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Congress passes bipartisan infrastructure bill

Last Friday, Nov. 5, Congress passed the bipartisan infrastructure framework known as the Infrastructure Investment and Jobs Act (IIJA). The hard infrastructure bill passed the U.S. House of Representatives by a vote of 228 to 206; President Biden is anticipated to sign the bill into law. We anticipate the House will vote on the budget reconciliation bill for social infrastructure programs and additional port infrastructure funding the week of Nov. 15. These infrastructure bills provide additional funds above what will be provided in the FY2022 appropriations process.

Infrastructure Investment and Jobs Act

The \$1.2 Trillion IIJA provides a 5 year extension of the surface transportation programs authorization and a significant infusion of funding for traditional infrastructure including:

- \$110 Billion for roads and bridges
- \$66 Billion for rail
- \$39 Billion for transit
- \$25 Billion for airports
- \$55 Billion for clean water systems
- \$65 Billion for broadband
- \$17 Billion for ports and waterways

Ports are estimated to receive about \$5 Billion that is exclusive to the ports sector and about \$27 Billion over five years that ports are eligible to apply for as part of a number of other programs. The \$5 Billion for ports is divided roughly in half with about 50% from the Corps of Engineers programs and 50% from landside/flexible funding sources.

The Corps will receive \$17 Billion:

- \$150 Million – Investigations (studies)
- \$11.615 Billion - Construction
- \$4 Billion - Operations & Maintenance
- \$160 Million - Regulatory Program

Included in the bill were funds for programs such as:

- \$25 Million - Marine Highways Program

- \$2.25 Billion - Port Infrastructure Development Program
- \$400 Million - Reduction of Truck Emissions at Port Facilities
- \$5 Billion - Consolidated Rail Infrastructure and Safety Improvement) Grant Program
- \$8 Billion total - Infrastructure for Rebuilding America (INFRA) \$1 Billion will be provided in regular appropriations, and an additional \$640 Million per year through the infrastructure bill. Also notable is the increase of the cap for multimodal projects. Previously the cap was \$100 Million per year; now it is 30% of the total program -- an estimated \$480m per year.
- \$7.5 Billion total - Rebuilding American Infrastructure with Sustainability and Equity (RAISE) will receive an additional \$2.5 Billion from the infrastructure package. \$1 Billion per year for the next 5 years is set aside for multimodal projects.
- \$5 Billion - National Infrastructure Project Assistance Program (Megaprojects). This is a new program specifically for large projects (\$100 Million minimum project size). 50% of the program funding is set aside for projects over \$500 Million. Ports can apply for this program too, either alone or in partnership with another public entity.
- \$1 Billion - National Culvert Removal, Replacement, and Restoration Grant Program
- \$2.5 Billion for railroad crossing elimination
- \$20 Million to NOAA to complete environmental permits for restoration and infrastructure projects such as bridges, roads, and ports
- \$400 Million for fish passage barrier removal

Build Back Better Budget Reconciliation Bill

Budget reconciliations are usually done over a 10-year timeframe. In the Build Back Better budget reconciliation package, the Maritime Administration will receive \$600 Million for port infrastructure and supply chain resilience to be available through September 30, 2026. The funds would be available "for the purposes of making grants for projects to support supply chain resilience, reduction in port congestion, and the development of offshore wind through the program under section 50302(c) of title 46, United States Code."

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