

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.

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## 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

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## 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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