

FROM Andrew Goldberg, Principal
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RE Bipartisan Infrastructure Bill Summary

INFRASTRUCTURE INVESTMENT AND JOBS ACT

SUMMARY

More than half of the bill, approximately \$550 billion, includes new federal funding to be spent over five years.

Roads and Bridges

The bill provides \$110 billion for roads, highways and bridges. Some of the highlights include:

- \$37 billion for bridges via a competitive grant program to assist the repair and replacement of deficient and outdated bridges and ease the national bridge repair backlog. In addition to the competitive program, this funding also supports a bridge formula program to help support the \$125 billion bridge repair backlog (as estimated by the American Society of Civil Engineers).
- \$7.5 billion for Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grants, which support surface transportation projects of local and/or regional significance.
- \$1.25 billion for the Appalachian Development Highway System formula program . The Appalachian Development Highway System consists of a series of highway corridors connecting 13 Appalachian states, from New York to Alabama. The routes are designed as local and regional routes for improving economic development in the historically isolated region. This dedicated funding will help complete the ADHS and spur economic development in Appalachia.
- \$5 billion for Safe Streets for All program, funds state and local "vision zero" plans and other improvements to reduce crashes and fatalities, especially for cyclists and pedestrians.

Passenger and Freight Rail

The bill provides \$66 billion in passenger and freight rail. The White House has said this is the largest investment in Amtrak since its creation. This amount includes:

- \$5 billion for Consolidated Rail Infrastructure and Safety Improvement (CRISI), which funds projects that improve the safety, efficiency, and reliability of intercity passenger and freight rail.
- \$3 billion for the Railroad Crossing Elimination Program, a competitive grant program provides funds for the elimination of hazards at railway-highway crossings.

Public Transit

The bill provides \$39 billion to modernize public transit. This includes:

- \$8 billion for Capital Investment Grants, which support new and expanded commuter and light rail, bus, and ferry service. The program includes New Starts for the construction of new systems and expansion of existing systems, Small starts for new systems and expansion projects with capital costs less than \$300 million, Core Capacity for projects related to corridor development, and projects with combined system goals.
- \$2 billion for enhanced mobility for Seniors & Americans with disabilities
- \$5.25 billion for the Low-No Program, which provides funding to state and local governments for the purchase or lease of zero-emission and low-emission transit buses, including acquisition, construction, and leasing of required supporting facilities.

Electric Vehicles

The bill provides \$7.5 billion to create the first federal network of charging stations for electric vehicles.

Broadband

The bill includes \$65 billion to expand broadband Internet access, including funds to ensure those who do have connectivity can afford their monthly payments. Highlights of this section include:

- \$40 billion for grants to states, territories and the District of Columbia for the purposes of broadband deployment. The program does not favor particular technologies or providers. Projects would have to meet a minimum download/upload build standard of 100/20 megabits per second.
- \$2 billion for rural areas, via programs administered by the U.S. Department of Agriculture, including the ReConnect Program, which provides loans and grants (or a combination of loans and grants) to fund the construction, acquisition or improvement of facilities and equipment that provide broadband service in rural areas.
- \$2 billion to the Tribal Broadband Connectivity Program, which was established by the December COVID-19 relief package and is administered by NTIA. Grants from this program will be made available to eligible Native American, Alaska Native and Native Hawaiian entities for broadband deployment as well as for digital inclusion, workforce

development, telehealth and distance learning.

Water Infrastructure

The bill provides \$55 billion for water infrastructure. This includes:

- \$9.55 billion for Army Corps of Engineers infrastructure priorities, including \$5.15 billion for construction projects to help address the backlog of authorized projects that have yet to receive funding. This also includes \$4 billion for Corps Operations and Maintenance, which would be spent over a three-year period, there is funding for dredging Federal navigation projects and repairing damages to Corps Projects caused by natural disasters

Resilience

The bill provides \$46 billion for resiliency, including cybersecurity as well as programs to protect and mitigate against natural disasters Some of the highlights include:

- \$1 billion for the FEMA Building Resilient Infrastructure and Communities (BRIC) Program. This is a pre-disaster mitigation program, supporting states, local communities, tribes and territories undertaking hazard mitigation projects to reduce the risks they face from disasters and natural hazards.
- \$2.2 billion over 5 years for the Aging Infrastructure Account, which provides funds to the Bureau of Reclamation for costs of certain major, nonrecurring maintenance of bureau-owned water infrastructure at water infrastructure projects across the West that are in need of major upgrades or replacement. The total number of treatment facilities that fall under the category the Account covers comes in at 80 percent. As those facilities, most of which are more than 50 years old. continue to age, the issue of treating water thoroughly and in a timely manner only increases.
- \$216 million over 5 years for tribal climate resilience, adaptation, and community relocation planning, design, and implementation of projects which address the varying climate challenges facing tribal communities across the country. Of that, \$1 30 million is for community relocation and \$86 million is for climate resilience and adaptation projects.
- \$5 billion for a new DOE grant program to support activities that reduce the likelihood and consequence of impacts to the electric grid due to extreme weather, wildfire, and natural disaster.

Buildings

The bill includes some provisions related to buildings, including:

- \$500 million for energy efficiency upgrades to public schools
- \$50 million for a pilot program to award grants to provide nonprofit buildings with energy-efficiency materials.

- \$3.5 billion for the Weatherization Assistance Program in the next fiscal year.
- \$550 million for the Energy Efficiency and Conservation Block Grant Program in the next fiscal year.
- \$250 million in the next fiscal year for a revolving loan fund capitalization grant program within the State Energy Program for recipients to conduct commercial energy audits, residential energy audits, or energy upgrades or retrofits.

Drinking Water

The bill provides \$55 billion to improve the country's drinking water, including a program that seeks to replace every lead pipe in America.

Airports

The bill provides \$25 billion for repairs at major airports.

Energy Grid

The bill provides \$73 billion to modernize the nation's energy grid.

This section includes a provision directing DOE to study capacity constraints and congestion when designating National Interest Electric Transmission Corridors (NIETC). It also adds more objective criteria to the list of considerations the Secretary of Energy uses to select and designate an NIETC. The section adds that the FERC may issue permits for construction or modification of certain interstate transmission facilities if a state commission withholds or denies an application seeking approval for the siting of such facilities. It also directs FERC to consider whether the transmission permit applicant has engaged states and non-federal entities in good faith consultations and in a timely manner before exercising its backstop siting authority.

Pollution

The bill provides \$21 billion to respond to environmental concerns, including pollution. This includes:

- \$1.5 billion equally distributed over 5 years for State and Tribal Assistance Grants: Brownfields This section of the bill would provide significant investment into the Brownfields program to help communities, States, Tribes and others to assess, safely clean up, and sustainably reuse contaminated properties.
- \$3.5 billion available for 5 years for the Remedial account within the Hazardous Substance Superfund. This section of the bill would allow the Environmental Protection Agency to invest in clean-ups and continue moving forward on remedial actions for Superfund sites. This section also waives the state cost-share requirements and encourages the Administrator to consider the unique needs of Tribal communities with

Superfund sites, without changing the process for prioritizing Superfund clean-up sites.

Permit Streamlining

The bill extends FAST-41, which is set to expire in December 2022, and expands and improves upon its current authorities. FAST-41, first passed in 2015, significantly reformed the federal infrastructure permitting process, while leaving environmental protections in place. It created the Federal Permitting Improvement Steering Council (Permitting Council), which brings together agencies at the start of the permitting process for some of the largest, most complicated infrastructure projects to prepare a comprehensive plan for the permitting process across agencies. Those projects, known as covered projects, must be subject to NEPA and generally must be likely to require \$200 million or more of investment, unless the Permitting Council believes a project would benefit from enhanced coordination and is likely to require authorizations from more than two federal agencies.

This bill will make FAST-41 permanent; expand FAST-41 benefits to tribal projects; set a two-year goal for permitting covered projects; encourage federal agencies to use one document to track permitting decisions ("One Federal Decision"); and improve the Permitting Council's day-to-day operations.

The bill also includes the project delivery provisions of the Surface Transportation Reauthorization Act of 2021, which includes numerous permitting reforms for Title 23 highway projects. It will codify One Federal Decision for highway projects, which sets a two-year goal for completing the environmental review and permitting process for major projects and requires agencies to coordinate on a predictable, joint schedule. Federal agencies are also directed to adopt categorical exclusions that would improve the timeliness of the process. Additionally, the Secretary of the Department of Transportation will be charged with identifying impediments to the permitting process, developing best practices and improving transparency.

Offsets

The bill's sponsors say that its spending is fully offset by spending reductions in other places. These include:

- \$205 billion from repurposing of certain unused COVID relief dollars
- Funding from recouping fraudulently-paid benefits from enhanced federal unemployment insurance supplement
- \$49 billion from delaying Medicare Part D rebate rule
- \$53 billion from certain states returning unused enhanced federal unemployment insurance supplement
- \$20 billion from sales of future spectrum auctions (and \$67 billion from proceeds of the February 2021 c-band auction (Source: CBO estimate)
- \$56 billion in economic growth resulting from a 33 percent return on investment in these long-term infrastructure projects

- \$28 billion from applying information reporting requirements to cryptocurrency
- \$21 billion from extending fees on Fannie Mae and Freddie Mac
- \$13 billion from reinstating certain Superfund fees
- \$6 billion from extending customs user fees (Source: CBO score)
- \$6 billion in sales from the Strategic Petroleum Reserve
- \$3 billion in savings from reducing Medicare spending on discarded medications from large, single-use drug vials