



# Policy Update

February 3, 2022

**Congress continues to negotiate a path forward to avoid a government shutdown on February 18<sup>th</sup>.** Congressional appropriators and leadership continue to discuss a path forward on passing an actual appropriation bill for FY22 versus a year-long continuing resolution (CR). Negotiators are still trying to reach agreement on the top-line amounts for defense and non-defense programs as well as the policy riders that accompany appropriation bills. Appropriators are trying to hang on to earmarks that were submitted last year. It is very likely that another CR is needed to give more time to the negotiations.

**USDOT releases Notice of Funding Opportunities (NOFO) for the FY22 RAISE grant program.** On January 28<sup>th</sup> USDOT released the complete NOFO for the [RAISE Grant](#) program to begin the solicitation process for applications. Applications are due April 14<sup>th</sup> by 5 pm Eastern Time. Awards will be made by August 12, 2022. USDOT will award at least \$75 million for eligible planning, preparation, or design of projects eligible for grants that do not result in construction with grant funding. Additionally, USDOT will award at least \$15 million for projects located in areas of persistent poverty or historically disadvantaged communities. Congress is authorized to appropriate an additional \$1.5 billion for RAISE Grants. If more funds are added or any statutory changes are made to the program, the NOFO will be updated. Per the Administration's policy goals, USDOT will look to fund projects that reduce GHG emissions from transportation, address the impacts of climate change, focus on state of good repair of existing transportation facilities, and projects that address environmental justice and equity. The IJA expanded the eligible project list to include the surface transportation components of an airport project and projects to replace or rehabilitate a culvert or prevent stormwater runoff for the purpose of improving habitat for aquatic species. USDOT will continue to evaluate applications based on statutory primary selection criteria: safety, environmental sustainability, quality of life, economic competitiveness and opportunity, state of good repair, and mobility and community connectivity. Statutory additional considerations include partnership and collaboration, innovation, demonstrated project readiness, and cost effectiveness. All projects, including planning projects, have minimum award amounts; the minimum award for urban projects is \$5 million and the minimum award for rural projects is \$1 million and the maximum award is \$25 million. USDOT will award at least 1 percent of available funds, or \$15 million, for projects located in historically disadvantaged communities or areas of persistent poverty. The [Department has launched a tool](#) that will allow applicants to determine if their project location is considered as a historically disadvantaged community. The IJA requires that not more than 50 percent of the funds provided shall be awarded to rural projects and that not more than 50 percent of the funds provided be awarded to urban projects. The Federal share of an award may not exceed 80 percent unless the project is in a rural area, a historically disadvantaged community, or an area of persistent poverty.

**AMPO has confirmed with USDOT that MPOs remain eligible for this program. The NOFO does not specifically identify MPOs as an eligible entity however, as with with prior rounds of the RAISE, BUILD, and TIGER grant program, MPOs remain eligible applicants for the RAISE grant program.**

Additional information is available in the NOFO and at <https://www.transportation.gov/RAISEgrants>. We highly recommend that anyone seeking to pursue an application read the NOFO in its entirety.

**Build Back Better** – The BBB bill (Reconciliation) remains on hold until the President and Senate Democrats can find a way to get the 50 votes necessary to pass the bill. With over \$40 billion in transportation-related funds still in the

bill, there is discussion about separating the bigger bill in to “chunks.” We will keep an eye on any new developments.

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