

ACEC Pennsylvania Infrastructure Conference

Matt Reiffer
Vice President, Infrastructure Programs

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AMERICAN COUNCIL OF ENGINEERING COMPANIES



Legislative & Regulatory Agenda

- New multi-year FAA bill
- IIIJ A implementation / oversight
- Infrastructure permitting reform
- Annual appropriations

FAA Reauthorization Priorities

- Increase annual funding for Airport Improvement Program (AIP) to at least \$4 billion; expand eligible uses for terminal improvements consistent with IIJ A.
- Lift the cap on Passenger Facility Charges (PFCs) – currently capped at \$4.50 per ticket.
- Provide dedicated funding for resilience planning and provisions for PFAS remediation.
- Facilitate additional uses of unmanned aircraft systems (UAS).

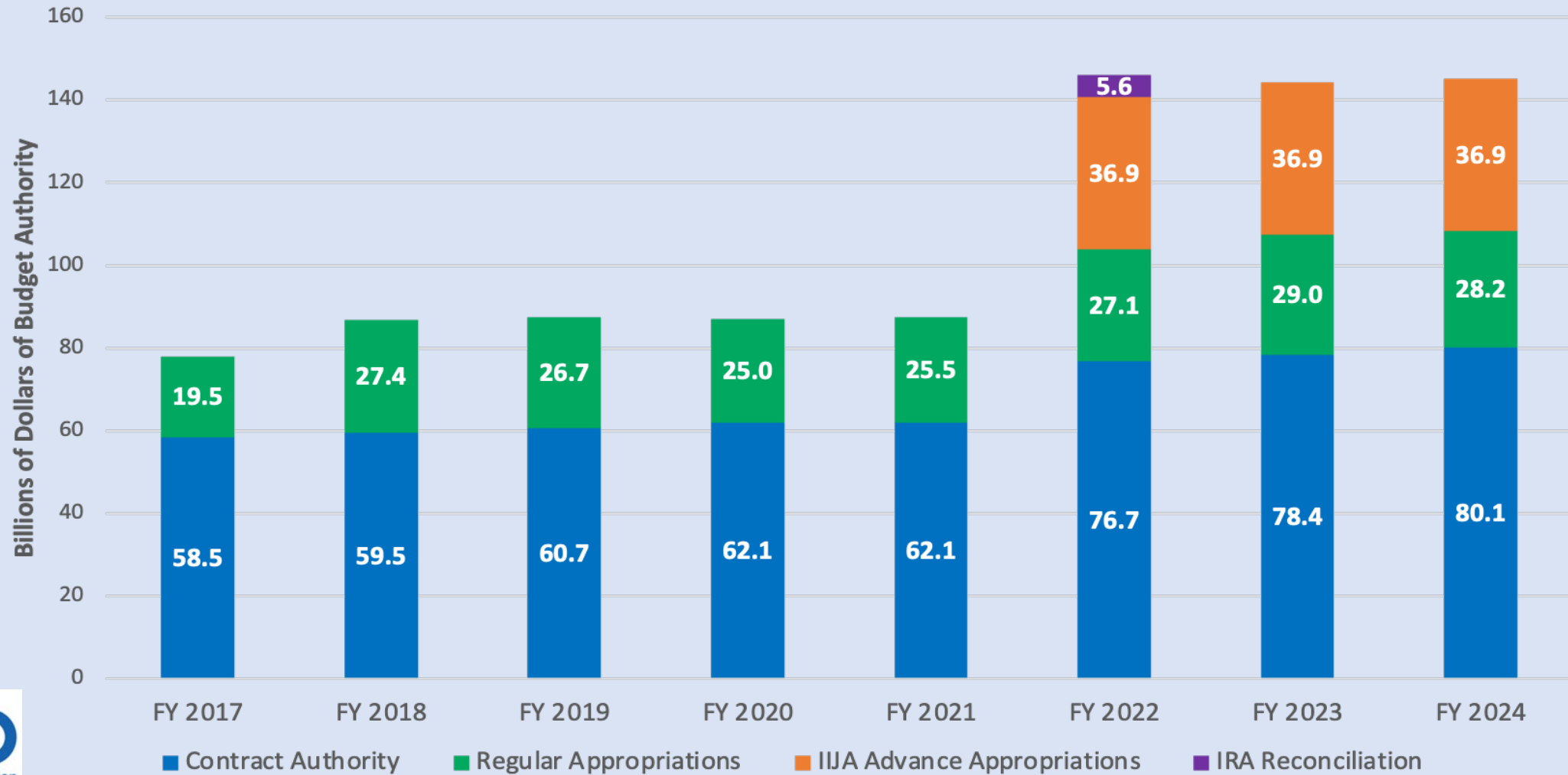
FAA Reauthorization Status

- House approved ACEC-backed bill in July.
 - Increases AIP to \$4 billion / year; authorizes terminal improvement projects.
 - Facilitates UAS testing and integration, BVLOS operations.
- Senate committee action stalled over pilot training requirements, long-distance flights out of Reagan National Airport.
- Short-term extension necessary before September 30.

III A Implementation Activities

- Track and disseminate grant opportunities, funding announcements.
- Develop VMT pilot program recommendations for U.S. DOT.
- Promote fixed-fee contracts by State DOTs.
- Address contract escalation.
- Facilitate Build America / Buy America (BABA) compliance.
- Modernize NEPA process and environmental reviews.

USDOT Funding by Type/Source, Excludes Non-IIJA Emergencies



New FHWA Funding Obligations

Millions of dollars.

	<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>
Q1	4,368	4,506	3,628	6,175
Q2	11,153	9,859	8,490	11,340
Q3	11,415	14,775	19,301	
Q4	19,820	23,238	31,279	
TOTAL	46,756	52,377	62,699	

Excludes emergency relief.

- FY21 was +\$5.6 B over FY20 because of \$10 B COVID aid.
- FY22 was +\$10.3 B over FY21 because of IIJA funding.
- First half of FY23 is +\$5.4 B over first half of FY22.

Infrastructure Permitting Reform

- Expanded use of Categorical Exclusions
- One-year deadline for environmental assessments and two years for environmental impact statements
- Use of private resources to accelerate reviews
- Narrowing agency considerations to reasonably foreseeable environmental impacts, reasonable range of alternatives that are technically and economically feasible and meet purpose and need
- E-NEPA

Infrastructure Permitting Reform

- CEQ recently issued Phase II rulemaking process, with September 29 public comment deadline.
- Other issues still unresolved:
 - Limits on judicial reviews
 - Clean Water Act Section 401 certifications
 - Interstate transmission lines and Federal preemption authority
 - Impact of Supreme Court ruling on WOTUS jurisdiction

Annual Appropriations

- Debt limit deal established topline budget caps for defense and non-defense spending for FY 2024 and FY 2025.
- House GOP drafting bills at FY 2022 levels:
 - \$119 billion below Senate committee-passed bills.
 - 8% below FY 2023 total (including defense).
 - More than 30% cut to non-defense, including some infra accounts.
- September 30 deadline for “continuing resolution” or shutdown.

Questions?

mreiffer@acec.org
202-682-4308

