



Policy Update

December 16, 2021

The Federal Highway Administration (FHWA) Releases Highway Apportionment Notice to States – The Federal Highway Administration (FHWA) released the highway apportionment notice to States yesterday. The notice provides States with the 2022 funding levels for formula programs that will allow them to make obligations. The notice does **not** provide apportionments for the new bridge, EV charging, or ferryboat formula programs. According to the notice there will be a subsequent notice for these programs. FHWA also noticed the obligation limitation amounts for States, but only provided an amount to February 18th. This is the date the current continuing resolution funding the Federal government expires.

[FHWA Notice - FY 2022 - N4520.273 - Ob Lim Dist through Feb 18](#)

[FHWA Notice - FY 2022 - N4510.859 - Sequestration of Highway Funds](#)

[FHWA Notice - FY 2022 - N4510.858 Apportionments Notice](#)

[Attachment to N4510.858](#)

[Attachment to N4510.859](#)

[Attachment to N4520.273](#)

Federal Government Continues IIJA Implementation – USDOT and other infrastructure agencies continue to move forward on the implementation of the programs and provisions of the Infrastructure Investment and Jobs Act (aka the Bipartisan Infrastructure Law (BIL) as branded by the White House). We anticipate USDOT will lead off the grants notification process with programs like INFRA and Raise followed by new opportunities in the new year. AMPO remains in close contact with USDOT on the implementation and has participated in several listening sessions hosted by different modal agencies under the USDOT.

[Bipartisan Infrastructure Law | FTA \(dot.gov\)](#)

[Bipartisan Infrastructure Law - FHWA | Federal Highway Administration \(dot.gov\)](#)

[Bipartisan Infrastructure Law – FAA](#)

Senate Addresses Byrd Rule for Budget Reconciliation – The Byrd Rule, named after Senator Robert Byrd (S-WV), restricts what can be included in reconciliation legislation in the Senate. The rule prohibits provisions that are viewed as “extraneous” to the budget. It prevents a reconciliation bill from containing non-budgetary provisions that supporters might otherwise wish to have an easier path to passage. Under the Byrd Rule, a provision is considered extraneous if it: does not produce a change in outlays or revenues, increases the deficit beyond the budget window (10 years), or makes changes to Social Security. The process of keeping or jettisoning provisions in the Budget Reconciliation bill will begin to determine what sections of the bill will make it to a final vote as part of the Build Back Better Act. There is almost \$40 billion in transportation appropriations that were part of the House bill the Senate is now reviewing. This includes \$10 billion for public transportation linked to housing, \$10 billion for high-speed rail, and \$4 billion in Community Climate Incentive grants.

Congress Sends the President a Debt Ceiling Fix – On Tuesday night the House approved a joint resolution to raise the debt limit (the Nation’s borrowing limit) to roughly \$31 trillion, sending the resolution to the President. The Senate passed the measure earlier. The measure would increase the debt limit by \$2.5T, an amount that would last into 2023 without the need for another vote to raise the borrowing cap which would limit the issues impact on the midterm elections next year.