HUNTON ANDREWS KURTH

INFRASTRUCTURE INVESTMENT AND JOBS ACT

Jason A. Hill, Counsel Hunton Andrews Kurth, LLP December 2, 2021

INFRASTRUCTURE INVESTMENT AND JOBS ACT

- Signed into law on November 15, 2021
- \$1.2 trillion spending bill with \$550 billion newly authorized spending that, among other things:
 - Extends and reauthorizes funding through FY2026 for various surface transportation programs; and
 - Authorizes \$550 billion in new infrastructure spending, including for surface transportation and infrastructure, water infrastructure, climate resilience, and internet.

TRANSPORTATION INFRASTRUCTURE



- Highways
- Rail/Safety/Freight
- Public Transit
- Airports



- Electric Vehicles
- Water Infrastructure
- Energy/Western Water
 Infrastructure
- BroadbandInfrastructure
- Resiliency

HIGHWAYS

Authorizes the Federal-Aid Highway Program for five years (FY 2022-2026)

Key provisions include:

- Surface Transportation Block Grant Program: \$72 billion
- Transportation Alternatives Program: \$7.2 billion
- Congestion Mitigation and Air Quality Improvement Program: \$13.9 billion
- Bridge Grants Program: \$3.265 billion
- Railway-Highway Grade Crossings: \$1.225 billion
- National Highway Freight Program: \$7.15 billion
- Formula Carbon Reduction Program: \$6.42 billion
- PROTECT Grant Program: \$7.3 billion
- Transportation Infrastructure Finance and Innovation Act of 1998: \$1.25 billion
- Nationally Significant Freight and Highway Projects (INFRA): \$8 billion
- Congestion Relief Program: \$250 million
- Reducing Truck Emissions at Ports: \$250 million
- Healthy Streets Program: \$500 million
- Reconnecting Communities Pilot Program: \$500 million
- Highway Safety Improvement Program: \$15.575 billion
- Stopping Threats to Pedestrians: \$25 million

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RAIL/SAFETY/FREIGHT

Authorizes \$78 billion over five years for rail, freight, and safety programs

Key provisions include:

- Research and Development and Deployment
- National Infrastructure Project Assistance: \$10 billion
- Local and Regional Project Assistance: \$7.5 billion
- National Culvert Removal, Replacement and Restoration Grant Program: \$4 billion
- Federal Railroad Administration (FRA) Railroad Crossing Elimination Program: \$3
 billion
- FRA Restoration and Enhancement Grants: \$250 billion
- Safe Streets and Roads for All Grant Program: \$1 billion

PUBLIC TRANSIT

Key DOT Supplemental Appropriations

- National Infrastructure Project Assistance: \$5 billion
- Local and Regional Project Assistance (RAISE Grants): \$7.5 billion
- Strengthening Mobility and Revolutionizing Transportation Grant Program: \$500 million
- Safe Streets for All: \$5 billion
- National Culvert Removal, Replacement and Restoration Grant Program: \$1 billion
- Bridge Replacement, Rehabilitation, Preservation, Protection and Construction Formula Program: \$27.5
 billion
- Reconnecting Communities Program: \$500 million
- Construction of Ferry Boats and Ferry Terminal Facilities Program: \$342 million
- Bridge Grant Program: \$9.235 billion
- Railroad Crossing Elimination Competitive Grant Program: \$3 billion
- Port Infrastructure Development Program: \$2.25 billion
- INFRA Grant Program: \$3.2 billion
- Reduction of Truck Emissions at Port Facilities Program: \$150 million

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AIRPORTS

Legislation appropriates \$25 billion over five years

Key Provisions Include:

- Airport Infrastructure Grants: \$25 billion
- New Airport Terminal Competitive Grant Program: \$1 billion annually/5yrs
- FAA Facilities and Equipment: \$1 billion annually/5yrs

WATER INFRASTRUCTURE

Reauthorizes \$35 billion in existing programs and creates new programs to support drinking water and wastewater infrastructure projects

Mostly funded through Drinking
Water State Revolving Fund
(SRF) and Clean Water SRF
administered by EPA

Key Provisions Include:

- Drinking Water SRF: Approximately \$11 billion over 5 years (amounts vary per year)
- Clean Water SRF: Approximately \$11 billion over 5 years (amounts vary per year)
- Drinking Water Assistance for Small Disadvantaged Communities:
 Approximately \$500 million over 5 years (amounts vary per year)
- Addressing Lead in Drinking Water: \$200 million over 5 years (amounts vary per year)
- Resiliency and Sustainability Grants: \$75 million annually
- Addressing Sanitary Sewer Overflows and Stormwater Reuses: \$280 million/yr
- Reauthorization and/or Creation of Additional Grant and Loan
 Programs: \$130 million annually
- Research into Water Infrastructure Technologies and Community Needs: \$75 million annually

ENERGY/WESTER WATER INFRASTRUCTURE

- Grid Infrastructure and Resiliency: \$65 billion
- Energy Cybersecurity
- Supply Chains for Clean Energy Technologies
- Fuels and Technology Infrastructure Investments
 - CCUS: Over \$8 billion
 - Hydrogen: \$9.5 billion
- Office of Clean Energy Demonstrations
- Efficiency and Building Infrastructure

- Western Water Infrastructure: Approximately \$8.3 billion over 5 years to BOR
 - Aging Infrastructure: \$3.2 billion
 - Water Storage, Groundwater Storage and Conveyance Projects: \$1.15 billion
 - Water Recycling and Reuse Projects \$1 billion
 - Desalination: \$250 million
 - Rural Water Projects: \$1 billion
 - Dam Safety: \$500 million
 - Drought Contingency Plan: \$300 million
 - WaterSMART Water and Energy Grants \$400 million
 - Cooperative Watershed Management Programs: \$100 million
 - Aquatic Ecosystem Restoration Program: \$250 million
 - Multi-Benefit Watershed Projects: \$100 million
 - Colorado River Fish Species Recovery Programs: \$50 million

BROADBAND INFRASTRUCTURE

Provides for \$65 billion in funding for broadband infrastructure

Key Provisions Include:

- Broadband Equity, Access and Deployment Program: \$42.45 billion
- Enabling Middle Mile Broadband Infrastructure: \$1 billion
- Digital Equity Act Competitive Grants Program: \$2.75 billion
- Broadband Affordability

RESILIENCY

Army Corps of Engineers: \$17 billion

Federal Emergency Management Agency: \$900 million/5yrs

Cybersecurity

TODAY'S PRESENTER



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