

APLU ANALYSIS OF THE INFRASTRUCTURE INVESTMENT AND JOBS ACT

On November 15th, 2021, President Biden signed into law the [Infrastructure Investment and Jobs Act, H.R. 3684](#). The House approved the legislation on November 5 in a 228-206 vote with 13 Republicans joining Democrats to pass the bill, following months of tense negotiations and delays. The bipartisan infrastructure bill provides \$1.2 trillion over 8 years for infrastructure improvements, including more than \$500 billion for core infrastructure projects such as roads, broadband, and electric utilities improvements.

Since the bipartisan legislation does not contain substantial investment in research or higher education, these areas of investment have been a focus within Democrats’ budget reconciliation legislation, the Build Back Better (BBB) Act. APLU has also produced a [summary](#) of BBB. The reconciliation legislation is on a separate track.

Below is a summary of provisions of interest to APLU institutions in the bipartisan infrastructure bill. While there are other potential opportunities for university funding throughout the bill, this analysis focuses on top priority areas.

I. BROADBAND FUNDING AND POLICY

As anticipated, the bipartisan infrastructure agreement provides \$65 billion in new broadband investments. This funding includes a state grant program to facilitate broadband deployment; dedicated funding for middle mile broadband infrastructure; two digital equity and inclusion grant programs championed by Senator Patty Murray in the Digital Equity Act; and additional funds for the Emergency Broadband Benefit program, now renamed the Affordable Connectivity Fund.

Institutions of higher education are eligible for grant funding through these programs (apart from the Affordable Connectivity Fund), but the bill does not provide dedicated broadband funding for higher education.

DIVISION F – BROADBAND	
Title I – Broadband Grants for States, District of Columbia, Puerto Rico, and Territories	
Sec. 60102. Grants for Broadband Deployment (pg. 754)	The bill creates a \$42.5 billion Broadband Equity, Access, and Deployment formula grant program for all 50 states, the District of Columbia, Puerto Rico, and the Territories “to bridge the digital divide” through broadband deployments to unserved and underserved areas. The bill calls for a minimum of \$100 million to be allocated to each of the 50 states, with an additional \$100 million set to be divided equally among U.S. territories. To participate, states must submit a proposal outlining long-

	<p>term objectives for deploying broadband, closing the digital divide, and enhancing economic growth and competition.</p> <p>Among many other purposes, funding can be used for competitive subgrants for connecting eligible community anchor institutions, which includes institutions of higher education.</p>
Title III – Digital Equity Act	
Sec. 60304. State Digital Equity Capacity Grant Program (pg. 784)	<p>The bill creates an annual \$125 million formula grant program for all 50 States, the District of Columbia, and Puerto Rico to fund the creation and implementation of comprehensive digital equity plans in each State. The bill also provides \$60 million for grants to States to develop their digital equity plans.</p> <p>Institutions of higher education and other anchor institutions are available for subgrants under this program from their state to support digital equity and inclusion activities.</p>
Sec. 60305. Digital Equity Competitive Grant Program (pg. 794)	<p>The bill creates an annual \$125 million competitive grant program to achieve digital equity, promote digital inclusion activities, and spur greater broadband adoption among covered populations.</p> <p>Institutions of higher education and other anchor institutions are available for subgrants under this program.</p>
Title IV – Enabling Middle Mile Broadband Infrastructure	
Sec. 60401. Middle Mile Grant Program (pg. 803)	<p>The bill funds a \$1 billion competitive grant program, available through September 30, 2026, to fund the construction, improvement, or acquisition of technology-neutral middle mile infrastructure.</p> <p>Middle mile infrastructure is defined as broadband infrastructure which does not connect directly to an end-user location and can include leased dark fiber, interoffice transport, backhaul, carrier-neutral exchange facilities, undersea cables, and transport connectivity to data centers.</p>
Title V – Broadband Affordability	
Sec. 60502. Extension and Modification of Emergency Broadband Benefit (pg. 2170)	<p>The bill provides an additional \$14.2 billion for the Affordable Connectivity Fund, a renamed version of the Emergency Broadband Benefit program.</p> <p>The bill lowers the monthly subsidy rate to \$30 from the current \$50 subsidy rate but also includes \$100 for devices.</p>

II. ADDITIONAL INFRASTRUCTURE INVESTMENTS OF INTEREST

There are additional provisions in the bipartisan infrastructure package that may be of interest to institutions of higher education, particularly transportation and energy related research. This analysis highlights major programs, there are also several funded demonstration programs in which public universities may be able to participate.

DIVISION A – SURFACE TRANSPORTATION INVESTMENT ACT OF 2021	
Title III – Research, Technology, and Education	
Sec. 13005. Emerging Technology Research Pilot Program (pg. 201)	The bill provides \$5 million to establish a pilot program focused on: advanced and additive manufacturing technologies to increase the structural integrity and cost-effectiveness of surface transportation infrastructure; accelerated pavement testing research regarding the impacts of connected, autonomous, and platooned vehicles on pavement and infrastructure performance, with a special focus on the impacts of automated driving systems and advanced driver-assistance systems.
Title V – Research and Innovation	
Sec. 25012. Advanced Transportation Research (pg. 431)	The bill authorizes the establishment of an Advanced Research Projects Agency-Infrastructure (ARPA-I) program to fund research and development on advanced transportation infrastructure technologies through grants, contracts and cooperative agreements. However, no funding is provided.
Sec. 25017. University Transportation Centers Program (pg. 445)	The bill makes updates to the University Transportation Centers program and provides \$405 million in base mandatory funding (pg. 19) plus \$95 million in supplemental appropriations (pg. 999) over the next five years, FY2022-2026.
DIVISION D – ENERGY	
Title V – Energy Efficiency and Building Infrastructure	
Sec. 40512. Building, Training, and Assessment Centers (pg. 631)	The bill provides \$10 million in FY2022 for grants to institutions of higher education to establish building training and assessment centers to educate and train building technicians and engineers on implementing modern building technologies.
TITLE VIII – Natural Resources-Related Infrastructure, Wildfire Management, and Ecosystem Restoration	
Sec. 40803. Wildfire Risk Reduction (pg. 669)	The bill provides \$20 million for FY2022-2026 for activities conducted under the Joint Fire Science Program, of which \$10 million shall be made available to the Secretary of the Interior; and \$10 million shall be made available to the Secretary of Agriculture.

DIVISION G – OTHER AUTHORIZATIONS

<p>Sec. 70501. Pilot Program on Use of Agricultural Commodities in Construction and Consumer Products (pg. 838)</p>	<p>The bill provides \$2 million for FY2022-2023 for a bioproduct pilot program at the Department of Agriculture to partner with at least one university affiliated bioproduct research facility to study the relative benefits of using materials derived from agricultural commodities in the production of construction and consumer products. The benefits to be studied include waste management cost and greenhouse gas emission reductions, along with other environmental benefits.</p>
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DIVISION J – APPROPRIATIONS

TITLE II—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES

<p>National Oceanic and Atmospheric Administration (pg. 927)</p>	<p>The bill provides \$491 million for FY2022-2026 for contracts, grants, and cooperative agreements to provide funding and technical assistance for purposes of restoring marine, estuarine, coastal, or Great Lakes ecosystem habitat, or constructing or protecting ecological features that protect coastal communities from flooding or coastal storms.</p> <p>The bill also provides \$50 million for FY2022-2026 for marine debris prevention and removal through the National Sea Grant College Program.</p>
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