

117TH CONGRESS
1ST SESSION

S. 2137

To amend title 49, United States Code, to establish an Office of Rural Investment, to ensure that rural communities and regions are equitably represented in Federal decision making for transportation policy, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 17, 2021

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 Office of Rural Investment, to ensure that rural communities and regions are equitably represented in Federal decision making 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 Transportation
5 Equity Act of 2021”.

6 **SEC. 2. RURAL INVESTMENT.**

7 (a) OFFICE OF RURAL INVESTMENT.—

1 (1) ESTABLISHMENT.—Section 102 of title 49,
2 United States Code, is amended—

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

6 (B) in subsection (b), in the first sentence,
7 by inserting “(referred to in this section as the
8 ‘Secretary’)” after “Secretary of Transpor-
9 tation”;

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

13 (D) by redesignating subsection (h) as sub-
14 section (i); and

15 (E) by inserting after subsection (g) the
16 following:

17 “(h) OFFICE OF RURAL INVESTMENT.—

18 “(1) IN GENERAL.—There is established in the
19 Department, within the Office of the Secretary, an
20 Office of Rural Investment (referred to in this sub-
21 section as the ‘Office’).

22 “(2) LEADERSHIP.—The Office shall be headed
23 by a Director for Rural Investment (referred to in
24 this subsection as the ‘Director’) who shall be ap-
25 pointed by, and report directly to, the Secretary.

1 “(3) MISSION.—

2 “(A) IN GENERAL.—The mission of the
3 Office shall be to coordinate with other offices
4 and agencies within the Department and with
5 other Federal agencies to further the goals and
6 objectives described in subparagraph (B).

7 “(B) GOALS AND OBJECTIVES DE-
8 SCRIBED.—The goals and objectives referred to
9 in subparagraph (A) are—

10 “(i) to ensure that the unique needs
11 and attributes of rural transportation, in-
12 volving all modes, are fully addressed and
13 prioritized during the development and im-
14 plementation of transportation policies,
15 programs, and activities within the Depart-
16 ment;

17 “(ii) to improve coordination of Fed-
18 eral transportation policies, programs, and
19 activities within the Department in a man-
20 ner that expands economic development in
21 rural communities and regions, and to pro-
22 vide recommendations for improvement, in-
23 cluding additional internal realignments;

24 “(iii) to expand Federal transpor-
25 tation infrastructure investment in rural

1 communities and regions, including by pro-
 2 viding recommendations for changes in ex-
 3 isting funding distribution patterns;

4 “(iv) to use innovation to resolve local
 5 and regional transportation challenges
 6 faced by rural communities and regions;

7 “(v) to promote and improve planning
 8 and coordination among rural communities
 9 and regions to maximize the unique com-
 10 petitive advantage in those locations while
 11 avoiding duplicative Federal, State and
 12 local investments; and

13 “(vi) to ensure that all rural commu-
 14 nities and regions lacking resources receive
 15 proactive outreach, education, and tech-
 16 nical assistance to improve access to Fed-
 17 eral transportation programs.

18 “(4) DUTIES OF THE DIRECTOR.—The Director
 19 shall—

20 “(A) be responsible for engaging in activi-
 21 ties to carry out the mission described in para-
 22 graph (3);

23 “(B) organize, guide, and lead activities
 24 within the Department to address disparities in
 25 rural transportation infrastructure to improve

1 safety, economic development, and quality of
2 life in rural communities and regions;

3 “(C) provide information and outreach to
4 rural communities and regions concerning the
5 availability and eligibility requirements of par-
6 ticipating in programs of the Department;

7 “(D) help rural communities and regions—

8 “(i) identify competitive economic ad-
9 vantages and transportation investments
10 that ensure continued economic growth;
11 and

12 “(ii) avoid duplicative transportation
13 investments;

14 “(E) serve as a resource for assisting rural
15 communities and regions with respect to Fed-
16 eral transportation programs;

17 “(F) identify—

18 “(i) Federal statutes, regulations, and
19 polices that may impede the Department
20 from supporting effective rural infrastruc-
21 ture projects that address national trans-
22 portation goals; and

23 “(ii) potential measures to solve or
24 mitigate those issues;

1 “(G) identify improved, simplified, and
2 streamlined internal processes to help limited-
3 resource rural communities and regions access
4 transportation investments;

5 “(H) recommend changes and initiatives
6 for the Secretary to consider;

7 “(I) ensure and coordinate a routine rural
8 consultation on the development of policies, pro-
9 grams, and activities of the Department;

10 “(J) serve as an advocate within the De-
11 partment on behalf of rural communities and
12 regions; and

13 “(K) work in coordination with the De-
14 partment of Agriculture, the Department of
15 Health and Human Services, the Department of
16 Commerce, the Federal Communications Com-
17 mission, and other Federal agencies, as the Sec-
18 retary determines to be appropriate, in carrying
19 out the duties described in subparagraphs (A)
20 through (J).

21 “(5) CONTRACTS AND AGREEMENTS.—For the
22 purpose of carrying out the mission of the Office
23 under paragraph (3), the Secretary may enter into
24 contracts, cooperative agreements, and other agree-
25 ments as necessary, including with research centers,

1 institutions of higher education, States, units of
2 local government, nonprofit organizations, or a com-
3 bination of any of those entities—

4 “(A) to conduct research on transportation
5 investments that promote rural economic devel-
6 opment;

7 “(B) to solicit information in the develop-
8 ment of policy, programs, and activities of the
9 Department that can improve infrastructure in-
10 vestment and economic development in rural
11 communities and regions;

12 “(C) to develop educational and outreach
13 materials, including the conduct of workshops,
14 courses, and certified training for rural commu-
15 nities and regions that can further the mission
16 and goals of the Office and the Department;
17 and

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

20 “(6) GRANTS.—

21 “(A) IN GENERAL.—The Director may
22 award competitive grants to an entity described
23 in subparagraph (B) to support expanded edu-
24 cation, outreach, and technical assistance to
25 rural communities and regions.

1 “(B) ENTITY DESCRIBED.—An entity re-
 2 ferred to in subparagraph (A) is a nonprofit or-
 3 ganization or an institution of higher education
 4 that has not less than 3 years of experience
 5 providing meaningful transportation technical
 6 assistance or advocacy services to rural commu-
 7 nities and regions.

8 “(7) EMPLOYEES.—The Secretary shall ensure
 9 that not more than 4 full-time equivalent employees
 10 are assigned to the Office.

11 “(8) COORDINATION WITHIN AND AMONG
 12 OTHER OFFICES AND AGENCIES OF THE DEPART-
 13 MENT.—

14 “(A) IN GENERAL.—The Secretary shall
 15 designate not fewer than 1 representative from
 16 each office or agency of the Department de-
 17 scribed in subparagraph (B) who shall be re-
 18 sponsible for leading the efforts within that of-
 19 fice or agency to further the goals and objec-
 20 tives described in subparagraph (B) of para-
 21 graph (3).

22 “(B) OFFICES AND AGENCIES DE-
 23 SCRIBED.—The offices and agencies of the De-
 24 partment referred to in subparagraph (A) are
 25 each of the following:

1 “(i) The Office of the Under Sec-
2 retary of Transportation for Policy.

3 “(ii) The Office of the General Coun-
4 sel.

5 “(iii) The Office of the Chief Finan-
6 cial Officer and Assistant Secretary for
7 Budget and Programs.

8 “(iv) The Federal Aviation Adminis-
9 tration.

10 “(v) The Federal Highway Adminis-
11 tration.

12 “(vi) The Federal Railroad Adminis-
13 tration.

14 “(vii) The Federal Transit Adminis-
15 tration.

16 “(viii) The Office of the Assistant
17 Secretary for Governmental Affairs.

18 “(ix) The Office of Public Affairs.

19 “(x) Any other office or agency of the
20 Department that the Secretary determines
21 to be appropriate.

22 “(C) DUTIES.—The Chief Infrastructure
23 Funding Officer of the Department and the
24 representatives designated under subparagraph
25 (A)—

1 “(i) shall—

2 “(I) meet bimonthly; and

3 “(II) recommend initiatives to
4 the Office; and

5 “(ii) may participate in all meetings
6 and relevant activities of the Office to pro-
7 vide input and guidance relevant to rural
8 transportation infrastructure projects and
9 issues.

10 “(9) ADDITIONAL INPUT.—

11 “(A) IN GENERAL.—The Secretary shall
12 seek input from the offices and agencies of the
13 Department described in subparagraph (B) to
14 further the goals and objectives described in
15 subparagraph (B) of paragraph (3).

16 “(B) OFFICES AND AGENCIES DE-
17 SCRIBED.—The offices and agencies of the De-
18 partment referred to in subparagraph (A) are
19 each of the following:

20 “(i) The Maritime Administration.

21 “(ii) The Saint Lawrence Seaway De-
22 velopment Corporation.

23 “(iii) The National Highway Traffic
24 Safety Administration.

1 “(10) REPORT.—Each year, the Office shall
2 submit to the Secretary a report describing—

3 “(A) the objectives of the Office for the
4 coming year; and

5 “(B) how the objectives of the Office were
6 accomplished in the previous year.

7 “(11) APPLICABILITY.—In carrying out the
8 mission of the Office under paragraph (3), the Sec-
9 retary shall consider as rural any area considered to
10 be a rural area under a Federal transportation pro-
11 gram of the Department.”.

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

15 “(I) The Director for Rural Investment.”.

16 (b) RURAL TRANSPORTATION ADVISORY COUNCIL.—

17 (1) DEFINITIONS.—In this subsection:

18 (A) ADVISORY COUNCIL.—The term “advi-
19 sory council” means the rural transportation
20 advisory council established under paragraph
21 (2).

22 (B) RELEVANT COMMITTEES OF CON-
23 GRESS.—The term “relevant committees of
24 Congress” means—

1 (i) the Committee on Transportation
 2 and Infrastructure of the House of Rep-
 3 resentatives;

4 (ii) the Committee on Energy and
 5 Commerce of the House of Representa-
 6 tives;

7 (iii) the Committee on Environment
 8 and Public Works of the Senate;

9 (iv) the Committee on Commerce,
 10 Science, and Transportation of the Senate;

11 (v) the Committee on Banking, Hous-
 12 ing, and Urban Affairs of the Senate;

13 (vi) the Subcommittee on Transpor-
 14 tation, and Housing and Urban Develop-
 15 ment, and Related Agencies of the Com-
 16 mittee on Appropriations of the House of
 17 Representatives; and

18 (vii) the Subcommittee on Transpor-
 19 tation, Housing and Urban Development,
 20 and Related Agencies of the Committee on
 21 Appropriations of the Senate.

22 (C) SECRETARY.—The term “Secretary”
 23 means the Secretary of Transportation.

24 (2) ESTABLISHMENT.—The Secretary shall es-
 25 tablish a rural transportation advisory council to

1 consult with and advise the Office of Rural Invest-
2 ment.

3 (3) MEMBERSHIP.—

4 (A) IN GENERAL.—The advisory council
5 shall be composed of 15 members, appointed by
6 the Secretary, of whom—

7 (i) not fewer than 1 shall be a rep-
8 resentative from an institution of higher
9 education or extension program;

10 (ii) not fewer than 1 shall be a rep-
11 resentative from an organization promoting
12 business and economic development, such
13 as a chamber of commerce, a local govern-
14 ment institution, or a planning organiza-
15 tion;

16 (iii) not fewer than 1 shall be a rep-
17 resentative from a financing entity;

18 (iv) not fewer than 1 shall have expe-
19 rience in health, mobility, or emergency
20 services;

21 (v) not fewer than 1 shall have experi-
22 ence in transportation safety;

23 (vi) not fewer than 1 shall have expe-
24 rience with workforce access;

1 (vii) not fewer than 1 shall have expe-
2 rience with tourism and recreational activi-
3 ties;

4 (viii) not fewer than 1 shall have—

5 (I) experience with rural supply
6 chains, such as direct-to-consumer
7 supply chains; and

8 (II) wholesale distribution experi-
9 ence;

10 (ix) not fewer than 1 shall have expe-
11 rience in emerging or innovative tech-
12 nologies relating to rural transportation
13 networks;

14 (x) not fewer than 1 shall have experi-
15 ence in food, nutrition, and grocery access;

16 (xi) not fewer than 1 shall represent
17 agriculture, nutrition, or forestry; and

18 (xii) not fewer than 1 shall have expe-
19 rience with historically underserved re-
20 gions, as determined by the Secretary.

21 (B) REQUIREMENT.—The Secretary shall
22 appoint members to the advisory council in a
23 manner that ensures, to the maximum extent
24 practicable, that the geographic and economic

1 diversity of rural communities and regions of
2 the United States are represented.

3 (C) TIMING OF INITIAL APPOINTMENTS.—

4 Not later than 180 days after the date of enact-
5 ment of this Act, the Secretary shall appoint
6 the initial members of the advisory council.

7 (D) PERIOD OF APPOINTMENTS.—

8 (i) IN GENERAL.—Except as provided
9 in clause (ii), a member of the advisory
10 council shall be appointed for a term of 3
11 years.

12 (ii) INITIAL APPOINTMENTS.—Of the
13 members first appointed to the advisory
14 council—

15 (I) 5, as determined by the Sec-
16 retary, shall be appointed for a term
17 of 3 years;

18 (II) 5, as determined by the Sec-
19 retary, shall be appointed for a term
20 of 2 years; and

21 (III) 5, as determined by the
22 Secretary, shall be appointed for a
23 term of 1 year.

24 (E) VACANCIES.—Any vacancy on the ad-
25 visory council—

1 (i) shall not affect the power of the
2 advisory council; and

3 (ii) shall be filled as soon as prac-
4 ticable and in the same manner as the
5 original appointment.

6 (F) CONSECUTIVE TERMS.—An appointee
7 to the advisory council may serve 1 additional,
8 consecutive term if the member is reappointed
9 by the Secretary.

10 (4) MEETINGS.—

11 (A) IN GENERAL.—The advisory council
12 shall meet not less than twice per year, as de-
13 termined by the Secretary.

14 (B) INITIAL MEETING.—Not later than
15 180 days after the date on which the initial
16 members of the advisory council are appointed
17 under paragraph (3)(C), the advisory council
18 shall hold the first meeting of the advisory
19 council.

20 (5) DUTIES.—

21 (A) IN GENERAL.—The advisory council
22 shall—

23 (i) advise the Office of Rural Invest-
24 ment on issues related to rural needs relat-
25 ing to Federal transportation programs;

1 (ii) evaluate and review ongoing re-
2 search activities relating to rural transpor-
3 tation networks, including new and emerg-
4 ing barriers to economic development and
5 access to investments;

6 (iii) develop recommendations for any
7 changes to Federal law, regulations, inter-
8 nal Department of Transportation policies
9 or guidance, or other measures that would
10 eliminate barriers for rural access or im-
11 prove rural equity in transportation invest-
12 ments;

13 (iv) examine methods of maximizing
14 the number of opportunities for assistance
15 for rural communities and regions under
16 Federal transportation programs, including
17 expanded outreach and technical assist-
18 ance;

19 (v) examine methods of encouraging
20 intergovernmental and local resource co-
21 operation to mitigate duplicative invest-
22 ments in key rural communities and re-
23 gions and improve the efficiencies in the
24 delivery of Federal transportation pro-
25 grams;

1 (vi) evaluate other methods of cre-
2 ating new opportunities for rural commu-
3 nities and regions; and

4 (vii) address any other relevant issues
5 as the Secretary determines to be appro-
6 priate.

7 (B) REPORTS.—Not later than 1 year
8 after the date on which the initial members of
9 the advisory council are appointed under para-
10 graph (3)(C), and every 2 years thereafter
11 through 2026, the advisory council shall submit
12 to the Secretary and the relevant committees of
13 Congress a report describing the recommenda-
14 tions developed under subparagraph (A)(iii).

15 (6) PERSONNEL MATTERS.—

16 (A) COMPENSATION.—A member of the
17 advisory council shall serve without compensa-
18 tion.

19 (B) TRAVEL EXPENSES.—A member of the
20 advisory council shall be allowed travel ex-
21 penses, including per diem in lieu of subsist-
22 ence, in accordance with section 5703 of title 5,
23 United States Code.

24 (7) TERMINATION.—

1 (A) IN GENERAL.—Subject to subpara-
2 graph (B), the advisory council shall terminate
3 on the date that is 5 years after the date on
4 which the initial members are appointed under
5 paragraph (3)(C).

6 (B) EXTENSION.—Before the date on
7 which the advisory council terminates, the Sec-
8 retary may renew the advisory council for 1 or
9 more 2-year periods.

10 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
11 authorized to be appropriated to carry out this section and
12 the amendments made by this section \$7,000,000 for each
13 of fiscal years 2022 through 2026.

○