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Infrastructure Investment and Jobs Act: Key Programs and Provisions

On November 5, 2021, the U.S. House of Representatives passed the Senate's bipartisan Infrastructure Investment and Jobs Act, also called the Bipartisan Infrastructure Deal. President Biden will sign the bill into law on November 15, at a signing ceremony with U.S. lawmakers, governors, and mayors, and labor union and business leaders. The bill—soon to be law—is being lauded for its historic and generational investment in key aspects of aging American infrastructure. The law also addresses important issues like climate change, clean energy, energy innovation, and expanded broadband access.

Frost Brown Todd recently hosted a webinar to discuss the Infrastructure Investment and Jobs Act, and answer questions about how our clients can seize the advantage of this historic opportunity. That webinar can be streamed below.

360° Look at the Infrastructure Bill – Episode 2 | FBT D.C

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This video was created for general informational purposes only as of the time of its creation and does not constitute legal advice, the formation of an attorney client relationship, or a solicitation to provide legal services.

Frost Brown Todd is uniquely positioned to assist our clients in navigating the extraordinary opportunities presented by the Infrastructure Investment and Jobs Act. With our deeply connected, bi-partisan roster of attorneys and government relations professionals in our [Washington, D.C. office](#), we can advise private sector and municipal clients on how to compete for the many grant opportunities now available.

Further, our industry leadership and expertise on aviation, construction, energy, environmental law, and public-private

partnerships make Frost Brown Todd the right legal team to assist with the development of projects that will arise from this law's enactment. For your convenience, we've provided a summary below of the law's significant programs and provisions, totaling approximately \$1 trillion in unused, reauthorized, and new spending.

Reauthorization and extension of programs

- Includes the Surface Transportation Reauthorization Act, which reauthorizes the Federal-Aid Highway Program through FY2026
- Includes the Surface Transportation Investment Act, which authorizes \$78 billion for rail, freight, and safety programs over five years
- Reauthorizes the Drinking Water and Wastewater Infrastructure Act, which includes \$35 billion for drinking water and wastewater infrastructure projects
- Makes amendments to the Buy America Act and requires that all iron, steel, and manufactured products for funded projects be made in the U.S.

550 billion in new spending over five years

- \$110 billion for roads, bridges, and other major projects
 - \$36.7 billion for bridge grant program, including rural bridges and bridges of regional significance
 - \$7.5 billion for the RAISE competitive grant program for surface transportation projects of local and regional significance
 - \$3.2 billion for the INFRA competitive grant programs for highway and rail projects of regional and national significance
 - \$16 billion for major projects, such as the KY/OH Brent Spence Bridge
- \$66 billion for passenger rail and freight, including new service in Northeast Corridor

- \$39.2 billion for public transit, including new track, signals, and power systems—the largest federal investment in public transit ever
- \$25 billion for airports, including \$5 billion for air traffic control
- \$17.4 billion for ports and waterways, including coastal and inland waterway improvements
- \$11 billion for safety and research, including highway and pedestrian safety programs

A broader approach to “infrastructure”

Energy innovation and grid support

- \$65 billion for power infrastructure, including grid authority
 - \$7.5 billion for national network of electric vehicle charging stations
 - \$5 billion for zero emission and clean buses and \$2.5 billion for ferries
- \$46 billion for grid resilience, cybersecurity, and ecosystem restoration
 - \$27.65 billion for grid infrastructure and resiliency and reliability programs
 - \$5 billion for competitive grants for innovative grid resiliency and reliability projects
 - Establishment of national cyber office for federal response to cybersecurity issues
 - \$1 billion for competitive grants for state and local cybersecurity projects
 - \$7.712 billion to establish clean energy supply chains
- \$11.29 billion for the Abandoned Mine Reclamation Fund
- \$4.7 billion to plug, remediate, and reclaim abandoned oil and gas wells

Broadband

- \$65 billion for expanded access to broadband access, with emphasis on rural and other underserved areas

- \$42.45 billion for equitable deployment of broadband across U.S. states and territories
- \$14.2 billion for Affordable Connectivity Fund broadband subsidies

Water infrastructure

- \$55 billion for water infrastructure, including \$15 billion for lead service pipe replacement
- \$8.3 billion for western water infrastructure projects
- \$11.713 billion for drinking and clean water grants and forgivable loans
- \$4 billion to address emerging contaminants

Pay-fors and offsets

- Estimated cost of \$228 billion over five years and \$415 billion over 10 years
- Identified offsets of \$519 billion
- Financed through unspent COVID-19 relief funds, targeted corporate user fees, stronger tax enforcement for cryptocurrency transactions, and revenue generated from economic growth from funded projects and investments

For updates on the implementation of the Infrastructure Investment and Jobs Act and how to take advantage of its historic spending for infrastructure improvement and expansion, contact [Jonathan Miller](#) (Government Services, Manufacturing); [Nolan Jackson](#) (Manufacturing); [Tom Gabelman](#) (Construction, Public-Private Partnerships); [Kelly Schulz](#) (Mobility & Transportation, Logistics); or [Warren Hoffman](#) (Energy, Renewables).

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