Congress of the United States
Washington, DC 20515

November 16, 2026

The Honorable Russell Vought
Director
Office of Management and Budget
725 17th Street NW
Washington, DC 20503

Matthew Cahill
Acting Deputy Administrator
Federal Transit Administration
1200 New Jersey Avenue SE
Washington, DC 20590

Dear Director Vought and Acting Deputy Administrator Cahill,

We write again to express deep concern that the Federal Transit Administration (FTA) and the Office of Management and Budget (OMB) are continuing to delay the advancement of public transportation projects within the Capital Investment Grants (CIG) pipeline, and your agencies are now failing to sign grant agreements for finalized projects. We also write to express equally deep concerns that FTA's proposed changes to the CIG Policy Guidance (DOT docket number FTA-2026-0331), if adopted, will result in many projects currently in the CIG program becoming ineligible for FTA assistance and could disincentivize or stop future projects from ever applying to enter the CIG program. These unacceptable delays and the threat to projects from FTA's policy proposal could waste the state and local taxpayer funds that have already been spent to develop and design transit projects and deny communities better transportation options.

Further Project Delays in the CIG Program and Reduced CIG Funding

You have failed to respond to an initial letter on August 11th concerning the growing backlog of projects currently in the CIG pipeline that are in limbo due to FTA and OMB inaction. As Ranking Members of the Senate Banking, Housing and Urban Affairs, House Transportation and Infrastructure, and Senate Appropriations Committees, we have an obligation to ensure that the CIG program is carried out in accordance with statutory requirements. Your failure to respond to earlier correspondence and offer explanation for the irresponsible delays could signal that FTA and OMB are intentionally delaying approvals for the advancement of targeted CIG projects.

As noted previously, we have watched for months as FTA and OMB have stonewalled the progress of worthy transit projects. Your agencies have neglected for a year to advance the Boston Green Line Transformation project and the Los Angeles Southeast Gateway Line to the CIG Engineering phase under current program rules that were adopted in November of 2025[1]—without any justification or explanation for the delay.

[1] Federal Transit Administration, "Capital Investment Grants Final Policy Guidance November 2025," https://www.transit.dot.gov/sites/fta.dot.gov/files/2025-11/CIG-Policy-Guidance-November-2025.pdf.

In August, the Salt Lake City region's Frontrunner 2X project was moved into the Engineering phase,[2] and last month the Broward Commuter Rail South project in Florida was advanced to Engineering too.[3] The Florida project and the projects in Massachusetts and California have each received a cumulative rating of "Medium-High," and the Utah project received a qualifying lower rating of "Medium"— all sufficient ratings to move forward.[4] The projects in Massachusetts, California, Utah, and Florida requested to enter the Engineering phase in 2025 under current program rules, but FTA did not determine the Florida project submitted complete information for the request until late March of this year.[5] FTA and OMB have left two well-rated projects in limbo but inexplicably moved two other projects forward.

FTA and OMB should advance all projects that meet statutory criteria, and your agencies should not impose any further delays. Under the most recently enacted appropriations law and prior appropriations laws since fiscal year 2020, FTA, OMB and the Administration are prohibited from using any federal funds to "impede or hinder project advancement or approval for any project seeking a Federal contribution from the capital investment grants program of greater than 40 percent of project costs,"[6] which includes the delayed projects.

In addition, while the projects in Florida and Utah have been allowed to move forward in the pipeline, we are very concerned that FTA has significantly reduced the amount of CIG funding that FTA pledges to contribute to these projects to levels far below the amounts requested by the project sponsors. While the Utah project was reduced to a 40 percent CIG share, which would comply with current law, FTA reduced the Broward Commuter Rail South project CIG funding to a 23 percent CIG share, cutting nearly $188 million from the sponsor's request,[7] creating an additional obstacle to initiating construction, and flouting Congressional intent by approving a CIG share lower than 40 percent.

FTA and OMB Failure to Execute Grant Agreements

We remain very frustrated by reports that OMB is partially responsible for these avoidable and costly delays. At present, there has been only one CIG grant agreement signed since this Administration took

[2] Federal Transit Administration, "Trump's Transportation Department Announces Milestone for Utah's FrontRunner 2X Commuter Rail Project," press release, August 7, 2026, https://www.transit.dot.gov/about/news/trumps-transportation-department-announces-milestone-utahs-frontrunner-2x-commuter-rail.

[3] Federal Transit Administration, "Trump's Transportation Department Announces Milestone for Florida's Broward Commuter Rail South Project," press release, October 23, 2026, https://www.transit.dot.gov/about/news/trumps-transportation-department-announces-milestone-floridas-broward-commuter-rail.

[4] Federal Transit Administration, "Capital Investment Grants Dashboard," November 5, 2026, https://www.transit.dot.gov/sites/fta.dot.gov/files/2026-11/Public-CIG-Dashboard-11-06-2026.pdf.

[5] E-mail from FTA to staff for Banking, Housing & Urban Affairs Committee and House Transportation & Infrastructure Committee, November 13, 2026.

[6] Consolidated Appropriations Act, 2026, Public Law 119-75, Division D, Administrative Provisions—Federal Transit Administration, §164, 140 Stat. 370 (2026).

[7] Letter from Yvette Taylor, Ph.D., Regional Administrator, FTA Region 4 to Ms. Coree Cuff Lonergan, CEO/General Manager, Broward County Transit, October 23, 2026, https://www.banking.senate.gov/imo/media/doc/FL_Broward_BCRS_Engineering_Approval_SPONSOR_LETTER_FINAL%20(002).pdf.

office,[8] and FTA and OMB are failing to execute grant agreements for at least two projects that have been fully funded by Congress and have met all FTA requirements to receive their CIG grant. Both the Veirs Mill Road Flash Bus Rapid Transit Project in Montgomery County, Maryland and the North-South Bus Rapid Transit Project in Chapel Hill, North Carolina are ready to receive their grant agreements, but FTA and OMB have failed to act.

These delays are inexcusable. As noted in our prior correspondence, project sponsors and taxpayers will end up footing the bill for delay-induced cost increases. The construction workforce and the broader transportation supply chain are left waiting for critical job-creating investments.

A total of 30 CIG projects across the nation hope to receive grant agreements in late 2026 or in 2027, and FTA and OMB's failure to advance projects and execute grant agreements in a timely manner threatens each of these projects.[9] FTA has executed just one $149.9 million grant agreement under the Trump Administration.[10] However, there are ample funds available to advance these projects.[11]

Congress has appropriated funds to FTA to execute CIG grant agreements, not OMB, but OMB has inappropriately restricted the availability of CIG funds. As highlighted in reporting on project delays under the Trump Administration, OMB has "designated more than $5.2 billion for next fiscal year—effectively putting it out of reach should the F.T.A. want to use it to sign a grant today."[12]

Specifically, in fiscal years 2025,[13] 2026,[14] and 2027,[15] OMB apportioned CIG funding in Category B (to Lines 6011 through 6110, available for obligation in the current fiscal year)[16] and took an unusual step to apportion the vast majority of funds in Category C (to Lines 6170 through 6173, available for obligation in future fiscal years),[17] thereby locking up and pushing CIG funding availability into future

---

[8] The Source, Metro - Los Angeles County Metropolitan Transportation Authority, "Better bus service is on the way for Vermont Avenue," Steve Hymon, October 21, 2026, https://thesource.metro.net/better-bus-service-is-on-the-way-for-vermont-avenue/.

[9] Federal Transit Administration, "Capital Investment Grants Dashboard," November 5, 2026, https://www.transit.dot.gov/sites/fta.dot.gov/files/2026-11/Public-CIG-Dashboard-11-06-2026.pdf.

[10] The Source, Metro - Los Angeles County Metropolitan Transportation Authority, "Better bus service is on the way for Vermont Avenue," Steve Hymon, October 21, 2026, https://thesource.metro.net/better-bus-service-is-on-the-way-for-vermont-avenue/.

[11] House Committee on Appropriations, Report 119-686, "Departments of Transportation, and Housing and Urban Development, and Related Agencies Appropriations Bill, 2027," June 5, 2026, Page 67, https://www.congress.gov/119/crpt/hrpt686/CRPT-119hrpt686.pdf.

[12] The New York Times, "Congress Budgeted Billions for Big Transit Projects. Trump Isn't Spending It.," Emily Badger and Alicia Parlapiano, July 27, 2026, https://www.nytimes.com/2026/07/27/upshot/transit-projects-trump.html.

[13] Office of Management and Budget, "TAFS: 069-1134 /X - Capital Investment Grants," approved August 28, 2025, https://openomb.org/file/11461324.

[14] Office of Management and Budget, "TAFS: 069-1134 /X - Capital Investment Grants," approved June 30, 2026, https://openomb.org/file/11526975.

[15] Office of Management and Budget, "TAFS: 069-1134 /X - Capital Investment Grants," approved October 19, 2026, https://openomb.org/file/11567398.

[16] Office of Management and Budget, Section 120—Apportionment Process, OMB Circular No. A-11, 2026, p. 11, https://www.whitehouse.gov/wp-content/uploads/2025/08/s120.pdf.

[17] *Id.*

fiscal years. Category C was not used in this same manner by OMB for CIG in fiscal years 2022,[18] 2023,[19] and 2024,[20] when all CIG funding was apportioned by OMB for use by FTA in the current fiscal year.

OMB should immediately make funds available for FTA to sign grants agreements for all projects that are ready.

FTA's Proposal to Make CIG Projects Ineligible and Improperly Limit Funding Assistance

FTA published proposed Policy Guidance for the CIG program on October 1 and requested public comment on the proposal, as required prior to the agency implementing new guidance.[21] For the reasons detailed in the attached appendix, we believe that if FTA's proposed guidance were implemented, more than half of the projects currently in the CIG project pipeline could either become ineligible and be kicked out of the program or could face termination because of reduced FTA funding. Looking to the future, FTA's proposed changes to project evaluation and new limits on CIG funding would likely bar many communities from ever applying to the CIG program.

We believe the proposed Policy Guidance is so deeply flawed and fundamentally unsound that FTA should withdraw its proposal and continue to utilize the program's current guidance. This letter and the appendix is being submitted to DOT docket number FTA-2026-0331 to detail the most concerning flaws in FTA's proposed guidance. If FTA does not withdraw its proposal, the agency should address each of the concerns below and address additional concerns that stakeholders identify in their comments to the docket.

Staff for the Banking, Housing and Urban Affairs, House Transportation and Infrastructure, and Senate Appropriations Committees have spoken to the sponsors of more than half of the 47 projects currently in the CIG pipeline,[22] and each of those sponsors expressed significant concerns with FTA's proposed guidance. The project sponsors raised concerns that their projects' cumulative rating could be reduced to below a "Medium" under the proposed guidance, resulting in their projects becoming ineligible for CIG funding, or stated concerns that FTA's proposed reductions in CIG funding share threaten their ability to move to construction, possibly resulting in project termination. FTA is changing program rules after sponsors have spent considerable amounts of state and local taxpayer funds to design projects and prepare federal applications. FTA's proposal would offer no relief to projects that have followed all current rules.[23]

---

[18] Office of Management and Budget, "TAFS: 069-1134 /X - Capital Investment Grants," approved April 7, 2022, https://openomb.org/file/11217291.

[19] Office of Management and Budget, "TAFS: 069-1134 /X - Capital Investment Grants," approved February 1, 2023, https://openomb.org/file/11258146.

[20] Office of Management and Budget, "TAFS: 069-1134 /X - Capital Investment Grants," approved April 3, 2024, https://openomb.org/file/11334433.

[21] Federal Transit Administration, Federal Register Notice, " Notice of Availability of Proposed Policy Guidance for the Capital Investment Grants Program," October 1, 2026, https://www.federalregister.gov/documents/2026/10/01/2026-20179/notice-of-availability-of-proposed-policy-guidance-for-the-capital-investment-grants-program.

[22] Federal Transit Administration, "Capital Investment Grants Dashboard," November 5, 2026, https://www.transit.dot.gov/sites/fta.dot.gov/files/2026-11/Public-CIG-Dashboard-11-06-2026.pdf.

[23] *Id.*

We also note that FTA has refused to provide Congress with the agency's analysis of the effect of the proposed Policy Guidance on projects currently in the CIG pipeline. We are concerned that FTA is refusing to provide the analysis because that document would further confirm the harm that would result to project sponsors if the proposed Policy Guidance were to go into effect.

Because of the large number of disruptive and unsound elements of the proposed Policy Guidance, we must consider if FTA's intent is to undermine the CIG program and discourage future applicants. Should FTA move forward to implement any of the proposals we identify below, we will use all legislative and oversight tools to undo damage to the CIG program and preserve efforts to develop and construct long-overdue public transportation projects.

Conclusion and Requests to FTA and OMB

Transportation policy is historically bipartisan, and we remain proud of this reputation. We have hoped that President Trump's Administration would work in good faith to help build long-overdue infrastructure projects. However, FTA and OMB's continued mismanagement of the CIG project pipeline and the disruptive and reckless policies proposed by FTA for the CIG Policy Guidance threaten to do serious harm to the bipartisan coalition that supports federal infrastructure investment.

We request that you immediately advance the two stalled projects in California and Massachusetts into Engineering and sign CIG grant agreements for all projects that are ready, including the projects in North Carolina and Maryland. Further, we ask that FTA withdraw the proposed CIG Policy Guidance and ensure that any final CIG guidance remedy the concerns raised in this letter. In addition, we ask that you immediately provide the Committees with FTA's analysis of the effects of the proposed Policy Guidance on projects currently in the CIG pipeline and preserve all documents and records related to this request. Please respond in writing to this correspondence not later than December 1, 2026.

Sincerely,

Elizabeth Warren
Ranking Member
Committee on Banking, Housing
and Urban Affairs
United States Senate

Rick Larsen
Ranking Member
Committee on Transportation and Infrastructure
U.S. House of Representatives

Patty Murray
Vice Chair
Committee on Appropriations
United States Senate

Appendix – Significant Concerns with FTA's Proposed CIG Policy Guidance

DOT docket number FTA-2026-0331

- FTA's proposed changes to project evaluation (ratings for project justification and local financial commitment) could make multiple current CIG projects ineligible for FTA funding, according to interviews with sponsors of more than half of the 47 projects currently in the CIG pipeline.

FTA has proposed multiple changes to project evaluation that we believe are untenable and contradict statutory intent. The CIG project evaluation process under 49 U.S.C 5309 is designed to ensure worthy projects are funded, but the statute does not authorize a CIG evaluation process that is excessively restrictive. CIG projects should be evaluated for the mobility, economic, and environmental and other benefits they provide communities.[24] Large numbers of worthy projects should not be denied access to federal funds.

Staff for the Banking, Housing and Urban Affairs, House Transportation and Infrastructure, and Senate Appropriations Committees have spoken to the sponsors of more than half of the 47 projects currently in the CIG pipeline,[25] and each of those sponsors expressed significant concerns with FTA's proposed guidance. The project sponsors raised concerns that their projects' cumulative rating could be reduced to below a "Medium" under the proposed guidance, resulting in their projects becoming ineligible for CIG funding, or stated concerns that FTA's proposed reductions in CIG funding share threaten their ability to move to construction, possibly resulting in project termination. FTA is changing program rules after sponsors have spent considerable amounts of state and local taxpayer funds to design projects and prepare federal applications. FTA's proposal would offer no relief to projects that have followed all current rules.[26]

While we recommend that FTA withdraw the entire proposed CIG policy guidance, FTA could prevent significant harm to current projects sponsors by allowing all projects currently in the Project Development or Engineering phase to choose to be evaluated under new evaluation rules or be evaluated under the evaluation criteria and process adopted under the Trump Administration in November of 2025.[27] FTA has utilized this approach previously to avoid harm and maintain eligibility to projects in the CIG pipeline. In adopting new CIG guidance in December of 2024, FTA exempted "projects already in the Project Development or Engineering phases of the CIG program…that have been evaluated and rated at least once by FTA" and allowed those projects to "continue to follow the January 2023 Initial CIG Policy Guidance."[28]

---

[24] Subsections (d)(2)(A)(iii), (e)(2)(A)(iv), and (h)(4) of 49 U.S.C. 5309.

[25] Federal Transit Administration, "Capital Investment Grants Dashboard," November 5, 2026, https://www.transit.dot.gov/sites/fta.dot.gov/files/2026-11/Public-CIG-Dashboard-11-06-2026.pdf.

[26] *Id.*

[27] Federal Transit Administration, "Capital Investment Grants Final Policy Guidance November 2025," https://www.transit.dot.gov/sites/fta.dot.gov/files/2025-11/CIG-Policy-Guidance-November-2025.pdf.

[28] Federal Transit Administration, Federal Register Notice, "Notice of Availability of Final Policy Guidance for the Capital Investment Grants Program," December 17, 2024, https://www.federalregister.gov/documents/2024/12/17/2024-29616/notice-of-availability-of-final-policy-guidance-for-the-capital-investment-grants-program.

- FTA has disregarded statutory requirements by proposing to overemphasize cost-effectiveness in project evaluation.

The proposed Policy Guidance would significantly reduce the breakpoints for the cost-effectiveness criteria[29] and increase the weight of cost-effectiveness in the project justification cumulative rating from 16.66% to 25%, while reducing the weight of the environmental benefits criteria from 16.66% to 5%.[30] These changes make it very difficult for many worthy transit projects to ultimately receive a "Medium" cumulative rating, as required to receive CIG funding.

These changes also violate the statutory requirement that the six criteria for project justification be given "comparable, but not necessarily equal, numerical weight" when FTA calculates a project's overall rating.[31] Reducing the environmental benefits criteria to a weight of 5% while cost-effectiveness is given 25% weight with overly restrictive breakpoints cannot be interpreted as meeting the requirements of current law.

- FTA has proposed to reduce the CIG share below 40% for projects based on cost-effectiveness and other criteria, in contradiction of current law.

The proposed Policy Guidance would start projects at a 40% CIG share—far below the levels authorized by statute—and adjust the CIG share based on project justification criteria ratings.[32] The proposal significantly reduces the amount of CIG funding available to projects that receive a "Medium-Low" or "Low" rating for cost-effectiveness, mobility improvements or congestion relief, even if a project would qualify for a cumulative "Medium" rating and be eligible for CIG funds based on other criteria.[33] FTA continues to give inappropriate weight to cost-effectiveness by proposing to reduce the CIG share by up to 25%, a draconian reduction in available federal funding that is not contemplated in the authorizing statute.

As noted above, FTA, OMB, and the Administration are prohibited by law from using any federal funds to "impede or hinder project advancement or approval for any project seeking a Federal contribution from the capital investment grants program of greater than 40% of project costs."[34] The proposed Policy Guidance, particularly the revised calculations and weighting of cost effectiveness, could reduce the CIG share of projects below 40%. If any policy proposal reduces the CIG share or otherwise harms the ability of a project that is seeking a CIG share of 40% or greater to move forward in the CIG project pipeline and ultimately receive a CIG grant agreement, such policy proposal would impede or hinder the applicable project. FTA's framework for reducing any CIG share below 40% violates current law and should be struck from the CIG policy guidance.

---

[29] Federal Transit Administration, "Capital Investment Grants, Proposed Policy Guidance," October 1, 2026, p. 31, https://www.transit.dot.gov/sites/fta.dot.gov/files/2026-10/Proposed-changes-to-CIG-Policy-Guidance-October-1-2026.pdf.

[30] *Id.,* p. 50.

[31] Subsections (g)(2)(B) and (h)(6)(A) of 49 U.S.C. 5309

[32] 49 U.S.C. 5309(l)

[33] Federal Transit Administration, "Capital Investment Grants, Proposed Policy Guidance," October 1, 2026, p. 31, https://www.transit.dot.gov/sites/fta.dot.gov/files/2026-10/Proposed-changes-to-CIG-Policy-Guidance-October-1-2026.pdf.

[34] Consolidated Appropriations Act, 2026, Public Law 119-75, Division D, Administrative Provisions—Federal Transit Administration, §164, 140 Stat. 370 (2026).

- FTA has proposed increasing the CIG share of project costs based on birth and marriage rates[35]—factors that appear driven by the Secretary of Transportation's personal policy preference,[36] instead of relying on factors that are proven to deliver increased ridership and other benefits in the near-term.

FTA has proposed multiple changes to the Policy Guidance that would de-emphasize proven factors for creating successful transit service. These include proposing to lower the value of the land use criterion, which measures population density and access to employment; proposing to lower the value of the economic development criterion, which looks at supportive zoning and tools to maintain or increase the share of affordable housing; and removal of pedestrian and bicycle access as an allowable enrichment under the cost-effectiveness calculation. Each of these existing policies have strong evidentiary support linked to positive transit outcomes, and the first two are required by law.[37, 38]

At the same time, the proposed Policy Guidance would give additional federal assistance to projects located in areas in which the marriage and birth rates are near, at or above the national average. The proposal cites a Secretarial order as the rationale for this inclusion, rather than providing any evidence that these factors would lead to more high-quality, cost-effective transit or increased ridership. Americans do not make family planning decisions hoping to someday better their neighborhood's infrastructure. It is troubling that FTA would attempt to substitute statutory and proven metrics of high-quality transit with poorly conceived social engineering.

- FTA proposes to "round down" a CIG project's local financial commitment cumulative rating to the next lowest rating, even if the project's numerical rating on the five-point scale is closer to a higher rating.

FTA has again proposed to create procedural hurdles in the project evaluation process that could make current and future CIG projects ineligible for assistance. For example, if a project receives a composite rating of 2.6 for local financial commitment, the project's rating for financial commitment would be lowered to "Medium-Low" even though the project's numerical average is closer to a 3 rating that would qualify for a "Medium" rating. Because FTA requires a CIG project to receive not less than a "Medium" rating for both the Project Justification and Local Financial Commitment ratings to receive a CIG grant, the project in this scenario would become ineligible under the CIG program.[39]

---

[35] Federal Transit Administration, "Capital Investment Grants, Proposed Policy Guidance," October 1, 2026, p. 17, https://www.transit.dot.gov/sites/fta.dot.gov/files/2026-10/Proposed-changes-to-CIG-Policy-Guidance-October-1-2026.pdf.

[36] Department of Transportation, DOT Order 2100.7, "Ensuring Reliance Upon Sound Economic Analysis in Department of Transportation Polices, Programs, and Activities," January 2025, p. 3, https://www.transportation.gov/sites/dot.gov/files/2025-01/Signed%20DOT%20Order%20re_Ensuring%20Reliance%20Upon%20Sound%20Economic%20Analysis%20in%20Department%20of%20Transportation%20Policies%20%20Programs%20and%20Activities.pdf.

[37] Transit Cooperative Research Program, "Transit and Urban Form, Volume 2," 1996 https://todresources.org/wp-content/uploads/2016/06/transit-and-urban-form-volume2-part3.pdf.

[38] Transit Cooperative Research Program, "Guidelines for Providing Access to Public Transportation Stations," 2012, https://www.nationalacademies.org/read/14614/chapter/1.

[39] Federal Transit Administration, "Capital Investment Grants, Proposed Policy Guidance," October 1, 2026, p. 51, https://www.transit.dot.gov/sites/fta.dot.gov/files/2026-10/Proposed-changes-to-CIG-Policy-Guidance-October-1-2026.pdf.

FTA should keep the current CIG Policy Guidance's structure that utilizes a commonsense calculation that rounds the composite rating for local financial commitment to the closest level if the composite rating falls between a whole number on the 5-point scale (and rounds up if the composite rating is in the middle between two levels).