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Office of Management and Budget
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This is a request for Office of Management and Budget (OMB) emergency clearance for a new information collection request (ICR) to enable the Department of Transportation (DOT) Federal Highway Administration (FHWA) to implement the Charging and Fueling Infrastructure Discretionary Grant Program. This program provides two grant categories: (1) Community Program and (2) Corridor Program. The CFI was authorized in the Bipartisan Infrastructure Law (BIL), enacted as the Infrastructure Investment and Jobs Act (Act) (Pub. L. 117-58) on November 15, 2021. This historic Act is a once-in-a-generation opportunity to support transformational investments in our Nation's transportation infrastructure that will create good jobs, modernize our infrastructure, improve safety, tackle the climate crisis, and invest in communities that have too often been left behind. The program will strategically deploy publicly accessible electric vehicle charging infrastructure, and hydrogen, propane, or natural gas fueling infrastructure along designated alternative fuel corridors or in community locations that will be accessible to all drivers of electric vehicles, hydrogen vehicles, propane vehicles, and natural gas vehicles.

Critical Nature of the Information Collection Request

The CFI Grant Program is critical to enabling eligible entities to accelerate an electrified and alternative fuel transportation system that is convenient, affordable, reliable, equitable, and safe. This program will support a future where everyone can ride and drive electric and have alternative fuel options. The FHWA is seeking to award CFI projects that proactively address emission reductions, infrastructure reliability, development of a skilled and diverse workforce, community engagement and equity including the decades of underinvestment in disadvantaged communities – communities that are underserved and overburdened.

The statutory requirements of the CFI Grant Program are found under Subtitle D section 11401 of the BIL and codified at 23 U.S.C. § 151. In BIL, Congress authorized funding for five Fiscal Years (including FY 2022/2023), totaling up to \$2.5B (FY 2022 \$300M, FY 2023 \$400M, FY 2024 \$500M, FY 2025 \$600M, and FY 2026 \$700M) to CFI eligible projects. For FY 2022/2023, a total of \$700 M is available under one NOFO for awards under two funding categories: Community Program and Corridor Program.

The statute defines eligible applicants for the CFI Grant Program as State or political subdivision of a State; a metropolitan planning organization; a unit of local government; a special purpose district or a public authority with a transportation function; an Indian Tribe; a territory of the United States; or an authority, agency, or instrumentality of, or an entity owned by, 1 or more entities described above; a group of entities as described above; and a State or local authority with ownership of publicly accessible transportation facilities (Community Program only).

Need for Emergency Approval

The issuance of the FY 2022/2023 CFI NOFO is a high priority for the Administration so work can begin as soon as possible to improve networks for electric vehicle charging and alternative fuels. The Administration set an FY 2022/2023 NOFO issuance date of by the end of the year and the FHWA has worked diligently since the enactment of BIL to develop the CFI Grant Program NOFO as quickly as possible. The DOT is now ready to issue the NOFO on December 31, 2022.

The use of normal clearance procedures for ICR approval will prevent the Department from meeting the Administration's deadline. If the Department does not receive emergency approval for this ICR, implementation of the CFI Grant Program will be delayed.

Due to the urgency of executing the newly enacted Act, the Department respectfully asks OMB for emergency approval of the ICR within 25 days of receipt of this letter.

If you have any questions regarding this request, please contact Gary Jensen, Director Office of Natural Environment at FHWA, gary.jensen@dot.gov.

Sincerely,

Kenneth, N. Petty, II
Acting Associate Administrator for Office of Planning, Environment, and Realty
Federal Highway Administration