



MEMO: **Building Sector Provisions Contained in the Bipartisan Infrastructure Investment and Jobs Act (IIJA)** (PL #117-58, Enacted into Law 11/15/2021)

To: AIA Members & Component Leaders

From: AIA Federal Relations Team

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Summary:

The Infrastructure Investment and Jobs Act (IIJA) was signed into law on November 15, 2021, after passing the U.S. Senate on August 10, 2021, and passing the U.S. House of Representatives on November 5, 2021. Sometimes referred to as the Bipartisan Infrastructure Framework (BIF), this agreement was largely negotiated by a bipartisan group of Senators, led by Sen. Portman (R-OH) and Sen. Sinema (D-AZ), and the Biden Administration.

Importantly, this is the first federal infrastructure legislation that includes significant investment in the building sector—a huge victory for architects. AIA and its members spent many months advocating for these investments to be included. Full text of the 2,702-page legislation (Public Law 117-58) is available to view [here](#).

AIA sees this bipartisan infrastructure package as an important first step to investing in America’s buildings, with more work needed. Additional investment is anticipated in a Budget Reconciliation package. Previously called the Build Back Better Act, the Senate announced a new Budget Reconciliation deal on July 27, 2022, called the Inflation Reduction Act. That bill is still under consideration and may change.

Regardless of what happens with the Inflation Reduction Act or other legislation, the IIJA is now law and the funding is becoming available on a rolling basis. Notable policy changes and grant opportunities that are most relevant to AIA’s policy positions are listed below.

Notable Provisions:

Weatherization Assistance Program:

- Authorizes \$3.5 billion for the Weatherization Assistance Program. This money is already available for FY 2022 and will remain available until it’s spent.

Energy Efficiency and Conservation Block Grant Program:

- Provides \$550 million for a new block grant program.
- Funding can be used in a variety of ways to promote energy efficiency and renewable energy. This includes allowing states to provide rebates, grants, or other incentives to purchase/ install relevant technology.

**Grid Integration:**

- Provides \$3 billion for FY 2022-FY 2026 for the Smart Grid Investment Matching Program.
- This grant program explicitly includes building sector investments, including allowing funds to be used to purchase or install technology/ software needed for buildings “to engage in demand flexibility or Smart Grid functions.”

Energy Efficiency Revolving Loan Fund Capitalization Grant Program:

- Provides \$250 million for to establish this grant program by November 2022.
- A state that receives a capitalization grant may provide a loan to eligible entities to conduct a commercial or residential energy audits.
- Loans may also be used to fund commercial and residential energy upgrades and retrofits. In that case, loans must be used to either 1) reduce the energy intensity of the building or facility; or 2) improve the control and management of facilities to reduce peak time energy consumption.

Energy Auditor Training Grant Program:

- Establishes a \$40 million competitive grant program under the State Energy Program to support the workforce development of energy auditors.
- From FY 2022-FY2026, grants may be made to eligible States to train individuals to conduct energy audits/ surveys of commercial and residential buildings.

Cost-Effective Codes Implementation for Efficiency and Resilience:

- Establishes a \$225 million competitive grant program in the Department of Energy’s (DOE’s) Building Technologies Office (BTO) to support the adoption and implementation of updated energy codes.
- This was a major AIA priority and architects can directly participate in multiple ways.
- First, the grants may be used to directly facilitate the adoption, implementation, and enforcement of updated energy codes (defined as a more advanced year than the current code adopted by the state/ locality). Architects who advocate for their state/ locality to adopt the latest codes can reference these grant opportunities as additional reason for their jurisdiction to update their codes.
- Second, architects may directly participate in the partnerships to create training materials related to the updated energy codes. The legislation calls for partnerships between local building code agencies, codes and standards developers, associations of builders, and design and construction professionals to develop these training materials.
- These training materials can be personalized to the area, differentiating how urban, rural, and suburban communities could each benefit from code adoption.
- Training and materials provided using grant monies under this section may include information on the relationship between energy codes and cost-effective, high-performance, and zero-net-energy buildings. Training materials may directly address a common concern about code adoption increasing costs and explain the long-term cost benefits.
- More information about the grants is available [here](#).

Building, Training, and Assessment Centers:



- Provides \$10 million for grants to Institutions of Higher Education and Tribal Colleges/ Universities to establish building training and assessment centers.
- This is a long-standing priority of the AIA to support the A/E/C workforce.
- The research from the Building, Training, and Assessment Centers may:
 - identify opportunities for optimizing energy efficiency and environmental performance in buildings;
 - promote the application of emerging concepts and technologies in commercial and institutional buildings;
 - train engineers, architects, building scientists, building energy permitting and enforcement officials, and building technicians in energy-efficient design and operation;
 - promote research and development for the use of alternative energy sources and distributed generation to supply heat and power for buildings, particularly energy-intensive buildings.

Commercial Building Energy Consumption Information:

- Improves building sector data-sharing by granting the Environmental Protection Agency (EPA) Administrator access to building-specific data from two different databases: the Portfolio Manager database and the Commercial Buildings Energy Consumption Survey (CBECS).
- The EPA Administrator is required to compare methodologies used across the Energy Information Administration, the EPA, state, and local governments, and to look for ways to improve that methodology across governmental bodies.
- This will help to improve Portfolio Manager and other tools architects use in their practice.

Energy Efficient and Renewable Energy Improvements to Public Schools:

- Provides \$500 million between FY2022-2026 for a new competitive grant program for energy efficiency improvements and renewable energy improvements at public school facilities, including school buildings and buses.
- This could generate work for architects, as it defines “energy improvement” as “any improvement, repair, or renovation to a school that results in a direct reduction in school energy costs (including improvements to the envelope, air conditioning system, ventilation system, heating system, domestic hot water heating system, compressed air system, distribution system, lighting system, power system, and controls of a building) and that improves student/teacher health through improved indoor air quality.”
- This grant program also addresses equity concerns in our nation’s public schools, as it prioritizes schools with the greatest repair needs, those serving the most students in the federal free or reduced-price lunch program, or that can leverage additional private investment.
- More information about the grant program is available [here](#).

Energy Efficient Materials Pilot Program:

- The legislation provides \$50 million for a pilot program to provide nonprofits with energy-efficient materials.



Walkable Communities/ Transit-Oriented Development:

- Requires that 2.5% of funding granted to States or metropolitan planning organizations in federal State Planning and Research grants must be used toward “promoting safe and accessible transportation options.”
- This may include the adoption of [Complete Streets](#) Standards or efforts to “create a network of active transportation facilities, including sidewalks, bikeways, or pedestrian and bicycle trails, to connect neighborhoods with destinations such as workplaces, schools, residences, businesses, recreation areas, healthcare, and childcare services, or other community activity centers.” It may also fund policies that support transit-oriented development, among other eligible uses.
- It allows (but does not require) Metropolitan Transportation Planning organizations to “coordinate, to the extent practicable, with applicable State and local entities to align the goals of the process with the goals of any comprehensive housing affordability strategies.”
- Establishes a “safe routes to school” program that is meant to facilitate more accessible biking and walking paths for school-aged children traveling to K-12 schools.
- More information about the Department of Transportation’s Safe Streets and Roads For All is available [here](#).

Resilience

- This legislation amends existing federal disaster relief programs to include wildfire mitigation expenses.
- The legislation provides new funding for resilience, including \$500 million for grants established from the STORM Act. The STORM Act was passed at the end of 2020, but never funded until now.
- The legislation also provides \$1 billion FEMA’s Building Resilient Infrastructure and Communities (BRIC) Program, from FY 2022-FY 2025, which was a top AIA priority.
- More information about the BRIC Program is available [here](#).