

The National Beat
August 14th, 2025

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Feature Focus

NEVI Guidance & Executive Order on Oversight of Grantmaking

[National Electric Vehicle Infrastructure \(NEVI\) Formula Program Interim Final Guidance](#)

On August 11th, FHWA issued updated Interim Final Guidance for the National Electric Vehicle Infrastructure ([NEVI](#)) Formula Program, created under the IIJA. NEVI provides \$5 billion (FY 22–26) to states to deploy publicly accessible EV charging infrastructure, initially focused around Alternative Fuel Corridors (AFCs) and expanding once states certify a “full build-out.”

What’s changed? This guidance rolls back a number of policy requirements not written into law, citing the administration’s [Unleashing American Energy](#) Executive Order (EO) and DOT’s January 29 memo (read AMPO’s prior analysis [here](#)). The stated goal: reduce red tape, give states more flexibility, and speed up deployment. Key policy changes from prior guidance include:

- **Removed requirements for:**
 - 50-mile Alternative Fuel Corridors (AFCs) spacing.
 - Targeting 40% of benefits to disadvantaged communities (i.e., Justice40).
 - Strong labor/safety/training standards.
 - Small/minority/women-owned business participation goals.
 - Environmental and resilience considerations.
 - Emergency evacuation and seasonal operation strategies.
- **Slimmer plan requirements** with only three required elements:
 - How the state will use NEVI funds (covering FY 2022–2026 unobligated funds).
 - Community Engagement Outcomes Report ([23 CFR 680.112\(d\)](#)).
 - Physical/cybersecurity strategies ([23 CFR 680.106\(h\)](#)).
- **State Flexibility increased** for defining “fully built out,” **charger distances, and siting.**
- **Anticipated faster approvals** through FHWA Divisions verifying just the three required elements.
 - **AFC certification:** Once FHWA concurs that a state’s AFCs are “fully built out,” **NEVI funds can be used anywhere on public roads or sites, including for slower chargers.** The old 50-mile rule is gone states now set “reasonable” distances based on grid capacity, geography, cost, and other factors (see more below).

NEVI Funding Basics:

- **\$1B/year** through 2026 (General Fund advance appropriations).
- **10% annual set-aside** for states/localities needing extra help; up to **1.5% set aside** for FHWA admin.
- **80% federal share;** match can come from state or private partners (cash or in-kind).
- **No transfers from NEVI** to other formula programs allowed under [23 USC §126](#).

Project Eligibility

NEVI funds may be used for projects **directly related to EV charging** that are **publicly accessible** or open to multiple commercial motor vehicle operators. Eligible activities include:

- **Acquisition & Installation:** New or upgraded chargers (light, medium, heavy-duty), on-site distributed energy resources (e.g., stationary batteries), electric service equipment.
- **Operating Assistance:** O&M for NEVI-funded chargers, up to 5 years.
- **Traffic Control Devices/On-Premises Signs:** MUTCD-compliant signage directing drivers to chargers.

- **Development Phase:** Planning, feasibility, environmental review, preliminary engineering, and plan development.
- **Mapping & Analysis:** Location analysis, travel pattern forecasting, electricity demand projections, and scenario modeling.
- **Flexibility:** Encourages, but no longer mandates, co-location with amenities or retail.

Minimum Standards & Data Reporting

- NEVI projects remain subject to [23 CFR part 680](#) standards (NEVI) and applicable [Title 23 requirements](#) (Highways).
- Data reporting through the EV-ChART platform remains in place.
- No explicit change to charger technical requirements in this guidance (e.g., connector type, uptime), but FHWA notes compliance with existing NEVI standards is required.

Executive Order: Improving Oversight of Federal Grantmaking

On August 7th, President Trump signed an EO titled Improving Oversight of Federal Grantmaking. The EO directs federal agencies to tighten **oversight of discretionary grantmaking, expand the role of political appointees in the review process, and ensure all funding decisions are more explicitly aligned with administration priorities**. While positioned as a measure to eliminate perceived waste, duplication, and inefficiency, the EO represents a procedural shift, particularly in giving political appointees the final say in certain grant decisions.

Key provisions of the EO include:

Sound Familiar? Many agencies, including USDOT, have been moving in this direction all year. Back in March, USDOT issued a directive requiring a similar review of grants to ensure they aligned with the administration's EOs ([Analysis here](#)). This EO formalizes & expands oversight.

- **Political Review and Oversight:** Each agency must appoint a **senior political appointee** responsible for: **(1)** Reviewing all **funding notice of funding opportunity announcements** (NOFOs) before issuance. **And (2)** Reviewing **discretionary grant awards** for alignment with agency priorities and “the national interest.”
 - Scope of Review may involve subject matter experts, but **final authority rests with the political appointee**.
 - **Peer review downgraded:** May continue, but is advisory only, political appointees are not to “routinely defer” to recommendations.
 - Until review processes are in place, agencies may not issue new NOFOs without senior appointee approval.
- **Political appointees must apply the following criteria when assessing grants (where applicable):**
 - Grants must align with administration priorities.
 - Certain activities are barred:
 - Programs involving racial preferences.
 - Activities denying the sex binary or promoting sex as mutable.
 - Efforts perceived as facilitating illegal immigration.
 - Initiatives deemed to compromise public safety or promote “anti-American values” (i.e., areas of conflict with administration priorities and EOs).

- Preference for institutions with lower indirect cost rates, wider distribution of awards beyond “repeat recipients,” “Gold Standard Science” practices, and reproducible scholarship/practices.
- Awards must include measurable success benchmarks.
- **Termination for Convenience:** All new discretionary grants must allow termination “for convenience,” **including when a project no longer meets agency priorities or the national interest.**
 - **Retroactive Revision:** Agencies are directed to modify existing awards, to the extent permitted by law, to include such clauses.
 - Foreign assistance awards may be terminated based on the national interest.
- **Drawdown controls:** Future grants will **require explicit agency authorization and written justification for each drawdown.**
- **Uniform Guidance revisions:** OMB will streamline applications, cap allowable facilities/administrative (F&A) costs, and clarify termination rules in [2 CFR 200.340](#).
- EO directs agencies to **simplify NOFOs**, with the aim of reducing technical barriers.

Potential Implications

- Interim prohibition on NOFO issuance without approval **may temporarily slow the release of grant opportunities.**
- More review layers could mean **longer timelines** for USDOT discretionary programs.
- Broader eligibility filter **could impact climate, equity, or certain projects** if viewed as outside administration priorities.
- A potentially higher termination risk means project sponsors may consider creating **contingency plans** for potential lapses in funding.
- **Budget pressures from lower indirect cost preferences and tighter F&A caps could affect partner collaborations and contributions.**
- **More paperwork for drawdowns and compliance reporting** could create administrative complexity and extended timelines.

Note: Legal challenges to the EO are expected, particularly over potential terminations or prohibitions perceived as viewpoint based. Court rulings could vary, potentially leading to uneven implementation across agencies and regions.



Federal Roundup

Congress: Appropriations, Reauthorization, and Legislative Activity
Administration & Agencies: White House, DOGE, EPA, and USDOT Updates
NOFOs: ICAM, RATAPP, ARPA-I Ideas Challenge, BIP, PIDP



Congress

Congressional “Vibe” Check

With both chambers out for August recess, all eyes are on a high-stakes September where two major tracks will dominate the agenda for transportation funding: appropriations and surface transportation reauthorization.

- **Appropriations:** When lawmakers return, they’ll have just four legislative weeks to avert a government shutdown before the September 30th deadline. The Senate passed its first bipartisan package; the House narrowly advanced bills with deep cuts and riders. Negotiators are meeting over recess, but the two chambers remain far apart on topline numbers and key programs. For transportation, the THUD bill will be top of mind (read AMPO’s [Senate](#) and [House](#) bill analyses).
 - Some policy experts are predicting a short-term continuing resolution paired with select full-year bills, although even that path faces hurdles amid internal divisions and administration pressure to avoid compromise.
- **Reauthorization:** Authorizing committees have reviewed member and stakeholder submissions and are now beginning to draft base legislative text. House T&I and Senate EPW leaders are signaling a shared goal of completing the bill on time ahead of the IIJA expiration on September 30th, 2026. Legislative drafting is expected to ramp up throughout the end of the summer and committee markups anticipated in early fall.

Legislative Activity

-  [Republican Leadership Revives Push for Federal EV Fee:](#) Republicans in Congress are reviving efforts to create a federal annual fee on electric and hybrid vehicles as a way to boost the Highway Trust Fund (HTF). This would be the first potential expansion of infrastructure revenue since 1993. House T&I Chair Sam Graves (R-MO) is leading the push, proposing fees similar to those floated earlier this year: \$250 for EVs, \$100 for hybrids, and \$20 for all other cars (annual indexed to inflation). While a broader EV fee sparked backlash and was stripped from the “[One Big Beautiful Bill Act](#),” with gas tax revenues declining and reauthorization just around the corner, Republicans now see an EV-specific fee as a politically viable alternative.

- **Another “Megabill”?:** Following passage of the “[One Big Beautiful Bill Act](#),” House Republicans are eyeing a second reconciliation package to advance more domestic priorities through the filibuster-proof process. Speaker Mike Johnson and Budget Chair Jodey Arrington are leading the charge, with the Republican Study Committee hosting briefings to generate policy ideas. But enthusiasm is lower in the Senate, where lawmakers say the urgency that propelled the first bill (e.g., debt limit) no longer exists. So far, the White House has not offered clear direction on a second bill’s contents, leaving committees and lawmakers unsure of the administration’s priorities. With internal divisions and 2026 elections looming, many acknowledge a second megabill may prove politically and logistically difficult.



- **Hageman, Titus Introduce Bill to Expand State Flexibility in Federal Highway Funding:** Reps. Harriet Hageman (R-WY) and Dina Titus (D-NV; member of House T&I Committee) have introduced the bipartisan [Highway Funding Transferability Improvement Act](#), aiming to give state DOTs more leeway in reallocating federal highway formula funds. The proposal would raise the cap on transferring funds between programs like the National Highway Performance Program and STBG **from 50% to 75%**. **A companion bill has already been introduced in the Senate** by Senators Kevin Cramer (R-ND) and Angela Alsobrooks (D-MD; member of EPW committee). Supporters, including AASHTO, say the change would allow states to address their most urgent infrastructure priorities more efficiently. However, some industry groups caution it could shift funds away from multimodal projects and undermine progress toward meeting national performance goals.

Congressional Hearings, Markups, and Meetings

View the full [Senate Schedule](#). View the full [House Schedule](#).

Note: The House and Senate have adjourned for August Recess and will return in September.

Courts, Administration, and Agencies



Courts

Note: The Friday Docket is taking a short break this week but will be back next week with all the detailed updates. For now, we've rounded up some big headlines on what's happening in the courts regarding federal funding:

- **Appeals Court Orders Administration to Restore Public Spending Database:** D.C. Circuit orders restoration of a federal spending advisory database by August 15th. This follows the administration’s effort to conceal a legally mandated public database showing how the White House advises agencies on spending. The court also emphasized that Congress, not the executive, holds constitutional authority over federal appropriations.
- **Judge Rules Administration Illegally Withheld Funding:** Court says administration violated the Impoundment Control Act in withholding National Endowment for Democracy funds.



Administration

- **EPA Deploys AI Tool to Screen Grants:** The Environmental Protection Agency (EPA) has begun using a new AI tool, the “AI Prompt for EO Compliance,” to screen Congressional water infrastructure earmarks for alignment with EOs. The tool flags proposals that contain terms deemed out of sync with current administration priorities, such as “climate crisis,” “clean energy industries,” or “diversity, equity and inclusion.” While EPA says the tool will streamline reviews and reinforce the agency’s shift toward “AI leadership,” critics worry it may delay or jeopardize funding for local governments tackling critical infrastructure needs. EPA staff report confusion over what happens to flagged projects, raising concerns that essential climate resilience or affordability efforts could be sidelined.
- **Administration Agrees to Preserve \$4B in CA Rail Funds During Lawsuit:** The Trump administration has agreed not to reallocate \$4 billion in revoked federal grants for California’s high-speed rail project while litigation over the funding plays out in court.
- **DOGE Inflated Reported Savings:** A POLITICO investigation shows the Department of Government Efficiency (DOGE) has drastically inflated its reported savings from contract cancellations. While the administration says DOGE saved \$52.8 billion through roughly 10,100 terminated federal contracts, verified data shows closer to \$1.4 billion (i.e., less than 5% of the claim), and none of it reduces the deficit unless Congress intervenes. The discrepancy stems from DOGE’s use of “ceiling value” estimates, counting the maximum possible contract cost as savings even if those funds were never likely to be spent. Examples include an Energy Department efficiency contract DOGE claimed saved \$166 million though no funds have been returned. About 40% of DOGE’s posted contract cancellations could not be verified due to missing or redacted information, and in many cases, agencies simply lowered project ceilings rather than recovering funds. The findings may cast doubt on DOGE’s broader \$202 billion savings claim and raise questions about how much will ultimately reach the Treasury.



USDOT

- **FTA Finalizes NTD Reporting Changes for 2025–2026:** FTA finalized updates to the National Transit Database (NTD) to improve data quality, reduce reporting burdens, and align with safety oversight rules. Changes include consolidating station and facility reporting, clarifying cybersecurity incident reporting, mandating shapefiles for better trip planning, and aligning asset data with FTA’s economic modeling tools. FTA will proceed with a “disabling damage” threshold for major rail safety events and will implement a waiver to reduce reporting for agencies predominantly serving rural areas. Despite requests to delay implementation, FTA will move forward with changes beginning in report years 2025 and 2026.
- **USDOT Awards \$175 Million to Expand Ferry Service:** FHWA announced \$175 million in funding for the Ferry Boat Program. The funding (distributed via formula through state DOTs) will support the construction and operation of ferry boats and terminals in areas

where bridges or tunnels aren't feasible. The program aims to boost mobility, relieve highway congestion, and support local economies reliant on maritime travel.

-  **USDOT's Office of Automation Staff Cuts:** USDOT's Office of Automation Safety, which is tasked with regulating autonomous vehicle safety, has lost nearly all of its staff due to the administration's deferred resignation program and other personnel actions. The FY 26 transportation spending bill urges the department to restore staffing, allocating nearly \$14 million to support the effort. The office plays a key role in reviewing exemptions and rulemaking for autonomous vehicles, but recent staff losses have disrupted engagement and risk delaying approvals. This comes as the administration **pushes to accelerate AV deployment** by streamlining crash reporting and expanding exemption authority. Industry leaders say USDOT appears committed to progress but caution that prolonged staffing gaps could stall innovation and public rollout of AV technology.
-  **NHTSA Grants First US Exemption for US-Built AVs:** NHTSA has granted its first-ever exemption for US-made AVs, clearing the way for Zoox to operate its purpose-built driverless cars on public roads. The exemption was enabled by an April expansion of the **Automated Vehicle Exemption Program (AVEP)**, which had previously applied only to foreign-built AVs. The move is part of a broader federal push to streamline approvals and boost domestic AV development.
-  **USDOT Proposes Rule to Expand Drone Use Beyond Visual Line of Sight:** USDOT unveiled a proposed rule to allow broader use of drones flying Beyond Visual Line of Sight (BVLOS), a move aimed at accelerating drone deployment across sectors like agriculture, emergency response, delivery services, and infrastructure monitoring. The proposal would eliminate the need for case-by-case FAA exemptions, replacing them with a uniform regulatory pathway. Public comments on the rule will be accepted for **60 days**.
-  **USDOT Approves \$3.89B Loan for Georgia Express Lanes Project:** USDOT announced a \$3.89 billion federal loan (i.e., the largest ever approved by the Build America Bureau) to support a major public-private partnership upgrading Georgia's State Route 400. The project will add express toll lanes, enhance safety, and lay the groundwork for future bus rapid transit service in metro Atlanta. The financing is backed by TIFIA credit assistance and comes on top of \$3.4 billion in private activity bonds, bringing the total project investment to \$7.5 billion.
-  **FTA Investigates SEPTA:** FTA launched an inquiry into how Philadelphia's SEPTA transit agency stores decommissioned electric buses following multiple battery fires involving lithium-ion batteries. In a letter to SEPTA leadership, FTA requested documentation on safety protocols and additional measures to mitigate future risks. FTA Administrator Marc Molinaro criticized the situation as a failed initiative with potential long-term safety consequences, signaling a more cautious federal stance on electric transit investments.
-  **USDOT Joins Administration's D.C. Crime Task Force:** Several USDOT agencies (including FHWA, FRA, FTA, and OST) are participating in a White House task force group

created in March to [address crime in Washington, D.C.](#) Secretary Duffy has made fare evasion and transit safety a priority, previously clashing with New York and D.C. officials over subway and bus security, pressing WMATA for details on safety spending, and urging Amtrak to address crime at rail hubs. These actions predate the task force but align with several of its transportation goals.

Notice of Funding Opportunities

Open USDOT NOFOs

-  [Rural and Tribal Assistance Pilot Program](#): The Build America Bureau has **reopened** applications for the Rural and Tribal Assistance Pilot Program, offering \$54.2 million in no-match, first-come, first-served grants to help rural and Tribal communities access expert advisors for infrastructure project development. The amended NOFO covers FY24 and FY25 funds, with \$20 million set aside for Tribes.
 - **Deadline:** A new application must be submitted between **September 8 and October 8, 2025**, due to earlier technical issues.
 - **Webinar:** August 26 to guide prospective applicants ([register here](#)).
-  [Innovative Finance and Asset Concession Grants \(IFACG\)](#): offering up to \$45.98 million to help public entities assess existing assets for value and explore innovative financing, alternative delivery, and public-private partnership options.
 - **Deadline:** October 1, 2025
 - **Webinar:** August 27 to guide prospective applicants ([register here](#)).
-  [Bridge Investment Program \(BIP\)](#): BIP focuses on existing bridges to reduce the overall number of bridges in poor condition, or in fair condition at risk of falling into poor condition. There are three categories for applications:
 - **Large Bridge Grants due:** August 1, 2025
 - **Planning Grants:** October 1, 2025
 - **Bridge Project Grants:** November 1, 2025
 -  Read AMPO's BIP analysis [here](#)
-  [ARPA-I Ideas and Innovation Challenge](#): Prizes of up to \$320,000 across two stages available. Ideas Challenge is ARPA-I's open call to innovators across the public and private sectors to help identify Research and Development (R&D) proposals that have the potential to deliver technologies that radically:
 - Enhance the safe, secure, and efficient movement of people and goods,
 - Lower the long-term costs of infrastructure planning, construction, and maintenance,
 - Strengthen the resilience of infrastructure against physical, natural, and cyber threats, and
 - Enhance the United States' position as a global leader in advanced transportation infrastructure technologies and materials.
 - **Deadline:** September 17, 2025

-  [Port Infrastructure Development Program \(PIDP\)](#): amended version of the PIPD NOFO for projects that improve the safety, efficiency, or reliability of the movement of goods into, out of, around, or within a port.
 - **Deadline:** September 10th, 2025

Upcoming NOFOs

-  [Strengthening Mobility and Revolutionizing Transportation \(SMART\) Grants – R2](#):
 - **Expected Release:** end of August.

 Access **AMPO's NOFO Tracker** [here](#).



National News

-  [Shared Micromobility Sets New Ridership Record](#): Shared micromobility trips hit an all-time high in North America in 2024, with over 225 million rides (a 31% increase from 2023). The growth reflects the sector's expanding role in city and regional transportation networks, with 415 communities now hosting at least one bikeshare or scooter program. Bikes made up 62% of all trips, signaling a growing preference over scooters. Electrification continues to rise, with nearly 80% of systems including e-vehicles and two-thirds of trips using them. Notably, over 70% of riders reported using micromobility to connect to transit, reinforcing its value as a first- and last-mile solution.
-  [NRDC Reauthorization Priorities](#): The Natural Resources Defense Council (NRDC) is urging Congress to reject highway expansions and instead boost transit, biking, walking, and electrification investments. NRDC warns against cuts to clean transportation programs and emphasizes the need to fix the HTF without penalizing EV users. Key recommendations include equalizing funding for transit and highways, supporting EV infrastructure, strengthening the Carbon Reduction Program, improving transparency, and boosting investment in underserved communities.
-  [How Practitioners Conceptualize & Operationalize Transportation Equity in Delaware's Capital Expenditure Process](#): A new study examines how Delaware transportation officials (including MPOs and State DOTs) define and integrate equity into decisions on capital infrastructure spending.

Recent Editions

[August 4th \(2025\)](#)

- **Federal Focus (8/4):** USDOT Reauthorization RFI, AMPO Letter to EPW, Senate THUD Bill, EO 14321

[July 25th \(2025\)](#)

- **Federal Focus (7/25):** USDOT Reauthorization Kick-off & RFI, FY26 THUD Appropriations Bill, EPW Hearings on Reauthorization, T&I Hearing on USDOT's Budget

[July 10th \(2025\)](#)

- **Federal Focus (7/10):** One Big Beautiful Bill Act (Analysis), USDOT Letter to all Funding Recipients, FHWA Highway Program Apportionments

[July 3rd \(2025\)](#)

- **Federal Focus (7/3):** NEPA Reform (Analysis), Division Office Cuts, EPA Grant Alarm Bells, USDOT Safe Roads Campaign, FTA Deregulatory Measures, Reconciliation Updates, Reauthorization Updates

[June 18th \(2025\)](#)

[June 11th \(2025\)](#)

- **AMPO Analysis (6/11):** Potential Freeze on \$30B in Agency Funds, Bridge Investment Program FY 2025 NOFO (analysis), USDOT Approval of 529 grants, Administration Resets CAFE Program, Updates to BEAD Program

[June 6th \(2025\)](#)

- **AMPO Analysis (6/6):** FY 26 USDOT Budget Request, DOE Grant Cancellations, FTA Master Agreements Update, GAO Ruling on EV Funds, Supreme Court Narrows NEPA Scope, FHWA Terminates Transportation Planning Rulemaking

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