

# Congress of the United States

Washington, DC 20515

May 1, 2026

The Honorable Sean P. Duffy  
Secretary of Transportation  
U.S. Department of Transportation  
1200 New Jersey Avenue SE  
Washington, D.C. 20590

Dear Secretary Duffy,

We are writing today to express our concerns that disability accessibility funding awarded to the Metropolitan Transportation Authority (MTA) for critical improvements to transit stations is being withheld by the U.S. Department of Transportation (DOT). It is our understanding that MTA remains the only All Stations Accessibility Program (ASAP) grant awardee whose funds still remain under review by the Administration. We urge you to complete your review immediately for this grant that MTA was selected for nearly two years ago in order to obligate the funds and improve accessibility so New Yorkers and people traveling here from across the world can continue to safely use New York's world-class public transportation system.

The Americans with Disabilities Act (ADA) requires that public transportation be accessible to people with disabilities. However, infrastructure built before the passage of the ADA in 1990, like much of the New York City subway system, must be retrofitted to be fully accessible to people with disabilities. The ASAP was established in the *Infrastructure Investment and Jobs Act* (IIJA) to help fund capital projects for states and local government authorities to meet or exceed the accessibility standards of the ADA at transit stations. Despite MTA's best efforts, in 2019 only 23 percent of subway stations around New York City were fully accessible.<sup>1</sup> Today, 32 percent of New York subway stations are fully accessible, but there is still work to be done. This underscores the importance of the ASAP funding, which since being withheld, denies the almost 830,000 people with disabilities across New York City<sup>2</sup>, and countless visitors, the ability to use public transportation in their community.

Since ASAP was established, 23 grant awards have been announced by DOT. In the first round of competition for the program, DOT announced its selection of 15 ASAP grant awards using Fiscal Year (FY) 2022 and FY 2023 IIJA advance appropriations funding, which included a \$254.466 million award to MTA for ADA accessibility improvements at four transit stations in Brooklyn and the Bronx.<sup>3</sup> By December 2024, this FY 2022/FY 2023 award to MTA was fully obligated.<sup>4</sup> In the second round of the program, DOT announced eight more ASAP grant awards on May 28, 2024, using FY 2024 IIJA advance appropriations funding, which included a \$156.5 million

---

<sup>1</sup> [https://council.nyc.gov/data/increasing-accessibility/#:~:text=The%20MTA%20has%20committed%20to%20funding%2070,repair%20\(70%25\)%20\\*%20Add%20more%20elevators%20\(5%25\)](https://council.nyc.gov/data/increasing-accessibility/#:~:text=The%20MTA%20has%20committed%20to%20funding%2070,repair%20(70%25)%20*%20Add%20more%20elevators%20(5%25))

<sup>2</sup> <https://www.osc.ny.gov/reports/employment-recovery-slow-new-yorkers-disabilities>

<sup>3</sup> <https://www.transit.dot.gov/about/news/biden-harris-administration-announces-686-million-grants-modernize-older-transit>

<sup>4</sup> Infrastructure Investment and Jobs Act grant status report provided to Senate appropriations and authorizing committees on December 18, 2024.

award to MTA for ADA accessibility improvements at two additional transit stations in the Bronx.<sup>5</sup> Although MTA was selected nearly two years ago for this FY 2024 award, the grant remains unobligated and in limbo under the new internal grant review process DOT imposed upon itself at the start of this Administration to review already announced and awarded, but not yet obligated, grants to ensure compliance with its new policies and executive orders.

According to information provided to the relevant congressional committees, prior to the start of the new Administration, the majority of the announced ASAP grants – 18 of out 23 – remained unobligated and thus were subject to the new review process.<sup>6</sup> By September 15, 2025, the updates DOT provided to the committees on its grant review process made clear it had completed its reviews of all but one of the ASAP grants: MTA’s FY 2024 award.<sup>7</sup> While we understand DOT continues to work through its review process to clear additional transportation grants for obligation, we are concerned that MTA’s FY 2024 ASAP award is the only award under this program to still be under review with no indication as to why. Multiple inquiries by our staffs over the past several months as to the status of this grant have resulted in no explanations. The MTA continues to advance the project by updating grant information as it changes, but they have received next to no communication from DOT on the obligation of this award. Holding up accessibility funding for the nation’s largest public transportation system as part of the Department’s needless and inefficient grant review process is simply unacceptable.

In addition, DOT recently issued a third Notice of Funding Availability (NOFO) for ASAP, making \$686 million in FY 2025 and FY 2026 IIJA advance appropriations funding available.<sup>8</sup> The NOFO states that “if more funding becomes available for the program before projects are selected, FTA may add it to the total funding available for award under this NOFO.” We are concerned this caveat leaves the door open for DOT to cancel the FY 2024 award MTA successfully competed for and provide it to another recipient applying for the new NOFO.

We urge you to complete your review of MTA’s FY 2024 ASAP grant and move it to obligation to improve accessibility for New Yorkers, consistent with the Congress’s intent for the program and DOT’s selection of MTA for the award in 2024. We hope to work with the Department moving forward to ensure that all passengers are able to safely access our public transportation infrastructure.

Sincerely,

---

<sup>5</sup> <https://www.transit.dot.gov/about/news/biden-harris-administration-announces-343-million-modernize-transit-stations-improve>

<sup>6</sup> Infrastructure Investment and Jobs Act grant status report provided to Senate appropriations and authorizing committees on December 18, 2024.

<sup>7</sup> Grant review status reports provided to appropriations and authorizing committees on May 2, 2025 (five FY 2022/FY 2023 ASAP awards and one FY 2024 ASAP award cleared for obligation); on June 6, 2025 (four additional FY 2022/FY 2023 ASAP awards and six additional FY 2024 ASAP awards cleared for obligation); and on September 15, 2025 (one additional FY 2022/FY 2023 ASAP award cleared for obligation).

<sup>8</sup> <https://www.transit.dot.gov/about/news/trumps-transportation-secretary-sean-p-duffy-invests-686-million-making-public-transit>



---

Kirsten Gillibrand  
United States Senator



---

Charles E. Schumer  
United States Senator



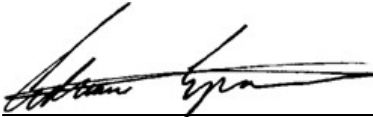
---

Ritchie Torres  
Member of Congress



---

Alexandria Ocasio-Cortez  
Member of Congress



---

Adriano Espaillat  
Member of Congress