Bipartisan Infrastructure Law

Tribal Consultation
BIL Overview Outline

• Four big areas
  • Energy Efficiency and Clean Energy
  • Manufacturing and workforce
  • Grid and Transmission
  • Clean Energy Demonstrations

• BIL programs and Tribal nations

• DOE Resources, Website, Organizational Changes
Expanding Access to Energy Efficiency and Clean Energy

• Invest $3.5 billion in the Weatherization Assistance Program that will reduce energy costs for low-income households by hundreds of dollars every year

• Invest $550 million in the Energy Efficiency and Conservation Block Grant Program and $500 million in the State Energy Program to provide grants to develop and implement clean energy programs and projects that will create jobs

• Invest $500 million to provide cleaner schools for our children and teachers
Investing in American Manufacturing and Workers

Revitalizing domestic supply chains and America’s manufacturing leadership

• Invest more than **$7 billion** in the supply chain for batteries
• Provide an additional **$1.5 billion** for clean hydrogen manufacturing and advancing recycling RD&D
• Expand the authority of DOE’s Loan Program Office

Investing in America’s workforce

• Requires all construction workers on projects funded by the deal to be paid prevailing wages
• Invest **hundreds of millions** in workforce development
• Establish a multi-agency Energy Jobs Council
Delivering Reliable, Clean, and Affordable Power to More Americans

**Bringing the electrical grid into the 21st century**

- Invest **$11 billion** in grants for states, tribes, and utilities to enhance the resilience of the electric infrastructure against disruptive events such as extreme weather and cyber attacks
- Establish a **$2.5 billion** Transmission Facilitation Program for DOE
- Back a **$3 billion** expansion of the Smart Grid Investment Matching Grant Program

**Maintaining our existing clean generation fleet**

- Allocate **$6 billion** for the Civilian Nuclear Credit program to prevent premature retirement of existing zero-carbon nuclear plants
- Invest more than **$700 million** in existing hydropower facilities
Clean Energy Demonstrations

The deal will provide $21.5 billion in funding for clean energy demonstrations and research hubs, including:

• $8 billion for clean hydrogen
• More than $10 billion for carbon capture, direct air capture and industrial emission reduction
• $2.5 billion for advanced nuclear
BIL Programs Relevant to Tribes

• For specific geographies—
  • $1 billion: Energy Improvement in Rural and Remote Areas
    • Funding available for communities of less than 10,000 people.
    • $500 million: Clean energy demonstration projects in economically hard-hit communities

• For communities in energy-producing or mining areas—
  • $500 million: clean energy demonstration activities on current or former mine land
  • $750 million: advanced energy manufacturing or recycling, or reducing emissions from industrial facilities in communities with retired coal mines or power plants
  • $140 million: demonstration facility producing rare earth elements from waste material
  • $6 billion: battery materials processing and battery manufacturing and recycling

• For all tribes—
  • Open door on all BIL programs – please tell us your energy priorities!
  • Loan Program Office – new direct loan authority for Tribal Loan program
# BIL Programs Relevant to Tribes

<table>
<thead>
<tr>
<th>Program Name</th>
<th>Funding Amount</th>
<th>Next Milestones</th>
</tr>
</thead>
<tbody>
<tr>
<td>R&amp;D to Support Orphan Well Plugging</td>
<td>$30,000,000</td>
<td>More information will be released Spring of 2022.</td>
</tr>
<tr>
<td>Clean Energy Demonstration Program on Current and Former Mine Land</td>
<td>$500,000,000</td>
<td>Estimated application opening date, 2023.</td>
</tr>
<tr>
<td>Critical Materials Supply Chain Research Facility; Innovation, Efficiency, Alternatives</td>
<td>$675,000,000</td>
<td>More information will be released Spring of 2022.</td>
</tr>
<tr>
<td>Rare Earth Demonstration Facility; Rare Earth Mineral Security</td>
<td>$267,000,000</td>
<td>Request for Information open until 3/31/2022</td>
</tr>
<tr>
<td>Advanced Energy Manufacturing and Recycling Grant Program</td>
<td>$750,000,000</td>
<td>More information will be released Spring of 2022.</td>
</tr>
<tr>
<td>Battery Material Processing Grants; Manufacturing and Recycling Grants</td>
<td>$6,000,000,000</td>
<td>Notice of Intent issues 2/10/2022; estimated application opening spring/summer 2022</td>
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Funding Distribution and Implementation

Distribution and Timelines
- Most programs will operate over a five-to-ten-year timeline to provide states, cities and territories ongoing support they need to deliver these transformative projects for communities.
- Funding announcements are coming out over next several months.

States, Cities, and Tribes
- Funding will be delivered through a combination of formula funds to states and competitively awarded grants to states, cities, Tribes, territories and other non-federal entities.
- Some programs implemented through competitive solicitation will begin with a request for information.
Bipartisan Infrastructure Law – DOE Programs

https://www.energy.gov/bil/bipartisan-infrastructure-law-homepage

DOE Bipartisan Infrastructure Law Funding Opportunities

Fact Sheet

Frequently Asked Questions


S4: The innovation engine. Driving research and development of energy technologies, with connected demonstration and deployment activities.

S3: Partnering with S4 to advance clean energy and climate change technologies through large-scale demonstration projects and deployment activities.
Recent Announcements

- **DOE Realignment**
  - [DOE Optimizes Structure to Implement $62 Billion in Clean Energy Investments From Bipartisan Infrastructure Law | Department of Energy](https://energy.gov)

- **Clean Energy Corps**
  - [DOE Kicks Off Recruitment to Support Implementation of Bipartisan Infrastructure Law | Department of Energy](https://energy.gov)

- **Joint Office of Energy and Transportation**
  - [President Biden, DOE and DOT Announce $5 Billion over Five Years for National EV Charging Network | Department of Energy](https://energy.gov)

- **Office of Clean Energy Demonstrations**
  - [DOE Establishes New Office of Clean Energy Demonstrations Under the Bipartisan Infrastructure Law | Department of Energy](https://energy.gov)

- **Building a Better Grid Initiative**
  - [DOE Launches New Initiative From President Biden’s Bipartisan Infrastructure Law To Modernize National Grid | Department of Energy](https://energy.gov)

- **Civilian Nuclear Credit Program**
  - [DOE Establishes $6 Billion Program to Preserve America’s Clean Nuclear Energy Infrastructure | Department of Energy](https://energy.gov)

- **Battery Manufacturing and Processing Grants**
  - [Biden Administration, DOE to Invest $3 Billion to Strengthen U.S. Supply Chain for Advanced Batteries for Vehicles and Energy Storage | Department of Energy](https://energy.gov)

- **Hydrogen Hubs**
  - [Regional Clean Hydrogen Hubs | Department of Energy](https://energy.gov)
Statements and Questions from Tribal Leaders
Questions for Tribal Leaders

• What do you need from the Department of Energy to inform your IIJA planning and preparation?

• What are your most important technical assistance needs and why?

• As you look across the IIJA programs that the Department of Energy has responsibilities for, which might be of most interest to you?

• In your experience, what are the most useful and/or appropriate factors to consider when designing formula grants?
Deeper Dive on Specific BIL Programs

• Grid and Transmission – Pat Hoffman
• State and Community – Anna Maria Garcia
• Hydrogen Provisions – Sunita Satyapal
• Joint Office on Energy and Transportation – Rachael Nealer
Bipartisan Infrastructure Law
Tribal Consultation
Grid Infrastructure Overview

Patricia Hoffman, Acting Assistant Secretary, Office of Electricity
### Funding Program Highlights:

**Delivering Reliable, Clean, and Affordable Power to More Americans**

<table>
<thead>
<tr>
<th>Program Name (DOE)</th>
<th>Funding Amount</th>
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| Preventing Outages and Enhancing the Resilience of the Electric Grid / Hazard Hardening (Grid Hardening Grants) | $5 billion     | • NOI/RFI for state, territory and tribal formula grant program expected to be released in mid-April  
 • NOI/RFI for utilities and industry competitive program expected to be released in Summer 2022 |
| Program Upgrading Our Electric Grid and Ensuring Reliability and Resiliency (Grid Resilience Demos) | $5 billion     | • NOI/RFI expected to be released in Summer 2022                                                                                           |
| Deployment of Technologies to Enhance Grid Flexibility (Smart Grid Grants)         | $3 billion     | • NOI/RFI expected to be released in Summer 2022                                                                                           |
| Transmission Facilitation Program                                                 | $2.5 billion   | • RFI expected to be released in May 2022                                                                                                 |
Preventing Outages and Enhancing the Resilience of the Electric Grid (Grid Hardening Grants)

• Provides grants for supplemental hardening activities to reduce risks of power lines causing wildfires and the likelihood and consequence of impacts to the electric grid due to extreme weather, wildfires, and natural disasters.
  • No new generation or cybersecurity activities authorized.

• Half [$2.5 Billion ($500 million per year) for FY 2022–2026] to industry via a competitive solicitation
  • Small utility set aside of 30%
  • Industry must match grants; Capped at the amount the eligible entity has spent in the previous 3 years on hardening efforts
Grid Hardening Grants (continued)

- Half [$2.5 Billion ($500 million per year) for FY 2022–2026] to States, Territories, and Tribes via annual formula grant
  - 15% cost share
  - Up to 5% can be used for Technical Assistance
- Legislation set specific 5-part formula based on population, area, probability, severity of Disruptive Events and expenditure on Mitigation Efforts.
- States, Territories, and Tribes need to submit to DOE
  - Criteria and methods to award grants and Evidence of notice and public hearing on them
- NOI/RFI for formula grant program expected to be released in April
Program Upgrading Our Electric Grid and Ensuring Reliability and Resiliency (Grid Resilience Demos)

• $5 Billion ($1 Billion per year) for FY 2022–2026 for competitive grants
  • to demonstrate innovative approaches to transmission, storage, and distribution infrastructure to harden and enhance resilience and reliability;
  • to demonstrate new approaches to enhance regional grid resilience, implemented through States by public and rural electric cooperative entities on a cost-shared basis.

• Eligible entities are:
  • a State;
  • a combination of 2 or more States;
  • an Indian Tribe;
  • a unit of local government;
  • a public utility commission
Other Funded Grid Programs from BIL

• Transmission Facilitation Program
  • $2.5B revolving fund to facilitate development of transmission projects:
    • New or replacement high-capacity transmission lines
    • Increasing capacity of existing lines
    • Connecting isolated microgrids in AK, HI, and U.S. territories
  • Three tools: anchor customer, loans, public-private partnerships

• Deployment of Technologies to Enhance Grid Flexibility (Smart Grid Investment Grants)
  • Provides $3 Billion ($600M per year) for FY 2022–2026 Competitive Solicitation for Industry
  • Expands the SGIG Program to support data analytics, communications, and advanced transmission technologies
Upcoming: Transmission Needs Study

- BIL expanded DOE’s authority to assess national transmission needs due to capacity and congestion constraints
- DOE is developing a draft Transmission Needs Study, expected to be released in early summer 2022
- Will use that draft Study to engage with States and Tribes to inform and incorporate their feedback in advance of publishing the final study
Local, State, Tribal Programs: EECGB, WAP, SEP

AnnaMaria Garcia, Director, Weatherization & Intergovernmental Programs Office

March 29, 2022
## Funding Program Highlights:

### Expanding Access to Energy Efficiency and Clean Energy

<table>
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<tr>
<th>Program Name (DOE)</th>
<th>Funding Amount</th>
<th>Next Milestones</th>
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<tbody>
<tr>
<td>Energy Efficiency and Conservation Block Grant Program (EECBG)</td>
<td>$550 million</td>
<td>• First funding opportunity expected to release in Fall 2022</td>
</tr>
<tr>
<td>Weatherization Assistance Program (WAP)</td>
<td>$3.5 billion</td>
<td>• First round of funds expected to release soon</td>
</tr>
<tr>
<td>State Energy Program (SEP)</td>
<td>$500 million</td>
<td>• First round of funds expected to release in 2nd quarter 2022</td>
</tr>
</tbody>
</table>
Energy Efficiency and Conservation Block Grant Program
EECBG Purpose & Eligible Entities

**Purpose:** support eligible entities in:

- Reducing fossil fuel emissions in a manner that is environmentally sustainable and maximizes benefits to communities
- Reducing their total energy use
- Improving energy efficiency in the transportation, building, and other relevant sectors

**$550 million:** Sec. 40552 of the Bipartisan Infrastructure Law (BIL) for the EECBG Program

- EECBG was established under section 542(a) of the Energy Independence and Security Act (EISA) of 2007, which outlines who is eligible for funding and how funds can be used

**Tribes**

- **Indian Tribes, per section 4 of the Indian Self-Determination and Education Assistance Act:**
  “any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (85 Stat. 688), which is recognized as eligible for the special programs and services provided by the U.S. to Indians because of their status as Indians” (25 U.S.C. 450b)

**Local Governments**

**Alternative 1**

- Cities with populations of at least 35,000 or in the top 10 highest populated cities in the state
- Counties with populations of at least 200,000 or in the top 10 highest populated counties in the state

**Alternative 2**

- Cities with populations of at least 50,000 or counties with populations at least 200,000

**States & Territories**

Purpose: support eligible entities in:

- Reducing fossil fuel emissions in a manner that is environmentally sustainable and maximizes benefits to communities
- Reducing their total energy use
- Improving energy efficiency in the transportation, building, and other relevant sectors

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**EECBG Distribution and Eligible Uses of Funds**

**Distribution of Funding to Eligible Entities***

- **Total IIJA Appropriation:** $550 million
- **Formula Grants:** 98% of total funds
- **Competitive Grants:** 2% of total funds

- **States:** 28%
- **Local Govt. Alternative 1:** 34%
- **Local Govt. Alternative 2:** 34%
- **Tribes:** 2%
- **Local Govts & Tribes not eligible for formula grants**

*Distribution does not reflect DOE technical assistance allocations to be determined before distributing remaining funds to eligible entities.

**Eligible Uses of Funds**

1. Strategy Development
2. Technical Consultant Services
3. Building Energy Audits
4. Financial Incentive Programs
5. Energy Efficiency Retrofits
7. Development and Implementation of Transportation Programs
8. Building Codes and Inspections
9. Energy Distribution Technologies for Energy Efficiency
10. Material Conservation Programs
11. Reduction and Capture of Methane and Greenhouse Gases
12. Traffic Signals and Street Lighting
13. Renewable Energy Technologies on Government Buildings
15. Any Other Appropriate Activity
Weatherization Assistance Program
Mission of the Weatherization Assistance Program (WAP):
To reduce energy costs for low-income families, particularly for the elderly, people with disabilities, and families with children, while ensuring their health and safety.

DOE’s WAP is the nation’s largest whole-house energy efficiency program.

$8,009 avg cost per unit

FOR EVERY
$1.00
INVESTED IN
WEATHERIZATION,
$1.72
IS GENERATED
IN ENERGY BENEFITS AND
$2.78
IN NON-ENERGY BENEFITS.
Sec. 40551 of BIL provides $3.5 billion for WAP to be distributed through formula allocations

In accordance with 10 CFR § 440.11 Native Americans, low-income members of Tribes are eligible to receive WAP benefits equivalent to other low-income persons. DOE has the option to:

1) Provide financial assistance to Tribes through the State or Territory (Grantee)
2) Award a separate grant directly to a Native American Tribe.
WAP and Native American Tribes

WAP Serving Tribes

• Working with a State Grantee
  o Tribe can become a Subgrantee, implementing the weatherization program in Tribal lands with technical support from State or territory

• Direct grants
  o Presently one Tribe, Northern Arapaho, is a direct Grantee.

Opportunities for Coordination

• Participation during the Grantee annual planning process for inclusion in planning service to Tribal households.

• Collaboration to ensure program outreach is effectively reaching all Tribal households.

• Coordination of training for Tribal weatherization workers and targeting recruitment for job opportunities to individuals living on Tribal lands.

• Become a Subgrantee and administer services.
State Energy Program
SEP BIL Provision: State Coordination with Tribes

Funding is directed to State Energy Offices, but there are BIL provisions allowing for greater engagement and coordination between States and Tribal Nations

Sec. 40108. State Energy Security Plans

- No dedicated funding
- Requires that new plans include "coordination with Indian Tribes with respect to planning and response."

Sec. 40109. State Energy Program

- $500M for FY22 – FY26
- Sec. 40109(a) adds a mandatory element of state energy conservation plans to support transmission and distribution planning, including support for local governments and Indian Tribes

Sec. 40502. Energy Efficiency Revolving Loan Fund (RLF) Capitalization Grant Program

- $250M, available until expended
- States will use $ for loans and grants for residential and commercial buildings
- Individuals and businesses in Tribal jurisdictions are eligible to receive loans, grants, and TA
- DOE will be seeking feedback on designing RLF programs.

Sec. 40503. Energy Auditor Training Grant Program

- $40M for FY22 – FY26
- Establishes competitive grant program for eligible States to train individuals to conduct energy audits or surveys of commercial and residential buildings.
- Funding can help strengthen clean energy workforce in Tribes.

Note: Only State Energy Offices receive direct funding from DOE through these provisions.
## WIP-led Appropriations from FY22 Budget Relevant for Tribal Nations

<table>
<thead>
<tr>
<th>Program Name (DOE)</th>
<th>Funding Amount (enacted)</th>
<th>Description &amp; Eligible Entities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Energy Future Grants</td>
<td>$20 million</td>
<td>Provides funds to support state-, local-, and <strong>tribal-level</strong> approaches to meeting energy needs at the local level including through financial and technical assistance to eligible entities for energy system planning and analysis and conducting stakeholder engagement.</td>
</tr>
<tr>
<td>Local Government Clean Energy Workforce Program</td>
<td>$10 million</td>
<td>Funds competitive awards, on-site capacity, peer exchanges, and technical assistance to support the development and deployment of transformative clean energy programs working with qualifying local governments and <strong>Tribal Nations</strong>, with a focus on energy communities and disadvantaged or small-to-medium jurisdictions.</td>
</tr>
</tbody>
</table>
Hydrogen Programs

Dr. Sunita Satyapal
Director, Hydrogen and Fuel Cell Technologies Office and DOE Hydrogen Program Coordinator
The U.S. DOE Hydrogen Program

Hydrogen is one part of a broad portfolio of activities

Coordinated across all relevant DOE Offices. Interagency Working Group coordinates across Agencies.

Priorities

1. Low cost, clean hydrogen
2. Low cost, efficient, safe hydrogen delivery and storage
3. Enable end use applications at scale for impact

Workforce development, safety, codes, standards, and Environmental Justice priorities
Hydrogen Energy Earthshot

“Hydrogen Shot”

“1 1 1”
$1 for 1 kg clean hydrogen in 1 decade

Launched June 7, 2021
Summit Aug 31-Sept 1, 2021
**Bipartisan Infrastructure Law - Hydrogen Highlights**

- Includes $9.5B for clean hydrogen:
  - $1B for electrolysis research, development and demonstration
  - $500M for clean hydrogen technology manufacturing and recycling R&D
  - $8B for at least four regional clean hydrogen hubs

- Aligns with Hydrogen Shot priorities by directing work to reduce the cost of clean hydrogen to $2 per kilogram by 2026

- Requires developing a National Hydrogen Strategy and Roadmap

President Biden Signs the Bipartisan Infrastructure Bill into law on November 15, 2021. Photo Credit: Kenny Holston/Getty Images
Examples of Engagement Opportunities with Tribal Nations

BIL Sec. 40314 (815)
Clean Hydrogen Manufacturing and Recycling

“Research, development and demonstration projects to advance new clean H₂ production, processing, delivery, storage and use equipment manufacturing technologies and techniques.”

• “Operate in partnership with tribal energy development organizations, Indian Tribes, Tribal organizations, Native Hawaiian community-based organizations, or territories or freely associated States; or
• Are located in economically distressed areas of the major natural gas-producing regions of the US”

BIL Sec. 40314 (813)
Regional Clean Hydrogen Hubs

Development of hydrogen ecosystem: Potential for clean hydrogen production and use, through demonstrations and H₂ Hubs
H2 Matchmaker

https://www.energy.gov/eere/fuelcells/h2-matchmaker

Self-Reported Activities
Joint Office of Energy and Transportation

Rachael Nealer, PhD
Interim Deputy Director
## Funding Program Highlights:

### Electrification and EV charging network

<table>
<thead>
<tr>
<th>Program Name</th>
<th>Funding Amount</th>
<th>Next Milestones</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Electric Vehicle Infrastructure (NEVI) Formula Program (FHWA)</td>
<td>$5 billion</td>
<td>• Guidance published by FHWA Feb. 10</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• State plans due Aug 1 to Joint Office</td>
</tr>
<tr>
<td>National Electric Vehicle Infrastructure (NEVI) Grant Program (FHWA)</td>
<td>$2.5 billion</td>
<td>• NOFO expected by end of year from FHWA</td>
</tr>
<tr>
<td>Clean School Bus Program (EPA)</td>
<td>$5 billion</td>
<td>• EPA opening first round of funding in April 2022</td>
</tr>
<tr>
<td>Low-No- Emissions Transit Bus Program (FTA)</td>
<td>$5.6 billion</td>
<td>• $1.1B NOFO published March 7 and closes May 31</td>
</tr>
<tr>
<td>Joint Office of Energy and Transportation</td>
<td>$300 million</td>
<td>• Launched driveelectric.gov</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Supporting implementation of above programs</td>
</tr>
</tbody>
</table>
Joint Office of Energy and Transportation

Established in the Bipartisan Infrastructure Law to address areas of joint interest to the Departments of Energy and Transportation

$300M in FY22 funds to DOT with transfer authority to DOE

9 major areas of emphasis

Areas of emphasis summary
1) technical assistance of vehicle charging
2) data sharing
3) performance of a national and regionalized study vehicle charging
4) training and certification programs
5) a program to promote renewable energy generation, storage, and grid integration
6) transmission pilots in the rights-of-way
7) research, strategies, and actions to mitigate the effects of climate change
8) development of a streamlined utility accommodations policy for transmission in the transportation right-of-way
9) any other issues that the Secretary of Transportation and the Secretary of Energy identify as issues of joint interest
Immediate-Term Bipartisan Infrastructure Law Priorities for the Joint Office

The Joint Office will provide unifying guidance, technical assistance, and analysis to support the following programs:

- **National Electric Vehicle Infrastructure Formula Program (U.S. DOT)**
  $5 billion for states to build a national EV charging network along corridors

- **National Electric Vehicle Infrastructure Discretionary Program (U.S. DOT)**
  $2.5 billion in community grants for EV charging, as well as hydrogen, natural gas, and propane fueling infrastructure

- **Low-No Emissions Grants Program for Transit (U.S. DOT)**
  $5.6 billion in support of low- and no-emission transit bus deployments

- **Clean School Bus Program (U.S. EPA)**
  $5 billion in support of electric school bus deployments
Mission and Vision

Mission
To accelerate an electrified transportation system that is affordable, convenient, equitable, reliable, and safe.

Vision
A future where everyone can ride and drive electric.
FHWA NEVI Formula Program Guidance

Publication kicks off the state planning process:

• Funding Features
• State EV Infrastructure Deployment Plans
• Project Eligibility Provisions
• Program Administration
• Technical Assistance and Tools
NEVI Formula Program-Important 2022 Dates

Feb 10:
- NEVI Formula Program Guidance
- Alt Fuel Corridor Round 6 Request For Nominations

May 13:
- 180 Day Minimum Standards published
- Round 6 Nominations Due

Aug 1: State Plans Due

Sept 30: FHWA approves State Plans
Website connects state DOTs and other stakeholders to technical assistance resources, including:

- NEVI guidance
- State plan template
- Technical assistance concierge
- Supporting data and tools
- Updates, when available, on grant funding
Statements and Questions from Tribal Leaders
Statements and Questions from Tribal Leaders

• Raise your virtual hand to speak
  • Click on "reactions", then "raise hand"
  • When moderator calls on you, please unmute yourself

• You may also ask questions by using the chat function

• Please remain muted unless you are speaking
Questions for Tribal Leaders

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