



ALERTS

Tapping Into U.S. Bipartisan Infrastructure Law Funding

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Highlights

The Bipartisan Infrastructure Law includes funding for vital infrastructure, as well as other important regional and local government projects

State, local and tribal governments will be able to apply for millions of dollars in much-needed funding

Application processes are being developed by various government agencies that will manage and implement the funding

With the recent passage of the [\\$1.2 trillion Bipartisan Infrastructure Law](#), local and state governments have an unprecedented opportunity to invest in their communities and leave a legacy. No funding package of this size has been passed in our nation's history. That says volumes about this administration and Congress' level of commitment to new and rebuilt local infrastructure priorities.

But urgent action is necessary, as there is a growing flood of applications for funding new transportation projects, along with sustainable energy, high-speed internet, electric vehicle infrastructure, water and wastewater,

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environmental cleanup, and other infrastructure initiatives. The time for action by local, state, tribal and territorial governments to hire the right teams that do this work is now.

In order to tap this rich pool of federal funds, local and state officials should identify their most pressing infrastructure needs and top priorities for advancing equitable access to services in their communities. The federal administration has established numerous funding sources; thus, a wide array of grants in numerous departmental categories will be issued, depending on the type of project.

Next, it is important to put together a diverse team that includes experienced government consultants and lobbyists who understand the subject matter and have the appropriate agency and political knowledge. That is essential to preparing an effective application that demonstrates how the project will advance the goals and objectives of the federal and state agencies. It can be a complex bureaucratic process; thus, the use of experienced lawyers and advocates is essential.

There is a tentative calendar of program and policy announcements regarding fund availability; the administration will provide regular updates on key announcements and rollouts as they approach. In addition, there are resources available via the [U.S. Department of Transportation](#) and other federal agencies.

A Historic Investment

On Nov. 15, 2021, President Biden signed the Bipartisan Infrastructure Law – a historic investment in rebuilding America’s roads, bridges, tunnels, and train railways. Other funding is aimed at expanding access to clean drinking water; to help ensure, where feasible, everyone living across America has access to high-speed internet; and to advance environmental justice for urban and rural communities that have often been left behind.

The infrastructure law allocated approximately \$1.2 trillion in funding to more than 350 distinct programs across more than a dozen federal departments and agencies, as outlined in the [“Building a Better America”](#) guidebook.

The guidebook explains the intricate buckets of funding that are available and expected to be allocated in 2022 and through 2023.

As the guidebook states, “Our goal is for communities all across America to take full advantage of the opportunity this new funding presents. Building a better America is a shared endeavor no one can do alone and investing federal infrastructure dollars will require significant coordination between the federal government, states, tribal governments, community stakeholders, local governments, and other key partners.”

Determining the Best Strategy

Because of the wide-ranging scope of the Bipartisan Infrastructure Law, government consultants and lawyers should be brought in early in the application process to help identify the best strategy for obtaining these federal funds. For instance, should applications for airport and seaport improvements be treated as separate submissions, or should they be

combined as an overall community need for expansion of tourism and trade? Are the transit projects of significant regional importance, moving people and or essential goods, which is necessary for the economic growth of that area?

It is also important to analyze where infrastructure projects are most needed in the community. Identifying underserved neighborhoods that can benefit from better roads, railroad crossings, bridge improvements or transit service can go a long way toward winning approval of the grant application.

Experienced lawyers and lobbyists can best help public sector and institutional applicants determine effective strategies to increase chances of success for obtaining these available funds, as well as assist in preparing, submitting, and professionally advocating for award on the merits of the application package.

To obtain more information, please contact the Barnes & Thornburg attorney with whom you work or Brandt Hershman at 202-371-6374 or brandt.hershman@btlaw.com, Ron Miller at 202-408-6923 or ronnie.miller@btlaw.com or Client Relationship Specialist Al Maloof at 317-229-3132 or al.maloof@btlaw.com.

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