

117TH CONGRESS
1ST SESSION

S. 2323

To amend title 49, United States Code, to establish the Helping Obtain Prosperity for Everyone program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 13, 2021

Mr. WARNOCK (for himself, Mr. OSSOFF, and Mr. PADILLA) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To amend title 49, United States Code, to establish the Helping Obtain Prosperity for Everyone program, 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. HELPING OBTAIN PROSPERITY FOR EVERYONE**
4 **PROGRAM.**

5 (a) PROGRAM ESTABLISHMENT.—

6 (1) IN GENERAL.—Chapter 53 of title 49,
7 United States Code, is amended by inserting after
8 section 5307 the following:

1 **“§ 5308. Helping Obtain Prosperity for Everyone pro-**
 2 **gram**

3 “(a) DEFINITIONS.—In this section:

4 “(1) AREA OF PERSISTENT POVERTY.—The
 5 term ‘area of persistent poverty’ means—

6 “(A) a county that has consistently had
 7 greater than or equal to 20 percent of the pop-
 8 ulation living in poverty during the most recent
 9 30-year period for which data is available, as
 10 measured by the 1990 and 2000 decennial cen-
 11 suses and the most recent Small Area Income
 12 and Poverty Estimates, as estimated by the Bu-
 13 reau of the Census;

14 “(B) a census tract with a poverty rate of
 15 at least 20 percent as measured by the most re-
 16 cent 5-year data series available from the
 17 American Community Survey of the Bureau of
 18 the Census for all States and Puerto Rico; or

19 “(C) any other territory or possession of
 20 the United States of which at least 20 percent
 21 of the population has consistently lived in pov-
 22 erty over the most recent 30-year period for
 23 which data is available, as measured by the
 24 1990, 2000, and 2010 decennial censuses or
 25 equivalent data of the Bureau of the Census.

1 “(2) COVERED PROJECT.—The term ‘covered
2 project’ means any project eligible under this chap-
3 ter carried out by an eligible entity that would serve
4 an area of persistent poverty.

5 “(3) ELIGIBLE ENTITY.—The term ‘eligible en-
6 tity’ means an eligible recipient or subrecipient
7 under section 5307, 5310, or 5311 that seeks to
8 carry out a covered project.

9 “(4) PROGRAM.—The term ‘program’ means
10 the Helping Obtain Prosperity for Everyone pro-
11 gram established under subsection (b).

12 “(b) ESTABLISHMENT.—The Secretary shall carry
13 out a program, to be known as the ‘Helping Obtain Pros-
14 perity for Everyone’ program, to award grants to eligible
15 entities—

16 “(1) to carry out planning or engineering work
17 for covered projects, which may include studies or
18 analyses to assess the transit needs of an area of
19 persistent poverty; and

20 “(2) to develop technical or financing plans for
21 covered projects.

22 “(c) APPLICATION.—An eligible entity seeking a
23 grant under the program, or a State department of trans-
24 portation acting on behalf of an eligible entity seeking a
25 grant under the program, shall submit to the Secretary

1 an application at such time, in such manner, and con-
2 taining such information as the Secretary may require.

3 “(d) FEDERAL SHARE.—The Federal share of the
4 cost of an activity described in subsection (b) shall be not
5 less than 90 percent.

6 “(e) OUTREACH.—Not later than 1 year after the
7 date on which the Secretary establishes the program, the
8 Secretary shall conduct outreach, including through per-
9 sonal contact, webinars, online materials, and other appro-
10 priate methods determined by the Secretary, to eligible en-
11 tities with respect to grant opportunities under the pro-
12 gram.

13 “(f) PARTNERSHIPS.—

14 “(1) IN GENERAL.—The recipient of a grant
15 under the program may enter into a partnership
16 with a nonprofit organization or other entity to as-
17 sist the recipient in carrying out the activities de-
18 scribed in subsection (b).

19 “(2) ENCOURAGEMENT.—The Secretary shall
20 encourage recipients of grants under the program to
21 enter into partnerships with nonprofit organizations
22 that could assist the recipient in ensuring that a cov-
23 ered project results in lower emissions or no emis-
24 sions.

1 “(g) RURAL AREAS.—Of the amounts made available
 2 to carry out the program each fiscal year, the Secretary
 3 shall ensure that not less than 20 percent is used to carry
 4 out covered projects in rural areas.”.

5 (2) CLERICAL AMENDMENT.—The table of sec-
 6 tions for chapter 53 of title 49, United States Code,
 7 is amended by inserting after the item relating to
 8 section 5307 the following:

“5308. Helping Obtain Prosperity for Everyone program.”.

9 (b) FUNDING.—Section 5338(a) of title 49, United
 10 States Code, is amended—

11 (1) in paragraph (1)—

12 (A) in the matter preceding subparagraph

13 (A), by inserting “5308,” after “5307,”;

14 (B) in subparagraph (D), by striking

15 “and” at the end;

16 (C) in subparagraph (E), by striking the

17 period at the end and inserting “; and”; and

18 (D) by adding at the end the following:

19 “(F) \$25,000,000 for each of fiscal years

20 2022 through 2026.”; and

21 (2) in paragraph (2)—

22 (A) in subparagraph (M), by striking

23 “and” at the end;

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

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

5 “(O) \$25,000,000 for each of fiscal years
6 2022 through 2026 shall be available to carry
7 out section 5308.”.

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