



Delivering for Rural New Mexico

The Infrastructure and Jobs Act Rural Investments. (P.L. 117-58)

Summary of Some Key Provisions for Rural and Tribal Communities

Sens. Heinrich and Lujan and Reps. Leger Fernandez and Stansbury voted for this legislation that President Biden signed into law on November 15, 2021.



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The Infrastructure Investment and Jobs Act (IIJA) includes \$1.2 trillion in investments that will benefit rural and agricultural communities across the country. It includes \$11 billion in benefits for Indian Country. About one-third of that, \$3.5 billion, will go to the Indian Health Service. It will add an average 1.5 million jobs per year for the next 10 years. New Mexico will receive more than \$3.7 billion in formula funding alone and more money will be available through competitive funding.

This fact sheet provides an overview of the specific ways in which the IIJA will benefit rural and tribal communities. It does not cover the entirety of the legislation. The New Mexico congressional delegation employs a grants coordinator to help identify grants available to you. Please contact our office if you would like to utilize this service.

BROADBAND

\$65 billion

In New Mexico:

- \$100 million to help provide broadband coverage across the state, including providing access to the 223,941 New Mexicans who currently lack it.
- In addition, 785,000 or 38.1% of people in New Mexico will be eligible for the Affordability Connectivity Benefit, which will help low-income families afford internet access.

Additional Funding Opportunities:

- Formula-based Grants to States – \$42 billion to deploy broadband where it doesn't yet exist.
- Affordability – \$14.2 billion to create a permanent \$30-a-month-subsidy program to help low-income Americans afford service.
- Inclusion – \$2.75 billion for digital equity and inclusion efforts in the form of two NTIA-administered grant programs (formula-based and competitive). These could help end digital redlining, which is the practice of internet service providers avoiding lower-income areas.

- Private Activity Bonds (PABs) – \$600 million
 - » Based on the Rural Broadband Financing Flexibility Act (S.1676), this provision allows states to issue PABs to finance broadband deployment, specifically for projects in rural areas where most households do not have access to broadband.
- Additional Support for Rural Areas \$2 billion
 - » The provision includes support for programs administered by the U.S. Department of Agriculture, including the ReConnect Program.
- Tribal Broadband Connectivity Program – \$2 billion to NTIA for grants made available to eligible Native American entities for broadband deployment as well as for digital inclusion, workforce development, telehealth and distance learning.

Congresswoman Leger Fernández visits the Navajo Gallup Water Supply Project



CLEAN DRINKING WATER

\$55 billion

In New Mexico:

- Based on the traditional state revolving fund formula, New Mexico expects to receive \$355 million over five years to improve water infrastructure across the state and ensure that clean, safe drinking water is a right in all communities.

Additional Funding Opportunities:

- Deliver clean water to all American families and eliminate the nation's lead service lines.
- Rural and Low-Income Water Assistance Pilot Program
 - » Establishes a pilot program to address water affordability. This will assist qualifying households in maintaining access to drinking water and wastewater treatment.
 - » Types of assistance may include direct financial assistance, a lifeline rate, bill discounting, special hardship provisions, a percentage-of-income payment plan, or debt relief.
 - » The Administrator will award a maximum of 40 grants under the pilot program which include:
 - *A minimum of 8 grants for eligible entities that operate or exercise primary enforcement over a rural water service provider; and*
 - *A minimum of 8 grants for eligible entities that own or operate a community water system, treatment works, or municipal separate storm sewer system that services a disadvantaged community.*

- Clean Water State Revolving Funds – \$11.7 billion
 - » Provides assistance to public, private, and non-profit entities for water infrastructure projects.
 - » Requires a minimum of 10 percent of a state's fund to be used for grants, negative interest loans, and loan forgiveness, or to buy, refinance or restructure debt for disadvantaged communities as determined by the state.
 - » Allows for up to two percent of a state's fund to be used by nonprofit organizations to provide technical assistance to small, rural, and tribal publicly owned treatment works.
- Tribal Drinking Water Program – \$50 million for each of fiscal years 2022 through 2026
 - » Requires that 50 percent of the funds be used to fund fifty projects equally divided between the Missouri River Basin, Upper Rio Grande River Basin, the Columbia River Basin, the Lower Colorado River Basin, and the Arkansas-White-Red River Basin.
 - » The program includes sanitation projects and directs the Administrator to give priority to projects that respond to emergency situations occurring due to, or resulting in a lack of, access to clean drinking water that threatens the health of Tribal populations.



WESTERN WATER

\$8.3 million over four years

- This section authorizes millions for Bureau of Reclamation western water infrastructure, including:
 - » \$1 billion for rural water projects. This is the fund from which the Eastern New Mexico Water Supply Project draws funds.
 - » \$3.2 billion for aging infrastructure.
 - » \$1.15 billion for water storage, groundwater storage and conveyance projects (includes \$100 million for small water storage).
 - » \$1 billion for water recycling and reuse projects (includes \$450 million for large water recycling projects).
 - » \$250 million for desalination projects.
 - » \$450 million for new authorized large water recycling project grant program.
 - » \$500 million for dam safety projects.
 - » \$300 million for Drought Contingency Plan (includes \$50 million for Upper Basin States).
 - » \$400 million for waterSMART Water and Energy Efficiency Grants (includes \$100 million for natural infrastructure projects).
 - » \$100 million for the Cooperative Watershed Management Program.
 - » \$250 million for Aquatic Ecosystem Restoration Program.
 - » \$100 million for multi-benefit watershed projects.
 - » \$50 million for Colorado River Endangered Species Recovery and Conservation Programs.

- Small and Disadvantaged Community Analysis
 - » Requires EPA to do an analysis of the historical distribution of funds to low income, rural, and minority communities, as well as communities of indigenous people.

Congresswoman Leger Fernández at the Santa Fe County Earth Day event



RESILIENCY & ADDRESSING LEGACY POLLUTION

In New Mexico:

- Based on historical formula funding levels, New Mexico will expect to receive \$38 million over five years to protect against wildfires.

Additional Funding Opportunities:

- Forestry and Conservation investments that represent over \$8 billion in new funding that will improve life for many rural communities and address the devastating effects of wildfires, floods, and damages after prolonged drought on agriculture producers and local communities, including:
 - » \$3.369 billion for the Forest Service and Department of Interior to reduce wildfire risk, which includes:
 - \$600 million for firefighter salaries and expenses.
 - \$500 million to conduct ecologically appropriate mechanical thinning and timber harvesting that maximizes retention of large trees and promotes fire resiliency, among other benefits.
 - \$500 million for USDA and states to award community wildfire defense grants to at-risk communities.
 - \$250 million for USFS prescribed burns.
 - \$250 million for USFS to develop or improve control locations, including fuel breaks.
 - » \$2.13 billion for USFS and DOI to conduct ecosystem restoration.
 - \$150 million for USFS to enter landscape-scale contracts.
 - \$100 million for a working capital fund that both DOI and USDA can use to improve issues in landscape-scale contracts.
- \$160 million for USFS to provide funds to States and Tribes to implement restoration projects using Good Neighbor Authority.
- \$400 million for facilities that purchase and process byproducts from restoration projects.
- \$130 million to USDA for revegetation.
- \$80 million for collaborative landscape-scale restoration to restore water quality or fish passage, in coordination with DOI.
- Establishes the Joint Chiefs Landscape Restoration Partnership Program to reduce the risk of wildfire, protect water quality and supply, and improve wildlife habitat. It includes criteria for evaluation of proposals and authorizes the appropriation of \$90 million for each of fiscal years 2022 and 2023.
- Removes the cap of \$30 million per year on the Reforestation Trust Fund and allows the Forest Service to access additional funds already being collected through tariffs on foreign wood products.
- Directs the agency to prioritize National Forest System (NFS) lands in need of reforestation due to natural disasters.
- Orphaned Wells – includes \$4.7 billion to clean up orphaned oil and gas wells federal, state, tribal, and private lands that have been left behind without any owner of record to hold accountable.
 - » This is based in part on Rep. Leger Fernandez’s H.R. 2415, Orphaned Well Cleanup and Jobs Act.

POWER INFRASTRUCTURE

In New Mexico:

- New Mexicans will also benefit from the bill's historic \$3.5 billion national investment in weatherization which will reduce energy costs for families.

Additional Funding Opportunities:

GRID INFRASTRUCTURE

\$27.65 billion

- Electric grid infrastructure, including \$5 billion to help utilities harden their infrastructure to better withstand extreme weather, wildfires, other natural disasters, and cybersecurity threats.
- Includes \$3 billion for the existing Smart Grid Investment Matching Grant Program at the U.S. Department of Energy. The program provides as much as a 50 percent match for technology investments in digital monitoring, control, and communications to optimize electricity flow and improve response times during periods of rapidly changing supply or demand.
- Program Upgrading Our Electric Grid Reliability and Resiliency
 - » Improve resilience, safety, and reliability and environmental protection in rural or remote areas and—in collaboration with Department of Homeland Security, the Federal Energy Regulatory Commission (FERC), and the North American Electric Reliability Corporation (NERC)—to develop a framework to assess the resilience of energy infrastructure.
 - » This section authorizes \$5 billion for the Energy Infrastructure Federal Financial Assistance program and \$1 billion for Rural or Remote Areas.

ENERGY EFFICIENCY

- Weatherization Assistance Program – \$3.5 billion to help low-income households with energy efficiency home improvements.
- Additional funding to various assistance programs available to state and local governments, school and non-profit organizations, and the Low-Income Energy Assistance Program (LIHEAP) to help low-income households pay for high energy costs.
- A new \$225 million Energy Department grant program to assist local building code agencies, design and construction professionals, and other groups in updating building energy codes.

CYBERSECURITY

- Rural and Municipal Utility Advanced Cybersecurity Grant and Technical Assistance Program - \$250 million over four years.
 - » Directs the Secretary of Energy to establish the “Rural and Municipal Utility Advanced Cybersecurity Grant and Technical Assistance Program” to provide grants and technical assistance for utilities to detect, respond to, and recover from cybersecurity threats.
 - » New Mexico expects to receive \$13 million to protect against cyberattacks.
- \$32 million for cybersecurity grants for Tribes.

TRANSPORTATION

ROADS, BRIDGES, AND MAJOR PROJECTS

In New Mexico:

- Based on formula funding alone, NM expects to receive \$2.5 billion for federal-aid highway apportioned programs and \$225 million for bridge replacement and repairs over five years.

Additional Funding Opportunities:

- Establishes a rebuild rural bridges program to improve the safety and state of good repair of bridges in rural communities.
- Includes major investments and programs that will help alleviate the immediate supply chain issues facing our country while addressing our long-standing infrastructure needs vital to agriculture producers and rural America, including:
 - » An apprenticeship program for 18 – 21-year-old truck drivers to address nationwide driver shortage.
 - » Addresses limitations on livestock haulers to provide more flexibility.
 - » \$110 billion for improvements to roads and bridges across the country.
 - » \$66 billion for passenger and freight rail.
 - » \$17 billion for ports and waterways.
- Bridge grant programs – \$36.735 billion
 - » This funding supports increased investment in the EPW Bridge Investment Program— a competitive grant program to assist the repair and replacement of deficient and outdated bridges and ease the national bridge repair backlog.
 - » Under this program, a total of \$100 million over five years would be set-aside for tribal bridge projects.
- The Surface Transportation Block Grant Program
 - » Provides flexible funding that may be used by States and localities for projects to preserve and improve the conditions and performance on any Federal-aid highway, bridge and tunnel projects on any public road, pedestrian and bicycle infrastructure, and transit capital projects, including intercity bus terminals.
 - » Increases off-system bridge set-aside and allows low water crossing replacement projects to be eligible for use under this set-aside and creates a new set-aside for projects in rural areas.
 - » Provides for more granular suballocation of funding, with a new population category for 50,000 to 200,000, and provides for state consultation with metropolitan planning organizations.
- Nationally significant freight and highway projects.
 - » Increases the minimum amount (from 10 percent to 15 percent) that the Secretary shall reserve for small projects and requires that not less than 30 percent of funds reserved for small projects be used for certain projects in rural areas.
 - » Increases the Federal share allowable for small projects from 60 to 80 percent and allows increased maximum Federal involvement for a State with a population density of not more than 80 persons per square mile.
- National highway freight program.
 - » Increases the maximum number of highway miles a State may designate as critical rural freight corridors from 150 to 300 miles.

- Provides additional flexibility for lower population-density States to designate as critical rural freight corridors a maximum of 600 miles of highway, or 25 percent of the primary highway freight system mileage in the State – whichever is greater.
- Rural surface transportation grant program.
- Provides grants to improve and expand the surface transportation infrastructure in rural areas.
- The program sets aside 15 percent of the funding for eligible projects in States with higher-than-average rural roadway lane departure fatalities.
- Rural and Tribal Infrastructure Advancement.
 - » Provide the Secretary an average of \$2 million a year to establish a pilot program within the Build America Bureau to aid rural and Tribal communities.
 - » The pilot would provide financial, technical, and legal assistance to help rural and Tribal communities with development phase activities when evaluating potential transportation projects.
- Highway safety improvement program.
 - » Restores flexibility to fund certain non-infrastructure activities and behavioral safety projects, such as educational campaigns about traffic safety and enforcement activities and allows a State to spend up to 10 percent of its Highway Safety Improvement Program (HSIP) funding on such projects.
 - » Directs the Secretary to update the study on High-risk rural roads.
- Rural Opportunities to Use Transportation for Economic Success Initiative (ROUTES).
 - » Establishes an Office within DOT to identify and address the needs of entities seeking Federal grants and assistance for rural projects.
 - » The ROUTES Office will also collect relevant data and coordinate rural-related funding programs.
- Secure Rural Schools and Community Self-Determination Act - \$281 million for each fiscal year beginning in FY21.
 - » Extends through December 20, 2023 to help stabilize the funds available to rural counties.
 - » Payments are divided into three categories: Title I for roads and schools, Title II for projects on Federal lands, and Title III for county projects.
 - » Establishes Secure Rural Schools (SRS) Resource Advisory Committees (RAC) Regional Appointment Pilot Program.
- The purpose of each RAC is to improve collaborative relationships among the people that use and care for the National Forests and to provide advice and recommendations to the Forest Service concerning projects and funding.
 - » The program includes intermodal connectivity and a rural set-aside of not less than 20 percent.
- Advanced Transportation Technologies and Innovative Mobility Deployment Program.
 - » Expands research on non-market ready technologies in consultation with public and private entities.
 - » Expands the Technology and Innovation Deployment Program by adding a focus on accelerated market readiness efforts, and increases funding for the program, including \$100 million in new and innovative construction technologies.

PUBLIC TRANSIT

\$20 billion

In New Mexico:

- Based on formula funding alone, NM expects to receive \$366 million over five years to improve public transportation options across the state.

Additional Funding Opportunities:

- A one-time emergency fund for various public transit programs includes:
 - » \$8 billion for capital investment grants.
 - » \$4.75 billion for replacing fixed guideway transit vehicles.
 - » \$2 billion to make systems accessible to seniors and persons with disabilities.
- Tribal Transportation Program (TTP)
 - » This will include \$3.01 billion for the Tribal Transportation Program including \$270 million for the Road Maintenance Program, as well as other transportation projects.

EV CHARGING INFRASTRUCTURE

\$7.5 billion

In New Mexico:

- New Mexico expects to receive \$38 million over five years to support the expansion of an EV charging network in the state.

Across the United States:

- Grants for charging and fueling infrastructure to build a national network of EV chargers in the United States.
 - » These grants will be prioritized for rural disadvantaged, and hard-to-reach communities.

- » Directs the Secretary to establish a grant program for Alternative Fuel Corridors, as well as a set-aside grant program for Community grants.
- » Fifty percent of the total program funds will be made available each fiscal year for Community Grants, to install EV charging and alternative fuel in locations on public roads, schools, parks, and in publicly accessible parking facilities.

ELECTRIC BUSES

- \$5 billion to replace existing school buses with zero emission and clean school buses, with a priority on low income, rural and Tribal schools.
- Raises the rural set-aside in the section 5339(b) “Buses and Bus Facilities” competitive grant program to 15 percent, up from the current 10 percent requirement.
- Low-No Program – \$5.25 billion to state and local governments for the purchase or lease of zero-emission and low-emission transit buses, including acquisition, construction, and leasing of required supporting facilities. This program will also support workforce training, to ensure that diesel mechanics and other transit workers are not left behind in the transition to new technology.

DISPOSAL SYSTEMS

- Sewer Overflow and Stormwater Reuse Municipal Grants - \$1.4 billion
 - » These grants may be used for the planning, construction and design of treatment works for municipal combined sewer overflows, sanitary sewer overflows, or stormwater, and any measures to manage, reduce, or recapture stormwater or subsurface drainage.
 - » Adds a notification system that provide information on dangerous water conditions to communities as an allowable use for grants.
 - » Creates a new 25 percent set-aside for projects in rural or financially distressed communities.
 - » It also requires the Administrator to work with States to prevent the non-Federal share requirements from being passed on to rural and financially distressed communities.
- Indian Health Service (IHS) Sanitation Facilities Construction program - \$3.5 billion
 - » Provides funds for the provision of domestic and community sanitation facilities.
 - » Additionally, funds are made available to Tribes and Tribal organizations under the Indian Self-Determination and Education Assistance Act available on a one-time basis.

Congresswoman Leger Fernández visits Orphaned Wells site with Sec. Walsh





Congresswoman Leger Fernández at ENMWUA Pipeline construction site.



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