

From: Patton, Sean (OST)
Sent: Fri, 23 May 2025 15:20:11 +0000
To: Carlile, Saesha (OST); McCartney, Erin (OST); Stanley, Melissa (OST)
Subject: FW: FOR CLEARANCE: EDMS Signoff Needed: Response to GAO Inquiry on Applicability of ICA on NEVI Suspension OST-C-250226-001-OST-B-001
Attachments: OST-C-250226-001-OST-B-001_-_GAO NEVI Impoundment letter_HCC final 3-6-25 nmf.docx, FMISM58A-Federal Highway Status of Funds Report-Feb 6 2025_508.pdf, B-337137 development letter.pdf

Putting this at the top of inboxes.

From: Carlile, Saesha (OST) <saesha.carlile@dot.gov>
Sent: Wednesday, March 12, 2025 4:53 PM
To: Hammonds, Sonya (OST) <sonya.hammonds@dot.gov>; Sellers, Corey (OST) <corey.sellers@dot.gov>
Cc: McCartney, Erin (OST) <erin.mccartney@dot.gov>; Wald, Karla (OST) <karla.wald@dot.gov>; Schildge, Adam (OST) <adam.schildge@dot.gov>; Patton, Sean (FHWA) <sean.patton@dot.gov>; Moore, LaJuane (OST) <lajuane.moore@dot.gov>; Flowers, Ramono (OST) <Ramono.Flowers@dot.gov>
Subject: RE: FOR CLEARANCE: EDMS Signoff Needed: Response to GAO Inquiry on Applicability of ICA on NEVI Suspension OST-C-250226-001-OST-B-001

(b)(5)

Thanks Sonya!

Saesha Carlile
Deputy Assistant Secretary for Budget and Programs
Department of Transportation
Office of the Secretary

(b)(6)

From: Hammonds, Sonya (OST) <sonya.hammonds@dot.gov>
Sent: Wednesday, March 12, 2025 10:01 AM
To: Carlile, Saesha (OST) <saesha.carlile@dot.gov>; Sellers, Corey (OST) <corey.sellers@dot.gov>
Cc: McCartney, Erin (OST) <erin.mccartney@dot.gov>; Wald, Karla (OST) <karla.wald@dot.gov>; Schildge, Adam (OST) <adam.schildge@dot.gov>; Patton, Sean (FHWA) <sean.patton@dot.gov>; Moore, LaJuane (OST) <lajuane.moore@dot.gov>; Flowers, Ramono (OST) <Ramono.Flowers@dot.gov>
Subject: RE: FOR CLEARANCE: EDMS Signoff Needed: Response to GAO Inquiry on Applicability of ICA on NEVI Suspension OST-C-250226-001-OST-B-001

Good morning Saesha,

This coordination has been pull back for your final review and approval.

Thank you,
Sonya

From: Carlile, Saesha (OST) <saesha.carlile@dot.gov>
Sent: Wednesday, March 12, 2025 9:51 AM
To: Hammonds, Sonya (OST) <sonya.hammonds@dot.gov>; Sellers, Corey (OST) <corey.sellers@dot.gov>
Cc: Mccartney, Erin (OST) <erin.mccartney@dot.gov>; Wald, Karla (OST) <karla.wald@dot.gov>; Schildge, Adam (OST) <adam.schildge@dot.gov>; Patton, Sean (FHWA) <sean.patton@dot.gov>; Moore, LaJuane (OST) <lajuane.moore@dot.gov>; Flowers, Ramono (OST) <Ramono.Flowers@dot.gov>
Subject: RE: FOR CLEARANCE: EDMS Signoff Needed: Response to GAO Inquiry on Applicability of ICA on NEVI Suspension OST-C-250226-001-OST-B-001

Sonya, please pull this back—(b)(5) Please don't close
EDMS controls without my sign off.

Saesha Carlile
Deputy Assistant Secretary for Budget and Programs
Department of Transportation
Office of the Secretary

(b)(6)

From: Hammonds, Sonya (OST) <sonya.hammonds@dot.gov>
Sent: Wednesday, March 12, 2025 7:05 AM
To: Sellers, Corey (OST) <corey.sellers@dot.gov>
Cc: Carlile, Saesha (OST) <saesha.carlile@dot.gov>; Mccartney, Erin (OST) <erin.mccartney@dot.gov>; Wald, Karla (OST) <karla.wald@dot.gov>; Schildge, Adam (OST) <adam.schildge@dot.gov>; Patton, Sean (FHWA) <sean.patton@dot.gov>; Moore, LaJuane (OST) <lajuane.moore@dot.gov>; Flowers, Ramono (OST) <Ramono.Flowers@dot.gov>
Subject: RE: FOR CLEARANCE: EDMS Signoff Needed: Response to GAO Inquiry on Applicability of ICA on NEVI Suspension OST-C-250226-001-OST-B-001

Thank you Corey,

This control has been closed in EDMS as **OST-B concurs without comment.**

—
Thanks,
Sonya

From: Sellers, Corey (OST) <corey.sellers@dot.gov>
Sent: Tuesday, March 11, 2025 8:00 PM
To: Wald, Karla (OST) <karla.wald@dot.gov>; Carlile, Saesha (OST) <saesha.carlile@dot.gov>
Cc: Mccartney, Erin (OST) <erin.mccartney@dot.gov>; Schildge, Adam (OST) <adam.schildge@dot.gov>; Patton, Sean (FHWA) <sean.patton@dot.gov>; Hammonds, Sonya (OST) <sonya.hammonds@dot.gov>; Moore, LaJuane (OST) <lajuane.moore@dot.gov>; Flowers, Ramono (OST) <Ramono.Flowers@dot.gov>

Subject: Re: FOR CLEARANCE: EDMS Signoff Needed: Response to GAO Inquiry on Applicability of ICA on NEVI Suspension OST-C-250226-001-OST-B-001

Clear

From: Wald, Karla (OST) <karla.wald@dot.gov>

Sent: Tuesday, March 11, 2025 5:30:32 PM

To: Carlile, Saesha (OST) <saesha.carlile@dot.gov>

Cc: Sellers, Corey (OST) <corey.sellers@dot.gov>; Mccartney, Erin (OST) <erin.mccartney@dot.gov>; Schildge, Adam (OST) <adam.schildge@dot.gov>; Patton, Sean (FHWA) <sean.patton@dot.gov>; Hammonds, Sonya (OST) <sonya.hammonds@dot.gov>; Moore, LaJuane (OST) <lajuane.moore@dot.gov>; Flowers, Ramono (OST) <Ramono.Flowers@dot.gov>

Subject: FOR CLEARANCE: EDMS Signoff Needed: Response to GAO Inquiry on Applicability of ICA on NEVI Suspension OST-C-250226-001-OST-B-001

CLEARANCE NEEDED

Good afternoon –

Attached is a response letter from the Acting General Counsel to the General Counsel at the U.S. Government Accountability Office regarding the Federal Highway Administration's recent decision to rescind *the National Electric Vehicle Infrastructure Formula Program Guidance*. S. Patton provides a detailed summary below and (b)(5)

(b)(5)

Please let us know if there are any questions.

Thanks,

Karla

From: Patton, Sean (FHWA) <sean.patton@dot.gov>

Sent: Tuesday, March 11, 2025 4:02 PM

To: Wald, Karla (OST) <karla.wald@dot.gov>

Cc: Hammonds, Sonya (OST) <sonya.hammonds@dot.gov>; Moore, LaJuane (OST) <lajuane.moore@dot.gov>

Subject: EDMS Signoff Needed: Response to GAO Inquiry on Applicability of ICA on NEVI Suspension OST-C-250226-001-OST-B-001

Hi Karla,

(b)(5)

Summary: The attached letter from the Acting General Counsel to GAO responds to a request for information to determine the applicability of the Impoundment Control Act (ICA) on the recent decision by the FHWA to rescind the National Electric Vehicle Infrastructure (NEVI) Formula Program Guidance. In the absence of an approved plan, obligations cannot continue under the program. The letter from GAO outlines the basic premise of the ICA, and how GAO has historically investigated potential impoundments of funds. The letter includes ten questions for the Department to respond to, generally focused on DOT's interpretation of the actions taken on the NEVI program and statutory authorities for those actions, status of NEVI funds, and whether DOT has taken similar action for other formula grant programs.

In the response, the Acting General Counsel provides a basic status of the program, (confirming legal reimbursements continue, that other Formula programs are operating normally, etc.) and statutory references from the IIJA which provide DOT the authority to cancel and reevaluate the plans. The letter further justifies DOT's to reevaluate the Guidance and plans based on the obligation rate for the program. In closing, the Acting General Counsel recommits FHWA to their statement in the original letter canceling the plans to reissue draft program Guidance in the spring and publishing final Guidance after the public comment period.

Comments: (b)(5)

(b)(5)

Thanks,
Sean

From: EDMS-do-not-reply EDMS-do-not-reply@dot.gov
Sent: Tuesday, March 11, 2025 10:46 AM
To: Patton, Sean (FHWA) <sean.patton@dot.gov>
Subject: EDMS: Review Draft - (OST-C-250226-001-OST-B-001)

COORD: GAO Development Letter - U.S. Department of Transportation, Federal Highway Administration—Applicability of the Impoundment Control Act to Memorandum Suspending Approval of State Electric Vehicle Infrastructure Deployment Plans [B-337137]

Please review the latest draft by 3/13/2025 8:00 AM . Follow this link to open the folder in EDMS: [OST-C-250226-001-OST-B-001](#)

Due Date: 3/13/2025 8:00 AM
Comments: B1 coversheet is required.

If you have questions about this assignment, please contact Sonya Hammonds of OST-B Office of the Assistant Secretary for Budgeting and Programs/CFO .

Subject: COORD: GAO Development Letter - U.S. Department of Transportation, Federal Highway Administration—Applicability of the Impoundment Control Act to Memorandum Suspending Approval of State Electric Vehicle Infrastructure Deployment Plans [B-337137]

Correspondent Name: Edda Emmanuelli Perez

Correspondent Job Title: General Counsel

Correspondent Org: Government Accountability Office (GAO)

Folder Template: Coordination

Action Office: OST-B Office of the Assistant Secretary for Budgeting and Programs/CFO

Originating Office: OST-C Office of General Counsel

Control Number: OST-C-250226-001-OST-B-001

Time Sensitive? No -

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