

THE BIPARTISAN INFRASTRUCTURE LAW:

OVERVIEW OF KEY PROVISIONS & COUNTY IMPLEMENTATION EFFORTS

On November 15, 2021, President Biden signed the Infrastructure Investment and Jobs Act (P.L. 117-58), formally enacting the Bipartisan Infrastructure Law (BIL).

The BIL provides \$973 billion over five years from Fiscal Year (FY) 2022 through FY 2026, including \$550 billion in new investments for all modes of transportation, water, power and energy, environmental remediation, public lands, broadband and resilience.

IMPLEMENTATION OF BIL AT THE COUNTY LEVEL

The BIL is a major victory for counties, who worked closely with our partners in Congress throughout the legislative process to ensure county priorities were included. Currently, the BIL is being implemented through agencies and departments across the federal government.

As Congress works to implement BIL, counties will be able to access transportation funds in the following ways:

1. MEETING CERTAIN ELIGIBILITY CRITERIA FOR FORMULA FUNDS TO PUBLIC TRANSIT SYSTEMS AND AIRPORTS

Example: The U.S. Department of Transportation (USDOT) transit formula grants apportion funds directly to qualifying public transit systems based on population and other factors.

The Airport Improvement Program is another example of a program that distributes funding based on formulas to airport sponsors based on enplanement numbers.

2. RECEIVING SUBALLOCATIONS FROM STATE GOVERNMENTS

Example: The Surface Transportation Block Grant (STBG) Program apportions funds to state departments of transportation, who are subsequently required to sub-allocate 55 percent of funds through planning organizations to the local level based on population.

The table below compares funding for STBG authorized under BIL compared to previous funding authorized under the Fixing America's Surface Transportation Act (P.L. 114-94).

Counties play a major role in America's transportation and infrastructure network, owning and operating 44 percent of public roads and 38 percent of bridges— more than any other level of government.

SURFACE TRANSPORTATION BLOCK GRANT PROGRAM

(numbers over five years)

STBG PROVISION	FAST ACT	BIL	% CHANGE
Overall funding	\$58 billion	\$72 billion	24% increase
Suballocation to local governments based on population	\$28.05 billion	\$36.13 billion	29% increase
Off-system bridge set-aside	\$3.88 billion	\$5.18 billion	33.5% increase
Transportation Alternative suballocation to local governments based on population	\$4.22 billion	\$7.2 billion	70.6% increase

3. APPLYING DIRECTLY TO A FEDERAL OR STATE AGENCY FOR COMPETITIVE GRANT OPPORTUNITIES

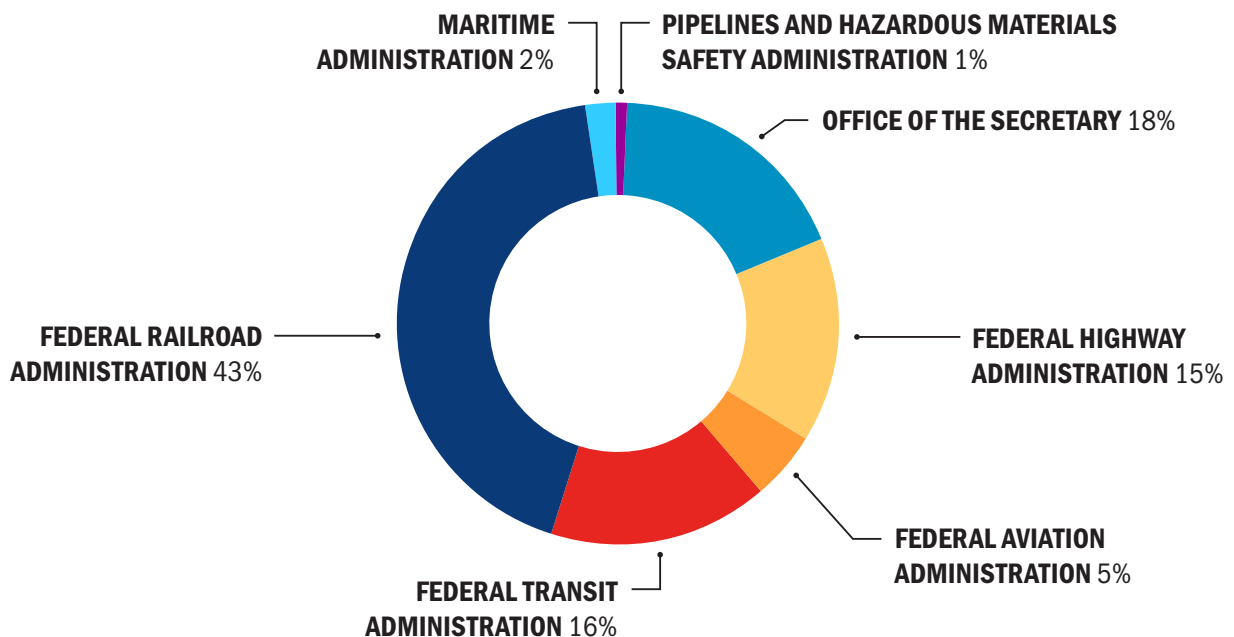
The BIL provides just over \$100 billion in direct, competitive grant opportunities through USDOT to state and local governments over the life of the bill. Other federal agencies also have considerable discretionary funds to distribute as a result of the BIL. **Several of these funding opportunities are open now.**

The chart below demonstrates the breakdown of BIL's competitive resources for transportation by USDOT sub-administrations.

4. FEDERAL FINANCING THROUGH LOANS AND LOAN GAURANTEES

Federal financing programs, such as the Transportation Infrastructure Finance and Innovation Act (TIFIA) program and the newly established Carbon Dioxide Transportation Infrastructure Finance and Innovation Act (CIFIA) program, support counties in constructing infrastructure through federal financing options and low-interest loans.

BIL COMPETITIVE RESOURCES BY USDOT SUB-ADMINISTRATION



BIL BY THE NUMBERS

The \$550 billion in new investments includes:

- Transportation: \$284 billion
- Water: \$55 billion
- Broadband: \$65 billion
- Energy & Power: \$73 billion
- Environmental remediation: \$21 billion
- Western water infrastructure: \$8.3 billion
- Resiliency: \$46 billion

Of the new investments, \$284 billion will go toward all modes of transportation, with the remaining \$266 billion directed to other physical infrastructure sectors. Nearly 52 percent of BIL's new resources are dedicated to modernizing and making improvements to transportation infrastructure, with the majority of these funds reserved for highways, roads and bridges:

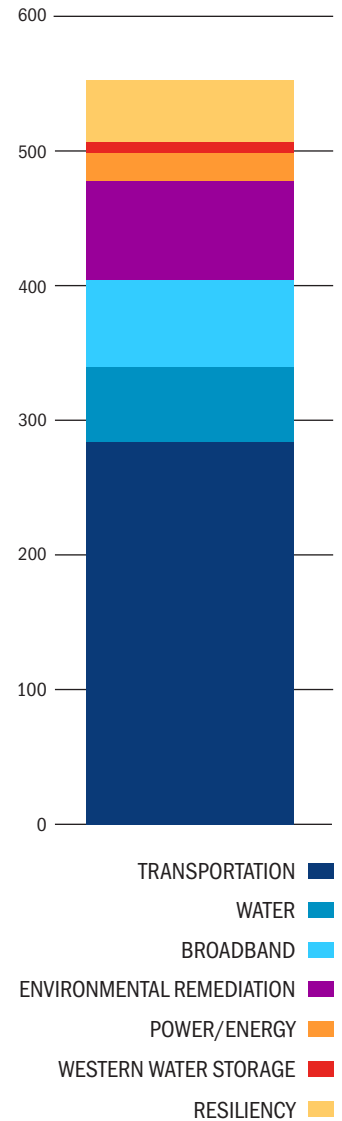
- Roads & Bridges: \$111 billion
- Transit: \$39 billion
- Rail: \$66 billion
- Safety: \$11 billion
- Airports: \$25 billion
- Ports & Waterways: \$17 billion
- Electric vehicle chargers: \$7.5 billion
- Electric buses: \$7.5 billion

NEXT STEPS FOR THE BIL AND COUNTIES

While we are doing our part at the local level, we must rely on the intergovernmental partnership to meet our many public infrastructure responsibilities, as well as to reach our federal, state and local shared goal of improving the nation's infrastructure. NACo is working closely with USDOT and other federal agencies impacted by the legislation to ensure America's counties have the information and guidance necessary to successfully execute the policies and programs in the BIL.



SCAN TO ACCESS NACo's BIL FUNDING MATRIX FOR COUNTIES



In addition to our considerable road and bridge responsibilities, counties also directly support 40 percent of public transit systems and 34 percent of airports that keep our residents connected in every corner of the country. Each year, counties invest \$134 billion in the construction of infrastructure and the maintenance and operation of public works.

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