

From: Larvo, Jill (OST)
Sent: Tue, 11 Feb 2025 17:44:18 +0000
To: List-OST-B10; List-OST-B60
Cc: Best, Amber (OST)
Subject: FW: Saga over spending pause continues
Attachments: EV_charging_crackdown_throws_states_into_disarray_-_POLITICO_PRO.pdf

(b)(5)

From: POLITICO Pro's Morning Transportation <newsletter@email.politicopro.com>
Sent: Tuesday, February 11, 2025 5:47 AM
To: Larvo, Jill (OST) <jill.larvo@dot.gov>
Subject: Saga over spending pause continues

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Feb 11, 2025

[View in browser](#)

POLITICOPRO Morning Transportation

BY SAM OGOZALEK AND ORIANA PAWLYK

QUICK FIX

— **A federal judge made it crystal clear:** The Trump administration must restore funding from the 2021 infrastructure law and Inflation Reduction Act that was “frozen.”

— **Say goodbye to “missions.”** The FAA’s main safety alert system for pilots is returning to its old name: the Notice to Airmen.

— **A crucial interstate at the North Carolina-Tennessee border** is expected to reopen in less than three weeks after being closed for months following Hurricane Helene's devastation last year.

IT’S TUESDAY: You’re reading Morning Transportation, your Washington policy guide to everything that moves. We’re glad you’re here. Send tips, feedback and song lyrics to Sam at sogozalek@politico.com, Chris at cmarquette@politico.com and Oriana at opawlyk@politico.com and follow us at [@SamOgozalek](https://twitter.com/SamOgozalek), [@ChrisMarquette](https://twitter.com/ChrisMarquette) and [@Oriana0214](https://twitter.com/Oriana0214).

“I know you/ So better than the city in the rear view/ I drive to/ Eliminate the ball that I’m chained to.”

DRIVING THE DAY

YES — THEY ARE INCLUDED: A federal judge in Rhode Island said Monday that the Trump administration has been violating his order directing agencies to resume spending that the White House attempted to block last month through a sweeping pause, [Kyle Cheney reports](#). The judge, John McConnell, told officials to “immediately restore frozen funding” — including money from the 2021 infrastructure law and Inflation Reduction Act.

WHAT HAPPENED?: After McConnell issued a temporary restraining order against the government, Democratic state attorneys general complained that the administration was still denying access to certain funds by citing [earlier OMB guidance](#) that applied to a Jan. 20 [executive order from President Donald Trump](#), which told agencies to pause the disbursement of infrastructure law and IRA funds for projects like installing electric vehicle chargers.

— **In his Monday order, McConnell was explicit:** “The Defendants must immediately restore withheld funds,” including those appropriated in the two

Biden-era laws. The administration Monday night requested that an appeals court place a stay on McConnell's order, setting up another legal showdown.

SPEAKING OF CONFUSION: After the FHWA issued an order last week suspending the National Electric Vehicle Infrastructure program, known as NEVI, states are struggling to interpret the directive, with some pulling projects while others move forward. James Bikales has the story. "This is a fluid situation and we're working with our federal counterparts to get clarity," said Harrison Reilly, a spokesperson for the California Energy Commission.

AVIATION

NOTAMs UPDATE: "Missions" is no more. The FAA has reversed a Biden administration policy that changed a warning system for pilots from "Notice to Airmen" to "Notice to Air Missions" — an attempt to encourage more women to enter aviation through more gender-neutral terms. The FAA said Monday that "effective immediately" the term will again be tweaked to include "Airmen."

— **In a separate announcement**, the FAA said it is in the process of updating its maps and charts to reflect Trump's new Gulf of America and Mount McKinley name changes.

MAYBE NOT: Transportation Secretary Sean Duffy last week suggested that letting air traffic controllers stay on longer than the mandatory retirement age of 56 may just be the ticket to alleviating pressures on the workforce. The National Air Traffic Controllers Association told POLITICO on Monday that other solutions should be sought first, since extending a few years per job will barely make a dent in longstanding issues.

— **"In the next 12 months, we anticipate** 49 ATCs across 35 facilities will reach age 56. This is not enough to address the nationwide staffing shortage," NATCA said in a statement, adding that the country is 3,600 controllers short of what it needs to effectively keep eyes on the airspace.

HIGHWAYS

REOPENING SET: Duffy visited North Carolina and Tennessee on Monday to see the devastated section of Interstate 40 that remains closed following last year's Hurricane Helene — a key corridor that's been severed for more than four months. North Carolina Gov. Josh Stein (D), who was there to meet with Duffy, said officials plan to reopen two lanes of the interstate by March 1, which would help reconnect the states. Helene drenched the region, causing the Pigeon River to wash away part of I-40. A Tennessee DOT spokesperson confirmed to POLITICO on Monday that local traffic has been flowing on its side of the border, in Cocke County, since October — with one lane in each direction open on the interstate.

— **Speaking near the river,** Duffy said the rebuild will be “the most expensive emergency relief project that we’ve ever had.” He also told Fox News it will cost “billions” of dollars. (The Tennessee DOT spokesperson in an email said the state suffered a total of \$510 million in road and bridge damage due to Helene, and Congress has appropriated the full amount needed to cover the cost.) A North Carolina DOT spokesperson told your MT host that the agency expects I-40 repairs to possibly cost around \$1 billion.

SPEEDING IT UP: DOT announced Monday that the Forest Service is helping the agency obtain a special use permit that would allow North Carolina transportation officials to get “construction materials” from a nearby river, one to three miles away, instead of from a location 20 to 50 miles from I-40 — “a process that would have tripled both the cost and duration of the project.”

AUTOMOBILES

ANGLING FOR A DEAL: Trump and New York Gov. Kathy Hochul (D) have spoken several times in recent weeks about the controversial congestion pricing program south of 60th Street in Manhattan, with Trump interested in making a deal, like rolling back the initiative while providing “major investments” for city infrastructure, Nick Reisman reports. DOT could rescind approval for the program, which would surely wind up being challenged in court. A spokesperson

for Hochul's office said "we will continue our ongoing discussions with federal officials."

MUSK IS BULLISH: Elon Musk, the DOGE chief, in an X post Monday said Tesla is on track to launch autonomous ride-hailing in Austin this June, and roll out availability to "many" other cities by year's end. "Ultimately, autonomous cars will be >1,000% safer than human-driven cars," Musk said.

— **NHTSA regulates the EV company.** Have you heard of DOGE aides embedding at the traffic safety regulator? Get in touch with Chris via Signal at: (202) 417-4999.

AT THE AGENCIES

OFFERING AN EXPLANATION: During Duffy's visit Monday to tour the Helene damage, a reporter questioned him about an internal DOT order he signed last month that directs agency officials to prioritize projects in communities with marriage and birth rates higher than the national average. In what appears to be his first public remarks about this edict (unless your MT host missed a prior comment), Duffy gave this justification:

— **"When communities have kids and families,** that's where you see growth, and we wanna invest in growth, and it's only one factor that we're gonna consider as we look at where we put our money. But those places where there's families, again, those are communities that will continue to grow, which is why we should take that into consideration."

HMM ...: Based on the language of the memo, prioritizing marriage rates could benefit areas where people often travel to tie the knot — as opposed to where they live with their spouse. "There's a huge wedding tourism business in places like Las Vegas," said Jeff Davis, a transportation budget expert and senior fellow at the Eno Center for Transportation, in a recent interview with your MT host. Babies, meanwhile, are typically born near where their parents reside, he said, making

birth rates a more accurate way of figuring out “who actually lives” in a community, Davis said.

— **It’s unclear what weight the agency will give to marriage and birth rates** versus other priorities that Duffy listed in his order, such as sending money to municipalities that cooperate with federal immigration enforcement or those with no mask mandates.

ICYMI: Following Trump’s removal of DOT Inspector General Eric Soskin last month, Mitch Behm became the acting top official at the watchdog, the office recently confirmed in a letter to leaders of the Senate Homeland Security and House Oversight committees. Behm, the deputy inspector general, according to his online biography, oversaw the Office of Quality Assurance Reviews and Internal Affairs. He has been with the watchdog since 2003 and was previously assistant inspector general for surface transportation audits.

— **“I look forward to continuing our critical mission to increase the effectiveness and efficiency of DOT’s programs and operations and to detect and prevent fraud, waste, and abuse,”** Behm wrote to lawmakers.

THE AUTOBAHN

— “Tesla Is Losing Ground Against Its Biggest Rival in China.” Wall Street Journal.

— “D.C. managed to avoid return-to-office chaos over Navy Yard parking shortage.” Washington Post.

— “China’s 10% Tariffs on US Cars Hits GM, Ford and Mercedes SUVs.” Bloomberg.

— “BYD Puts Driver-Assistance Features in Most of Its Cars for Free.” Bloomberg.

— “[Planning a Train Trip in Europe? New Sleeper Trains and High-Speed Routes Await.](#)” New York Times.

— “[Boomless Cruise: How Boom Supersonic’s XB-1 breaks the sound barrier quietly.](#)” AeroTime.

ON THE CALENDAR

— 9 a.m. Surface Transportation Board holds a meeting of its Passenger Rail Advisory Committee. 395 E St. SW.

Know of an event we should have on our calendar? Let MT know at transpocalendar@politicopro.com.

Follow us on Twitter

Kathryn Wolfe [@kathrynwolfe](#)



Sam Ogozalek [@samogozalek](#)

Chris Marquette [@ChrisMarquette](#)

Oriana Pawlyk [@oriana0214](#)

FOLLOW US



To change your alert settings, please go to <https://subscriber.politicopro.com/manage-pro-newsletters>

POLITICO PRO

This email was sent to jill.larvo@dot.gov by: POLITICO 1000 Wilson Blvd Arlington, VA, 22209,
USA