



Government Affairs Update

2nd Quarter 2022

Overview

Through the second quarter of 2022, the American Concrete Pavement Association (ACPA) and its members continued to build on a solid foundation of success. Through ACPA's efforts, the Airfield Pavement Technology Program has again been funded by the House for FY 2023 with Senate action anticipated in

July. In addition, ACPA continued to meet with policy makers and regulators to promote the advantages that concrete pavement has in addressing our transportation system's current and future needs, specifically as we look towards the reauthorization of the Federal Aviation Administration in 2023.

Congressional Activity

2023 Appropriations

ACPA successfully secured inclusion of language funding the airfield pavement research program in the 2023 House Transportation, Housing Urban Development appropriations bill. The US Senate has not yet acted.

“Airport technology research - The Committee recommendation includes not less than \$40,828,000 for the FAA’s airport technology research program to conduct research on topics such as concrete and asphalt airport pavement in accordance with section 744 of the FAA Reauthorization Act of 2018”

Federal Aviation Administration Reauthorization

ACPA helped initiate a letter, signed by Portland Cement Association and the National Asphalt Pavement Association, to the Senate Commerce Committee asking for the reauthorization of the Airfield Pavement program when the Congress considers the Federal Aviation Administration (FAA) reauthorization in 2023. ACPA has also reached out to the House Committee on Science, Space, and Technology asking them to include the reauthorization language, too.

Legislative Outlook

As congress reaches the halfway point of 2022 and the final quarter of the 117th Congress, legislative opportunities are going to be more difficult to find. As the primary season continues, transportation stalwarts like Rodney Davis have lost to more conservative members. Most are predicting that the US House of Representatives will flip from a Democrat majority to a Republican majority, and the Senate remains on edge with neither party holding a clear advantage.

Appropriations coordinated with allied organizations to amplify the reach of our government affairs efforts and our members’ voices. The House Appropriations committee is committed to moving all 12 bills through the committee process by mid-July so that full house can pass the bills prior to the August recess, which begins July 29. The Senate appropriations committee has not considered a single appropriations bill yet and are not expected to prior to August. In 2021, The Senate Appropriations committee only considered three appropriations bills before August and this year is politically more difficult. It is most likely that the Congress will agree to a Continuing Resolution (CR) through early November. It is also likely that the Senate appropriators will negotiate appropriations bills directly with their House counterparts without ever actually introducing a bill.

Administrative Policy Engagement

ACPA works directly with agency officials to promote good governance and stewardship of federal highway and airport programs. With a disciplined focus on life-cycle cost analysis (LCCA), inter-industry competition, sustainability, asset management, and resilience, ACPA regularly engages policy-makers to help remove barriers to fair and equitable agency decision-making and to enhance concrete pavement's market position.

Federal Aviation Administration (FAA)

With the support and advice of ACPA, the FAA has [issued new guidance](#) on the discount rate for cost-effective analyses. The Airport Improvement Program (AIP) Program Guidance Letter (PGL), released at the end of June, corrects AIP Handbook Table U-8, which had required design engineers to use a 7% discount rate in life-cycle cost analysis (LCCA) to compare the cost-effectiveness of pavement alternatives. The old rate had hampered concrete pavement's competitiveness in the pavement alternative selection process. The FAA will update the table to use the Office of Management and Budget (OMB) rate, which is updated annually.

The PGL also changes the requirement for a 20-year analysis period to allow the design engineer to choose an appropriate time period for the LCCA. These changes will significantly improve concrete pavement's life-cycle cost competitiveness. The OMB discount rate is currently 0.4% for a 20-year analysis period and 0.5% for a 30-year period. The longer-term analysis period allowance will give a significant advantage to longer-term pavement alternatives.

Federal Highway Administration (FHWA)

ACPA continues to regularly engage with FHWA to promote the concrete pavement industry's top priorities, including sustainability, resiliency life-cycle assessment, healthy competition, overlay deployment, etc. ACPA has submitted comments in response to FHWA's request for information on the implementation of the Bipartisan Infrastructure Law, which will focus on maximizing the impact of the massive

funding increase by promoting intellectually honest and empirically sound pavement choices at the state and local levels. ACPA continues to serve on various committees and working groups such as the Sustainable Pavements Technical Working Group. ACPA will begin reporting regularly on developments from workshops and committees.



Military Tri-Services Group

ACPA met with representatives of the Army Corps of Engineers, the Naval Facilities Engineering Systems Command, and the Air Force Civil Engineer Center to discuss specification updates for concrete pavement construction specifications. Tri-Services seems likely to incorporate many of ACPA's recommendations to the new specifications and will provide ACPA with a review copy of the planned specification update this spring. ACPA also provided a recurring guest lecture at the Air Force Institute of Technology's Civil Engineering School, which ensures that the next generation of decision-makers have the best information about concrete pavements as they move through their careers. This ongoing relationship complements the engagement with senior Tri-Services personnel.

Public Engagement

ACPA coordinated with allied organizations to amplify the reach of our government affairs efforts and our members' voices. This quarter, ACPA worked alongside partnering organizations to oppose the gas tax suspension and call for nuanced Buy America standards. In addition, ACPA signed the Resilient America Act letter which called for new resources for communities to better protect themselves ahead of a natural disaster.

ACPA utilized the ACPA PAC to bring the concrete pavement industry's priorities and concerns to elected officials. ACPA wishes to thank its ACPA PAC supporters. Through the help of dedicated PAC champions and their contributions, ACPA was able to engage with multiple influential Senators including Sen. Martin Henrich (D-NM), who serves on the Senate Appropriations Committee and Sen. Todd Young (R-IN), who serves on the Senate Commerce Committee.

ACPA continued its push for more resilient and sustainable infrastructure through language submitted by Congressman Randy Feenstra (R-IA) which would have provided \$2 million to assess vulnerability of roadway networks to extreme weather events and identify strategies to make them more resilient. Although ultimately not included in the FY 2023 THUD appropriations bill, ACPA thanks Congressman Feenstra for his efforts and will work with his office to resubmit this critical language next year.