



Infrastructure Flexibility Act Talking Points

March 11, 2022

On October 19, 2021, the Senate passed S. 3011, the State, Local Tribal, and Territorial Fiscal Recovery, Infrastructure, and Disaster Relief Flexibility Act. The bipartisan bill authorizes state and local governments to use Fiscal Recovery Funds provided by the American Rescue Plan Act of 2021 (ARP), for transportation infrastructure, including public transportation. Bill sponsors state that this flexibility authorizes \$123 billion of funding for transportation infrastructure, at the discretion of state and local authorities.

APTA strongly supports S. 3011 (and House companion bill H.R. 5735) and urges the U.S. House of Representatives to pass the bill.

The ARP provides \$350 billion of COVID-19 emergency funding to states and local government, including \$195 billion to states, \$130 billion to local governments, and \$25 billion to tribal and territorial governments. Although the Fiscal Recovery Funds are available for water, sewer, and broadband infrastructure, transportation infrastructure investment is not eligible under the current program.

This bill allows increased flexibility to use ARP Fiscal Recovery Funds for transportation investments, including:



Fixed Guideway Capital Investment Grants (e.g., New Starts and Small Starts)



Surface Transportation Block Grant Program



RAISE Grant Program



State of Good Repair Grants



Grants for Buses and Bus Facilities



Metropolitan Transportation Planning

APTA Urges the House of Representatives to:

- Pass S. 3011 (or H.R. 5735), the Fiscal Recovery Infrastructure Flexibility Act.
- Cosponsor H.R. 5735, introduced by Representative Dusty Johnson (R-SD) and Carolyn Bourdeaux (D-GA).