

The Infrastructure Investment and Jobs Act

What's In It for the Concrete Pavement Industry?



Introduction

On Monday December 15th, President Biden signed into law the Infrastructure Investment and Jobs Act (IIJA), officially launching what has been described as a “transformational moment” in United States transportation history.

This 2,700-page, \$1.2 trillion infrastructure legislation reauthorizes federal transportation funding for the next five years and provides \$550 billion in new infrastructure funding. It involves multiple departments and agencies of the federal government beyond just FHWA and FAA. Of particular significance to the concrete pavement industry, the legislation authorizes \$304 billion to the Highway Trust Fund (HTF) for roads and bridges over five years with approximately \$100 billion in new spending for roadways specifically. Funding for the ‘formula program’ most associated with highway paving increases by roughly 20% above current levels for 2022, with an additional 2% yearly growth over the 5-year duration of the bill. On the airfield funding side, we expect more aggressive growth based on a \$3 billion increase for the Airfield Improvement Program, on top of the \$3.35 billion in annual appropriations. Not all of this money is for pavement, but these funds will be used to address the towering backlog of airfield work.

In addition to the reauthorization and increased funding for transportation projects, the ACPA-conceived \$12 million per year Accelerated Implementation and Deployment of Pavement Technologies (AID-PT) program is included in the bill. This money is what funds FHWA’s cooperative agreement with the CP Tech Center as well as the vast majority of federally funded concrete pavement implementation and deployment initiatives across the country.


On the following pages you will see a table identifying each element of the new law that is directly related to paving, a brief description of the program, and the funding provided over the next five years. Most of the programs that have provided business opportunities for the concrete paving industry in recent years have been provided significantly more funding. Additionally, new programs have been created. When those programs become operational, a larger mix of well-funded programs will present new opportunities for our industry. This mix of programs has the potential to stretch our markets beyond highways and airports to seaports, rural areas, and roadways in the Appalachian region as well as national parks and other federal lands.

In the coming weeks and months, the U.S. Department of Transportation will be implementing this new law. This implementation will take many forms, including eligibility requirements, guidance, and new regulations. ACPA will be monitoring each new development and will work closely with our federal agency partners as well as other key stakeholders to ensure that our members can take full advantage of the myriad of opportunities IIJA offers for concrete paving.


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Program	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
<p>National Highway Performance Program (NHPP)</p> <p>FORMULA PROGRAM. The NHPP is the federal-aid highway program that supports improvements in the condition and performance of the National Highway System. Eligible activities include construction, reconstruction, restoration, resurfacing, and preservation of NHS segments, bridges, or tunnels.</p> <p>The IJA authorizes a total of \$148 billion over 5 years for the NHPP and expands the types of eligible projects to include transportation resilience and extreme weather mitigation projects.</p> <p>Status: On December 15, 2021, FHWA announced the apportionment of FY 2022 funding amongst the States (table of funding amounts for each state), but obligation of the full amount is contingent upon the enactment of the FY 2022 Transportation Appropriations bill.</p>	24 B	28 B <small>17.3% increase over FY 2021</small>	29 B	29.6 B	30 B	30.8 B
<p>Surface Transportation Block Grant Program (STBG)</p> <p>FORMULA PROGRAM. The STBG program is the federal-aid highway program with the broadest eligibility criteria. Funds can be used on any federal-aid highway, on bridge projects on any public road, and for other purposes. The IJA authorizes a total of \$64 billion over 5 years.</p> <p>Status: On December 15, 2021, FHWA announced the apportionment of FY 2022 funding amongst the States (table of funding amounts for each state), but obligation of the full amount is contingent upon the enactment of the FY 2022 Transportation Appropriations bill.</p>	11.9 B	12.5 B <small>4.4% increase over FY 2021</small>	12.7 B	12.9 B	13.2 B	13.5 B
<p>Airport Improvement Program (AIP)</p> <p>FORMULA PROGRAM. The AIP program supports the development of public-use airports. It is funded primarily through the Airport and Airway Trust Fund but Congress will also periodically, provide supplemental funding. The IJA appropriates \$15 billion in supplemental funding over 5 years for the AIP program. This funding is in addition to the approximately \$3 billion per year that is distributed through the Airport and Airway Trust Fund.</p> <p>Status: FAA has notified Congress – but has not yet made a public announcement – about the amounts that will be distributed to public use airports in FY 2022.</p>	3 B	3 B + 3 B <small>100% increase over FY 2021</small>	3 B + 3 B	3 B + 3 B	3 B + 3 B	3 B + 3 B



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Program	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
<p>Nationally Significant Freight & Highway Projects (INFRA grants)</p> <p>DISCRETIONARY PROGRAM. INFRA is a competitive grant program to support nationally and regionally significant freight and highway projects. The IJA provides \$8 billion for INFRA grants over 5 years.</p> <p>Status: Awaiting DOT’s issuance of a Notice of Funding Opportunity for FY 2022.</p>	1 B	1.64 B <small>64% increase over FY 2021</small>	1.64 B	1.64 B	1.54 B	1.54 B
<p>Local and Regional Project Assistance (RAISE grants)</p> <p>DISCRETIONARY PROGRAM. Section 21202 provides \$7.5 billion for the Local and Regional Project Assistance Program (RAISE grants, formerly known as BUILD and TIGER grants), a competitive grant program that funds surface transportation projects with significant local or regional impacts. Eligible projects include highway or bridge projects, passenger or freight rail projects, port infrastructure projects, and surface transportation components of airport projects, as well as transit and rail projects.</p> <p>Status: Awaiting DOT’s issuance of a Notice of Funding Opportunity for FY 2022.</p>	1 B	1.5 B <small>50% increase over FY 2021</small>	1.5 B	1.5 B	1.5 B	1.5 B
<p>Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation (PROTECT) program</p> <p> FORMUAL PROGRAM. (See also discretionary PROTECT program.) Section 11405 establishes a formula grant program and a competitive grant program to help States reduce the vulnerability of transportation assets to natural disasters. Total funding is \$8.7 billion over 5 years, with \$7.3 billion distributed by formula and \$1.4 billion distributed via competitive grants.</p> <p>Status: FHWA is expected to propose project eligibility criteria, request public comment. On December 15, 2021, FHWA announced the apportionment of FY 2022 funding amongst the States (table of funding amounts for each state), but obligation of the full amount is contingent upon the enactment of the FY 2022 Transportation Appropriations bill.</p>	0	1.40 B	1.43 B	1.46 B	1.49 B	1.52 B


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Program	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
<p>National Highway Freight Program (NHFP)</p> <p>FORMULA PROGRAM. The overarching aim of the NHFP is to improve the efficient movement of freight on the National Highway Freight Network. The IIJA provides \$7.15 billion over 5 years for this.</p> <p>Status: On December 15, 2021, FHWA announced the apportionment of FY 2022 funding amongst the States (table of funding amounts for each state), but obligation of the full amount is contingent upon the enactment of the FY 2022 Transportation Appropriations bill.</p>	1.48 B	1.37 B 7.6% cut from FY 2021	1.40 B	1.42 B	1.45 B	1.48 B
<p>National Infrastructure Project Assistance (aka "mega projects")</p>  <p>DISCRETIONALRY PROGRAM. Section 21201 establishes a new competitive grant program that will support multi-modal, multi-jurisdictional projects of national or regional significance. Eligible projects include highway or bridge projects, freight intermodal or freight rail projects, railway-highway grade separation or elimination projects, intercity passenger rail projects, and certain public transportation projects.</p> <p>Status: DOT is expected to propose selection criteria and application requirements, request public comment.</p>	0	1 B	1 B	1 B	1 B	1 B
<p>Port Infrastructure Development Program</p> <p>DISCRETIONARY PROGRAM. The Port Infrastructure Development Program is administered by the U.S. Maritime Administration (MARAD). The program awards competitive grants for planning, operational and capital financing, and project management assistance to improve port capacity and operations. The IIJA provides \$2.25 billion over 5 years for this program.</p> <p>Status: MARAD is expected to announce availability of funding for FY 2022.</p>	230 M	450 M 95% increase over FY 2021	450 M	450 M	450 M	450 M
<p>Federal Lands Transportation Program (FLTP)</p> <p>DISCRETIONARY PROGRAM. The aim of the FLTP is to Improve transportation facilities that provide access to, are adjacent to, or are located within Federal lands, including national parks, National Forests, BLM, US Army Corps of Engineers and Tribal lands.</p> <p>Status: FHWA is expected to announce the availability of funding for FY 2022 and invite applications.</p>	375 M	422 M 12.5% increase over FY 2021	430 M	439 M	448 M	456 M

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<p>Rural surface transportation grant program</p>  <p>DISCRETIONARY PROGRAM. Section 11133 directs the DOT to establish a rural surface transportation grant program to provide grants, on a competitive basis, to eligible entities to improve and expand the surface transportation infrastructure in rural areas.</p>	0	300 M	350 M	400 M	450 M	500 M
<p>Status: DOT expected to propose project selection criteria and application requirements, request public comment.</p>						
<p>Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation (PROTECT) program</p>  <p>DISCRETIONARY PROGRAM. (See also formula PROTECT program) Section 11405 establishes a formula grant program and a competitive grant program to help States reduce the vulnerability of transportation assets to natural disasters. Total funding is \$8.7 billion over 5 years, with \$7.3 billion distributed by formula and \$1.4 billion distributed via competitive grants.</p>	0	250 M	250 M	300 M	300 M	300 M
<p>Status: DOT is expected to announce proposed project selection criteria and application requirements, request public comment.</p>						
<p>Appalachian Development Highway System (ADHS)</p> <p>FORMULA PROGRAM. The ADHS is a network of highways linking Appalachian communities in 13 States to Interstate highways. The IJA provides \$1.25 billion over 5 years for the ADHS.</p>	100 M	250 M <small>150% increase over FY 2021</small>	250 M	250 M	250 M	250 M
<p>Status: Awaiting announcement from Appalachian Regional Commission Awaiting release of official apportionment tables revealing how much each of the 13 States will receive from the ADHS account in FY 2022.</p>						




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Program	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
<p>Healthy Streets Program</p>  <p>DISCRETIONARY PROGRAM. Section 11406 establishes a new grant program to provide grants to eligible entities to deploy cool pavements and porous pavements and to expand tree cover. The goals of the program are to mitigate urban heat islands, improve air quality, and reduce the extent of impervious surfaces, storm water runoff and flood risks, and heat impacts to infrastructure and road users.</p> <p>Status: DOT is expected to announce propose selection criteria and application requirements, request public comment.</p>	0	100 M	100 M	100 M	100 M	100 M
<p>Accelerated Implementation and Deployment of Pavement Technologies</p> <p>DISCRETIONARY PROGRAM. Section 13006 extends the authorization for the ACPA-conceived Accelerated Implementation and Deployment of Pavement Technologies program and adds pavement-related considerations to enhance the environment and promote sustainability in the reporting under this program.</p> <p>Status: DOT is expected to issue a Notice of Funding Opportunity for FY 2022.</p>	12 M	12 M	12 M	12 M	12 M	12 M

Addendum

Additional programs funded by the Infrastructure Investment and Jobs Act may have a less direct impact on the pavement industry than the programs discussed above. However, these programs may be of interest to some in our ACPA membership.

<p>Bridge Investment Program (formula)</p>  <p>Formula program. (See also competitive Bridge Investment Program.) This is a new formula grant program that supports bridge replacement, rehabilitation, preservation, protection, and construction of bridges on public roads. The IIJA authorizes \$27.5 billion over 5 years in formula funding and \$12.5 billion over 5 years in competitive grant funding.</p>	5.5 B	5.5 B	5.5 B	5.5 B	5.5 B
<p>Bridge Investment Program (competitive)</p>  <p>Discretionary program. (See also formula Bridge Investment Program.) This is a new competitive grant program that supports bridge replacement, rehabilitation, preservation, protection, and construction of bridges on public roads. The IIJA provides advance appropriations of \$27.5 billion over 5 years in formula funding and \$12.5 billion over 5 years in competitive grant funding.</p>	2.5 B	2.5 B	2.5 B	2.5 B	2.5 B
<p>Airport Terminal Program</p> <p>Discretionary program. The IIJA provides \$5 billion over 5 years for an “airport terminal program” to provide competitive grants for terminal development and other landside projects.</p>	1 B	1 B	1 B	1 B	1 B
<p>Tribal Transportation Program</p> <p>Formula program. The purpose of the TTP is to provide safe and adequate transportation and public road access to and within Indian reservations, Indian lands, and Alaska Native Village communities. Funds are allocated among Tribes using a statutory formula based on tribal population, road mileage and average tribal shares of the former Tribal Transportation Allocation Methodology (TTAM) formula.</p>	579 M	590 M	603 M	613 M	628 M
<p>Reconnecting communities pilot program</p>  <p>Discretionary program. Section 11509 establishes a community connectivity pilot program. A total of \$500 million is authorized over 5 years. Of that total, \$100 million is reserved for planning costs and \$400 million is for capital construction costs.</p>	100 M	100 M	100 M	100 M	100 M

<p>Emerging technology research pilot program</p>  <p>Discretionary program. Section 13005 establishes a pilot program to conduct emerging technology research, including but not limited to research into activities to reduce the impact of automated driving systems and advanced driver automation systems technologies on pavement and infrastructure performance.</p>	5 M	5 M	5 M	5 M	5 M
<p>Permeable Pavements Study</p>  <p>Section 11518 requires DOT to conduct a study “not later than 1 year after the date of enactment of this Act” on the effects of permeable pavements on flood control and to develop related models and best practices. This section requires the Secretary to make a report on the results of the study available publicly.</p>	No dollar amount specified.				
<p>Study of road maintenance on Indian land</p>  <p>Section 14006 directs the Secretary of the Interior, in consultation with the Secretary of Transportation, to study and address the deferred maintenance backlog of existing roads on Indian land.</p>	No dollar amount specified.				

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