (1) IN GENERAL.—The Secretary, in consulta-
20 tion with the relevant congressional committees,
21 shall develop a proposed reorganization of the func-
22 tions of the Department to ensure improved coordi-
23 nation and prioritization of programs and services
24 that promote rural infrastructure investment, expan-
25 sion, equity, and economic development.

1 (2) REPORT.—Not later than 180 days after
2 the date of enactment of this Act, the Secretary
3 shall submit to the relevant congressional commit-
4 tees a report that describes the proposed reorganiza-
5 tion plan under paragraph (1).

6 (d) RURAL CONSULTATION.—

7 (1) REQUIREMENT.—

8 (A) IN GENERAL.—Not later than 1 year
9 after the date of enactment of this Act, each of-
10 fice and agency within the Department shall de-
11 velop and implement a process to ensure mean-
12 ingful and timely input from rural stakeholders
13 during the development of any regulation, guid-
14 ance, or policy that would have substantial di-
15 rect effects on 1 or more rural areas.

16 (B) CONSULTATION.—To the maximum
17 extent practicable and in accordance with appli-
18 cable Federal law, an office or agency of the
19 Department shall not promulgate a regulation,
20 issue guidance, or implement a policy described
21 in subparagraph (A) unless the office or agen-
22 cy—

23 (i) consults with rural stakeholders
24 before developing the proposed regulation;

1 (ii) publishes in the Federal Register
2 a summary rural impact statement, which
3 shall consist of—

4 (I) a description of the consulta-
5 tion with rural stakeholders on the
6 regulation, guidance, or policy;

7 (II) a summary of any concerns
8 raised by the rural stakeholders;

9 (III) a description of the extent
10 to which concerns referred to in sub-
11 clause (II) have been alleviated; and

12 (IV) a description of why the reg-
13 ulation, guidance, or policy is needed;
14 and

15 (iii) submits to the Director of the Of-
16 fice of Management and Budget—

17 (I) the summary rural impact
18 statement described in clause (ii); and

19 (II) on request of the Director,
20 any written communications sub-
21 mitted to the office or agency from
22 rural stakeholders.

23 (2) DESIGNATION.—Not later than 180 days
24 after the date of enactment of this Act, each office
25 and agency within the Department shall designate

1 an official within that office or agency to serve as
2 the official with principal responsibility for the im-
3 plementation of this subsection.

4 (e) ADVISORY COMMITTEE.—

5 (1) IN GENERAL.—The Secretary shall establish
6 a rural transportation advisory council (referred to
7 in this subsection as the “advisory council”) to con-
8 sult with and advise the Office of Rural Economic
9 Investment.

10 (2) MEMBERSHIP.—The Secretary shall appoint
11 members to the advisory council in a manner that
12 ensures that the geographic and economic diversity
13 of rural regions of the United States are rep-
14 resented.

15 (3) MEETINGS.—The advisory council shall
16 meet not less than twice per year, as determined by
17 the Secretary.

18 (4) DUTIES.—The advisory council shall—

19 (A) advise the Office of Rural Economic
20 Investment on issues related to rural needs re-
21 lating to Federal transportation programs;

22 (B) develop recommendations for any
23 changes to Federal law, regulations, internal
24 Department guidance, or other measures that
25 would eliminate barriers for rural access or im-

1 prove rural equity in transportation invest-
2 ments;

3 (C) examine methods of maximizing the
4 number of opportunities for assistance for rural
5 areas under Federal transportation programs,
6 including expanded outreach and technical as-
7 sistance;

8 (D) examine methods of encouraging inter-
9 governmental and local resource cooperation to
10 mitigate duplicative investments in key regions
11 and improve the efficiencies in the delivery of
12 Federal transportation programs;

13 (E) evaluate other methods of creating new
14 opportunities for rural regions; and

15 (F) address any other relevant issues as
16 the Secretary determines to be appropriate.

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