

FEDERAL FUNDING



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As federal agencies work to implement the trillions in funding provided in the Infrastructure Investment and Jobs Act and the Inflation Reduction Act, our federal funding team is positioned to ensure agency decision-makers understand how our client's projects fit within the federal programs established in the bill and that our clients are in the best possible position to compete for funding awards. We also can and do assist federal agencies in making wise procedural and process decisions about the details of new or existing federal funding programs.

Members of the firm's nationally recognized government advocacy and public policy practice help clients successfully navigate the unfamiliar and evolving world of federal funding. Over the last decade, the firm has helped clients secure over \$3 billion in federal funding through Congressional authorizations; appropriations; member-directed spending; agency-led solicitations; loan guarantees; tax credits; grants; and federal procurement contracts.

Our team represents clients seeking to benefit from programs that receive hundreds of millions of dollars in annual appropriations, as well as billions of dollars in programs that the firm has helped to develop, advocate for, and enact. Our work on behalf of clients includes securing federal support for energy, infrastructure, and transportation projects, as well as for research and the commercialization of innovative energy and environmental technologies.

Federal Funding Opportunities in IRA & IIJA

The Inflation Reduction Act (IRA) makes the single largest investment in climate and energy in American history, enabling accessing clean energy sources and technology easier. Within its energy and climate provisions, IRA appropriates approximately \$11.7 billion in total for the Loan Programs Office (LPO) to support issuing new loans. IRA also adds a new loan program, the Energy Infrastructure Reinvestment (EIR) Program to help repurpose energy infrastructure that has ceased operations or to improve the efficiency of infrastructure that is currently operating. Coupled with the tax provisions that are also available under the new legislation, there is unprecedented opportunity for energy efficiency, renewable and clean energy investments, fleet decarbonization, infrastructure improvements and other sustainability-related investments.

Additionally, the Infrastructure Investment and Jobs Act (IIJA) that was passed in 2021, provides the largest federal investment since the New Deal in the nation's roads, bridges, water and energy systems.

With both pieces of legislation, agencies will be tasked with implementing new and/or expanding existing programs to award federal funds to eligible infrastructure projects. Agency offices will issue requests for information to inform their decisions in establishing grant program parameters, develop and publish solicitations for project applications, set timelines for awards and oversee implementation of awarded funds. The Department of Energy and other federal agencies will be responsible for spending billions of dollars for power and grid related programs, including grid infrastructure, resiliency investments, clean energy demonstration projects and cybersecurity. Along with the Department of Energy, the Department of Transportation will provide \$7.5 billion for the construction of alternative fueling infrastructure for electric, biofuels and hydrogen transportation fuels.

It is important to engage the agencies as they develop the parameters of these grant programs, to ensure projects will meet the program criteria for a funding award, and to ensure solicitations are designed to support clients' infrastructure projects. Our professionals have had significant success in assisting clients through these processes, assisting clients in the development of grant applications, and negotiating awards in both Democratic and Republican Administrations.

Grant Writing Experience

In addition to securing federal funding, our team is experienced with every aspect of grant writing, from initial drafting to serving as the clearing house for the entire application. Our experience and capabilities include:

- Assisting with and completing all grant application forms;
- Ensuring all required materials and documents are appropriately drafted, complete and incorporated into the application;
- Providing early advice on how to approach the application, project narrative and technical information or budget plans in order to ensure the application and project is viewed favorably by the agency in its review process;
- Drafting of all parts or portions of the project narrative, technical information and budget plans, or alternatively, providing editorial advice and/or guidance on these areas - the latter is a more cost-effective way to assist with the project application; and
- Serving as the clearinghouse for the application materials by integrating all documents and components into the final application, and electronically filing the final application on behalf of the client.

Selected Examples of Client Successes

Wabash Valley Resources – Assisted Wabash Valley Resources with their recently awarded \$35-million-dollar grant for Design Development and System Integration Design Studies for Coal FIRST Concepts. The project will gasify coal and biomass, produce electricity and hydrogen, and store the captured CO₂ in a deep geologic formation.

Air Products & Chemicals – Awarded a \$253 million industrial CCUS grant at the Port Arthur, Texas refinery to capture the CO₂ from their steam methane reformer and use the CO₂ for enhanced oil recovery.

American Electric Power – Secured a \$334 million Clean Coal Power Initiative CCUS grant at their Mountaineer Power Plant in West Virginia to add post-combustion capture to their coal plant and store the CO₂ in the Mount Simon geologic storage formation.

BrightSource – Drafted the application for the client which resulted in securing \$4.8 million in funding for their solar energy project through the DOE SunShot grant program.

Clean Energy Systems, Inc. – Secured a \$25 million grant from the Department of Energy to implement biomass carbon capture project.

Enerkem – Awarded a \$50 million biorefinery demonstration grant from DOE and an \$80 million loan guarantee through the Department of Agriculture's Biorefinery Assistance Program.

Sacramento Municipal Utility District – Secured a \$127.5 million Smart Grid Investment Grant to install a

comprehensive regional smart grid system from transmission to the customer.

Skyonic — Secured a congressional authorization for a new DOE program to develop CO2 conversion technologies and secured the appropriations necessary to fund the competitive Department of Energy program. The firm also assisted in drafting Skyonic's successful grant applications to demonstrate their technology resulting in the company receiving \$28 million through the program.

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