



National Association of County Engineers

"The Voice of County Road Officials"
Association of County Engineers of Alabama
NACE & Federal Legislative Update

FUTURE NACE CONFERENCES:



2022: Buffalo/Niagara Falls, NY

2023: Orange Beach, AL

2024: Palm Springs, CA

Influence Through Advocacy

Representing county engineers and professional road managers nationally.

- Legislative Priorities - NACE and NACo
- Influencing Policy makers and key stakeholders
- Testimony before Congress
- Visits on Capitol Hill and legislative fly-ins
- Information and alerts for individual call to action
- Increased Strategic Communications



@EngineersNACE

NACE Legislative Priorities

- Permit and Approval Process Streamlining
- Increased Federal Funding for Locals
- More Opportunities for Direct Funding
- Surface Transportation Reauthorization
- Infrastructure Spending Bill
- Safety



NACE AT THE WHITE HOUSE



NACE WASHINGTON, D.C. FLY-IN



- United States Department of Transportation
- House Transportation & Infrastructure Committee
- White House (EPA, NEC, CEQ, IGA)
- Board Members' Members of Congress



NACE Legislative Victories

Through its advocacy and education of federal agency personnel and elected officials, specific local government friendly text has been inserted into major infrastructure legislation, including:

- At least 12 new discretionary grant programs totaling in the billions of dollars which counties can apply for directly
- Reforms to strengthen the State-local relationship, enhance coordination, improve the flow of funds to communities of all sizes, and increase transparency
- Permit and Process Streamlining for local infrastructure projects, notably the "One Federal Decision" Executive Order as it pertains to environmental reviews





NEW FEDERAL FUNDING OPPORTUNITIES *FY 2021 RAISE (new BUILD) Grants*

THE FY 2021 BUILD (now RAISE) NOFO WAS ANNOUNCED EARLY APRIL!

- \$1 billion available
- Renamed RAISE (Rebuilding American Infrastructure with Sustainability and Equity) Grants
- Applications due by 5:00 PM ET on July 12, 2021.

Changes from the original NOFO include reverting to the criteria associated with the FY 2017 TIGER NOFO:

1. Safety
2. Environmental sustainability (projects should reduce emissions, promote energy efficiency, increase resiliency and recycle or redevelop existing infrastructure assets)
3. Quality of life (projects should incorporate planning & policies promoting racial equity and increased accessibility)
4. Economic competitiveness
5. State of good repair
6. Partnership (secondary)
7. Innovation (secondary)

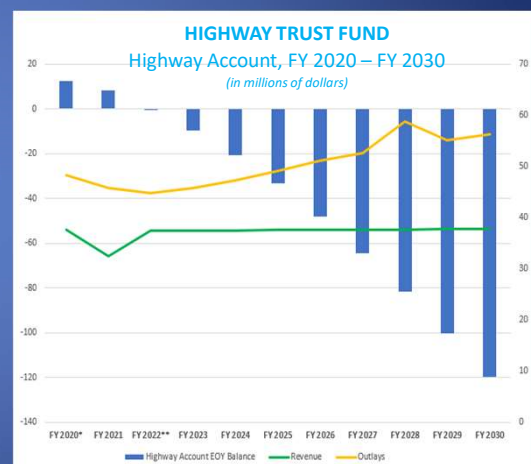


THE FAST ACT REAUTHORIZATION *Outlook for Passage*

WHAT'S THE MOST LIKELY OUTCOME AT THIS POINT?

- The Senate attempts to develop a bipartisan reauthorization bill that could receive 60 votes in the Senate
 - This is already in question because Republicans have no incentive to deliver a "win" to Democrats by passing a long-term reauthorization.
- Chairman DeFazio's reauthorization within H.R. 2 becomes part of a reconciliation package, to the extent that is possible.

Currently, no proposals are being floated to fix the HTF, which faces insolvency in FY22. While both R & D lawmakers appear open to negotiations, **the White House has said it won't raise the gas tax, nor will it use a transition to a VMT tax to fund the HTF.**



Source: NACo



THE FAST ACT REAUTHORIZATION

Outlook for Passage

- The AJP does not address the Sept. 30 expiration of the FAST Act, and mixed messages have come from the White House about what they would like to see in a reauthorization bill.
- The reauthorization CANNOT be passed as part of a reconciliation bill, a tool that Democrats will have to utilize to pass legislation related to the AJP.
 - **WHY NOT RECONCILIATION?**
 - It requires 60 votes; therefore, it must be bipartisan.
 - It contains new policy.
 - It does not affect the federal deficit because of the ways transfers in and out of the Highway Trust Fund are treated.
- Chairman DeFazio remains committed to the \$494 billion, five-year reauthorization the House passed last year as part of H.R. 2, the *Moving Forward Act*.
- The Senate is still working to produce a full reauthorization.

Earmarks?!?!

- As the House Committee on Transportation and Infrastructure prepares to advance surface transportation authorization legislation this spring, Committee Chair Peter DeFazio (D-OR) and Chair of the Subcommittee on Highways and Transit Eleanor Holmes Norton (D-DC) announced the Committee will provide an opportunity for Members of Congress to submit requests for highway and transit project designations.

(Just don't call them earmarks)



They are, forever henceforth to be known
as.....“highway and transit project
designations”

Initial Criteria for T&I

The Committee will require all Member submissions to include the following information for each project requested:

- Documentation of whether the project is on the State, Tribal, or territorial transportation improvement program (STIP); and on the metropolitan transportation improvement program (TIP), if applicable
- Sources of funding for the full share of the cost of the project beyond the amount requested
- Letter(s) of support from the State department of transportation, or local government, transit agency, or other non-Federal sponsor
- A description of the process that has been or will be followed to provide an opportunity for public comment on the project
- Project phase (e.g. Planning, Final Design, Construction)
- NEPA category of action (e.g. Categorical Exclusion, Environmental Assessment, Environmental Impact Statement)
- Status of environmental review
- Whether the project has received Federal funding previously, and if so the source and amount
- Certification that the Member, their spouse, and other immediate family members do not have a financial interest in the project

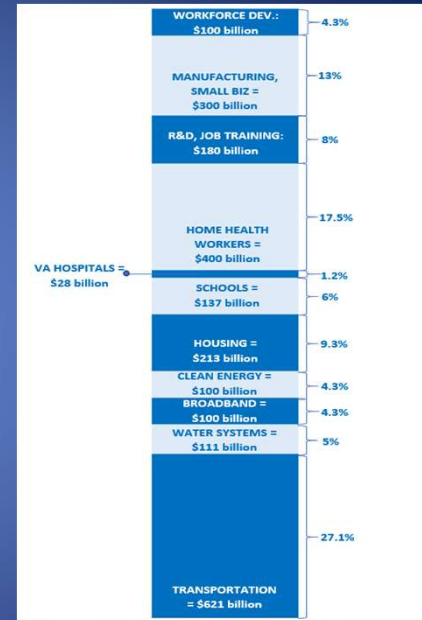


THE AMERICAN JOBS PLAN

Provisions for Counties

- On March 31, President Biden unveiled the American Jobs Plan (AJP), as well as the Made in America Tax Plan.
- The AJP is part one of a two-part approach to infrastructure, with part two of the package deemed the American Families Plan.
- Part one of the AJP includes funding for the following:
 - Workforce development
 - Manufacturing and small business
 - Research and development and job training
 - Home healthcare workers
 - VA hospitals
 - Public schools and community colleges
 - Public housing
 - Clean energy
 - Broadband deployment
 - Water systems
 - Transportation and resiliency

Source:
NACo



THE AMERICAN JOBS PLAN

Transportation Funds

27% of total AJP spending

28% of AJP transportation funds

18.5% of AJP transportation funds

- The majority of the spending in AJP is for transportation.
- The majority of the transportation spending is for the nationwide deployment of electric vehicle (EV) charging infrastructure.
- The second biggest pot of funds is for highways, roads & bridges.

Source: NACo





THE AMERICAN JOBS PLAN

Transportation Funds: Spending Breakdown

ROADS AND BRIDGES	
"Fix it Right" road modernization	\$50 billion
Bridge Investment Program	\$40 billion
Community Transportation Block Grant	\$5 billion
Transportation Alternatives	\$5 billion
Mitigation: Carbon Reduction Bonus Program	\$10 billion
Mitigation: Congestion Mitigation and Air Quality (CMAQ)	\$5 billion
TOTAL	\$115 billion

TRANSIT	
Transit State of Good Repair	\$55 billion
Transit Expansion	\$25 billion
ADA Implementation	\$5 billion
TOTAL	\$85 billion
RAIL	
Amtrak	\$55 billion
Intercity passenger rail	\$20 billion
Freight rail and safety grants	\$5 billion
TOTAL	\$80 billion

Source: NACo



THE AMERICAN JOBS PLAN

Transportation Funds: Spending Breakdown

AVIATION	
Airport Improvement Program	\$10 billion
Airport terminal renovation grants	\$10 billion
FAA NAS system facilities upgrades	\$5 billion
TOTAL	\$25 billion

PORTS	
Healthy ports initiative	\$6 billion
Coastal ports & inland waterways (Army Corps)	\$8 billion
Land ports (GSA)	\$3 billion
TOTAL	\$17 billion

SAFETY	
Expand HSIP	\$8 billion
Support safe driving behaviors	\$1 billion
Safe Streets for All fund	\$5 billion
PHMSA infrastructure modernization grants	\$1 billion
TOTAL	\$20 billion

JOBS	
Build 500,000 EV chargers	\$15 billion
EV consumer rebates	\$1 billion
Zero emissions buses	\$5 billion
School bus electrification (EPA)	\$1 billion
TOTAL	\$160 billion

Source: NACo



THE AMERICAN JOBS PLAN

Transportation Funds: Spending Breakdown

TRANSFORMATIVE PROJECTS	
Transformational Infrastructure Projects Fund	\$25 billion
ARPA-I and other R&D	\$2 billion
Predevelopment & planning funds	\$2 billion
Infrastructure Grand Challenge	\$5 billion
Expand BUILD (now RAISE)	\$5 billion
Expand INFRA	\$3 billion
Modernize RRIF	\$200 million
Reauthorize and expand PABs	\$1.5 billion
Implementation & capacity building: Infrastructure America	\$250 million
TOTAL	\$44 billion

EQUITY	
Thriving Communities Initiative	\$5 billion
Highways to Neighborhoods Program	\$15 billion
Transportation workforce training	\$2 billion
Tribal Transportation Program	\$3 billion
TOTAL	\$25 billion

RESILIENCE	
PROTECT Grant Program	\$5 billion
National Resilient Communities Challenge	\$3 billion
TOTAL	\$8 billion

Source: NACo

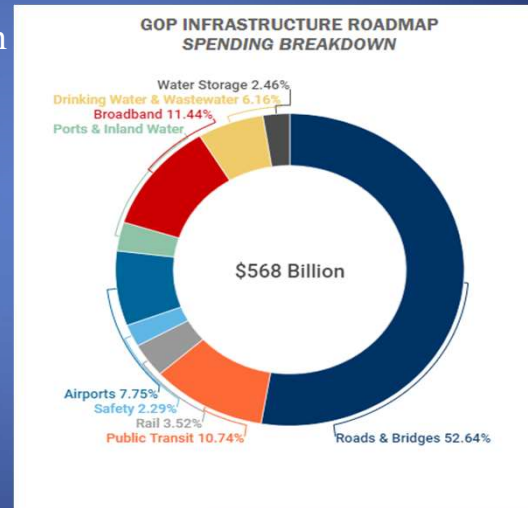
The Republican Roadmap: “A Framework to Improve the Nation’ Infrastructure”

On April 22, Senate Republicans released their infrastructure framework, “The Republican Roadmap: A Framework to Improve the Nation’s Infrastructure (Roadmap), A counterproposal to the Biden Administration’s “American Jobs Plan (AJP),”

- The outline envisions investing \$568 billion over five years to make improvements and enhancements to assets traditionally defined as infrastructure, including transportation and water systems.
- The proposal represents a 75 percent decrease from the spending levels proposed in the AJP and significantly narrows the sectors that would receive funds. This is largely due to the Roadmap’s closer adherence to reauthorizations for transportation and water programs than that of the stimulus package proposed in the AJP.

The Republican Roadmap: “A Framework to Improve the Nation’ Infrastructure”

- Surface Transportation: \$380 billion
- Roads & Bridges: \$299 billion
- Transit: \$61 billion
- Rail: \$20 billion
- Safety: \$13 billion
- Airports: \$44 billion
- Ports & Inland Waterways: \$17 billion
- Broadband: \$65 billion
- Drinking Water & Wastewater: \$35 billion
- Water Storage: \$14 billion



Graphic: NACo

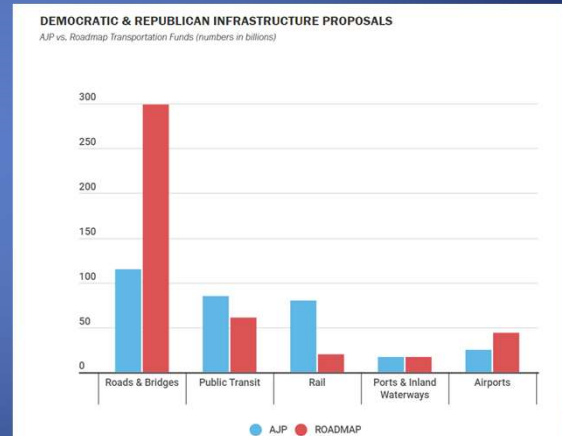
The Republican Roadmap: “A Framework to Improve the Nation’ Infrastructure”

COUNTY IMPACTS

- Congressional Republicans’ priorities for federal programs and policies include avoiding “one-size-fits-all” requirements for infrastructure; streamlining the federal permitting process (HUGE NACE priority); reducing regulations; and encouraging innovation.
- NACE continues to count streamlining the federal permitting process and reducing regulatory burdens as top priorities for infrastructure and urge lawmakers to realize the benefit that would result from more timely review processes and commonsense federal regulations.
- The vast majority of County governments agree that a blanket approach to the nation’s infrastructure needs is not the answer, and instead, that the federal government should provide maximum flexibility when administering transportation and infrastructure funds.

The Republican Roadmap: “A Framework to Improve the Nation’ Infrastructure”

- Overall, the Roadmap would direct 29 percent less than the AJP to transportation; however, this is largely due to the Roadmap’s exclusion of funds for EVs.
- The Roadmap proposes 160 percent more for roads and bridges and 76 percent more for airports than the AJP.
- The Roadmap proposes spending 28 percent less on public transit and 75 percent less on rail than the AJP.
- Both parties’ proposals would invest the same amount (\$17 billion) in ports and inland waterways.

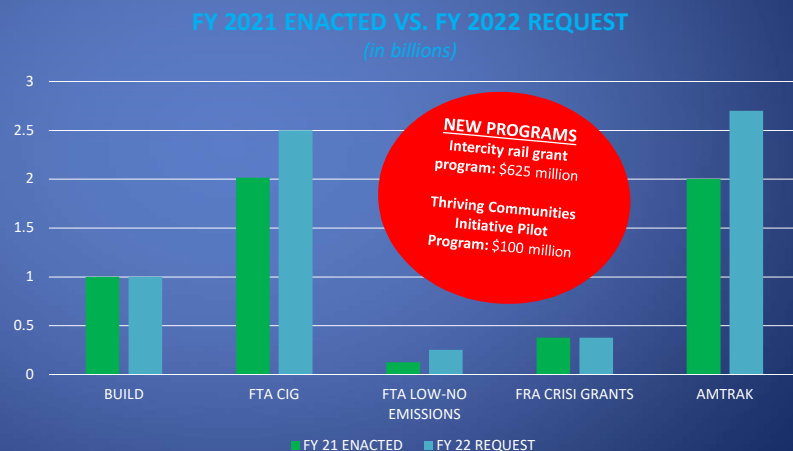


Graphic: NACo



THE WHITE HOUSE “SKINNY” BUDGET *Breakdown for the U.S. Department of Transportation*

- On April 9, the White House released their FY22 discretionary budget request.
- **These are DISCRETIONARY FUNDS ONLY.**
- The majority of USDOT’s budget is made up of mandatory spending and is not included here.



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THANK YOU!

Kevan Stone
CEO/Executive Director
National Association of County Engineers
kstone@countyengineers.org
Office: 202.393.5041
Cell: 321.689.6681



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