

June 7, 2026

The Honorable Sean P. Duffy
Secretary of Transportation
United States Department of Transportation
1200 New Jersey Avenue, SE, Washington, DC 20590

Dear Secretary Duffy:

We write as a Member of Congress and elected officials of the State and City of New York representing Penn Station and the surrounding Manhattan community to express our profound outrage over the opaque, politically driven process that led to the appointment of Penn Transformation Partners as the “master developer” for the Penn Station renovation. This process has been conducted in secret, without public input, without transparency on costs, and without meaningful participation from the public agencies, elected officials, and communities that will be most affected by this decision. It is unacceptable — and we will not let it stand.

We all agree that Penn Station desperately needs to be renovated. But a project of this scale — affecting the busiest transit hub in the nation, billions of dollars in public investment, and the daily lives of hundreds of thousands of New Yorkers — cannot be handed out through a closed-door process controlled by Washington, Amtrak, and political appointees. From the beginning, this process has sidelined the Metropolitan Transportation Authority (MTA), the agency responsible for the overwhelming majority of Penn Station riders, while excluding New York City, New York State, local elected officials, community stakeholders, and the people who live and work around the station.

That exclusion is especially alarming given what we already know about how this process has been conducted. The Trump Administration negotiated the future of Penn Station behind closed doors with politically connected developers — developers who have direct ties to Trump donors and who have lobbied the White House directly for this contract. No RFP was released during the solicitation process, and the selection criteria on how the winner bidding was chosen is unknown. No full costs were disclosed. No public hearings were held. No explanation was provided for how the public interest would be protected. Now, after you and Amtrak, under President Trump’s direction, seized control of the project from the MTA and selected Penn Transformation Partners, the public is being asked to accept a *fait accompli* — while contract terms, financing assumptions, real estate implications, governance rights, and protections for MTA riders remain entirely unclear.

We are also deeply concerned about the MTA’s existing leasehold rights at Penn Station — legally binding rights that give the MTA standing to protect the spaces and customer experience its riders depend on. Those rights must not be diminished, preempted, or bargained away as part of a federally driven redevelopment process that the MTA was never meaningfully included in. We are

putting your Department on notice: the MTA's leasehold rights will be honored, and any attempt to undermine them will be met with the full force of every legal and oversight tool available to us.

At best, this process has been negligent in its treatment of the local Manhattan community and the public agencies that actually serve Penn Station riders. At worst, it raises serious ethical and governance concerns about whether a public infrastructure project is being shaped to benefit private interests and politically connected actors rather than New Yorkers.

The appointment of Penn Transformation Partners is deeply troubling on its own. But it does not exist in isolation. At the very same moment that this administration is handing the future of Penn Station to politically connected developers behind closed doors, Congress is moving legislation that would give Amtrak — and by extension the Trump White House — sweeping new powers to lock that process in permanently and strip New York of its ability to fight back. We are speaking about the McDowell Amendment, adopted during the May 21, 2026 markup of H.R. 8870, the BUILD America 250 Act (also known as the Surface Transportation Reauthorization Act), by the House Committee on Transportation and Infrastructure. As a signatory to this letter, Congressman Nadler, who serves on the House Committee on Transportation and Infrastructure, voted against the amendment, opposed its adoption, and voted against final passage of the bill in committee. We stand united with him in that opposition. The timing of this amendment is not a coincidence. The Penn Station developer selection and the McDowell Amendment are two parts of the same effort to remove New York from the decision making process entirely — one through administrative action, the other through legislation. Congressman Nadler opposed the McDowell Amendment then. We oppose it now. And we will fight its inclusion in any final legislation with every tool available to us.

This amendment is wrong. It is wrong for New York. It is wrong for local governments across this country. And it must not become law.

The McDowell Amendment would grant Amtrak sweeping new authority over the redevelopment of Penn Station and other federally connected rail stations — authority that directly undermines local control, local decision making, and the ability of New York City and State to protect their communities and their taxpayers. It would give Amtrak the ability to own, lease, ground-lease, or enter into private development agreements around intercity rail stations. It would exempt Amtrak-linked projects from certain state and local taxes, assessments, building laws, and zoning requirements — stripping New York City and State of their rightful authority over land use and development in their own communities.

Let us be absolutely clear about what that means. This amendment does not just affect this project. It sets a precedent that could allow Amtrak — a federally controlled entity now operating under the direction of the Trump White House — to override local zoning, bypass local building codes, and eliminate local real estate taxes around any intercity rail station in the country. Not just today. Not just for this project. But permanently. Now and forever.

The loss of local real estate tax revenue alone would be devastating. New York City depends on property taxes to fund schools, public safety, housing, and essential services. Allowing Amtrak and its private development partners to operate free from those obligations — in the middle of one of the most valuable real estate markets in the world — would be an extraordinary giveaway of public revenue to private interests. New Yorkers would be left paying more while connected developers pay less.

The amendment would also give Amtrak-designated projects “very high priority” and expedited federal review, effectively privileging projects connected to Amtrak agreements over locally led transportation plans. In the context of Penn Transformation Partners’ appointment — where Vornado, a major Trump-connected real estate developer, is already a project partner with significant property holdings around Penn Station — this is not a hypothetical concern. It is an immediate and concrete threat to local authority, local revenues, and local communities including Block 780.

This amendment was presented to Committee members as broad and harmless. It is neither. It is a sweeping transfer of power from local governments to a federally controlled entity operating in coordination with private real estate developers who have a direct financial stake in the outcome. Congressman Nadler opposed it at every stage in Committee. We will continue to oppose it on the floor, in conference, and through every legislative tool available to us. And we call on every member of Congress who believes in local control and government accountability to do the same.

We are also deeply concerned about the “Transit Oriented Development” provisions in the McDowell Amendment. Vornado, which owns significant property around Penn Station, is a member of Penn Transformation Partners. The amendment would not operate in a vacuum — it would apply in the middle of an active Penn Station redevelopment process where powerful private real estate interests already have a direct stake in the outcome. At a minimum, this creates the appearance that federal law could be used to facilitate or privilege private development around Penn Station rather than advance a transportation project centered on riders. More seriously, it raises concerns that Amtrak, in coordination with private real estate developers, could be given leverage over land use, development, financing, and acquisition decisions affecting the neighborhoods and communities around Penn Station, including Block 780.

Decisions about land acquisition, redevelopment, and any Payment in Lieu of Taxes (PILOTs) or value-capture arrangements must be negotiated transparently with New York City, New York State, the MTA, NJ Transit, local elected officials, and affected communities. They must not be dictated through an Amtrak-centered federal structure that strips away local oversight and puts private development ahead of riders.

Your recent comments about the cost of this project have also heightened our concern that the Administration may intend to finance Penn Station redevelopment by redirecting, reprioritizing, or leveraging funds that should otherwise support existing New York City and regional transportation priorities. New Yorkers should not be forced to pay for a federally driven, Amtrak-centered redevelopment plan through the loss or delay of funding for critical transit, rail, accessibility, resiliency, or state-of-good-repair projects. Nor should local financing tools, tax revenues, PILOT-style payments, or value-capture mechanisms be controlled by Amtrak or negotiated behind closed doors.

We therefore make the following explicit demands:

1. Release the selection criteria used in the appointment of Penn Transformation Partners, including any communications between the Trump Administration, Amtrak, and the shortlisted developers.

2. Disclose the complete cost projections for this project — including what federal, state, local, private, and Amtrak-controlled funds will be used, and whether any funding will be diverted, delayed, reprioritized, or leveraged from other transportation projects in New York City or the surrounding region.

3. Restore New York’s Full Governmental Participation in This Process.

Part A — The MTA: The MTA must have a full and meaningful seat at the table in all decisions affecting Penn Station — including contract terms, financing, design, governance, and rider protections. The MTA’s existing leasehold rights at Penn Station must be explicitly acknowledged and protected. As the agency whose riders account for the overwhelming majority of Penn Station’s daily users, the MTA cannot be sidelined in decisions that directly affect its operations and the millions of New Yorkers who depend on it.

Part B — New York City and New York State: New York City and New York State must be direct and equal participants in all negotiations involving financing structures, value-capture arrangements, Payment in Lieu of Taxes (PILOTs), and any other mechanisms that affect public revenues or local fiscal authority. These negotiations must not be conducted behind closed doors by Amtrak, the federal government, or private developers. They must be conducted transparently, with the full and direct involvement of New York’s governmental representatives, and no agreement on these matters shall be binding without the explicit consent of New York City and New York State.

4. Commit to public engagement — including public hearings, community input sessions, and direct consultation with New York City, New York State, NJ Transit, local elected officials, and the communities surrounding Penn Station, including Block 780.

5. Provide explicit written assurance that your Department will not use any new authority provided under the McDowell Amendment — if enacted — to advance, finance, acquire property for, preempt local law in connection with, or otherwise reshape the Penn Station redevelopment project without full transparency, meaningful public engagement, and the direct involvement of New York City, New York State, the MTA, NJ Transit, local elected officials, and affected community stakeholders.

6. Provide a binding guarantee that no existing federal, state, or city transportation funding designated for other New York City or regional transit priorities will be diverted, delayed, redirected, or leveraged to finance the Penn Station redevelopment without the explicit advance consent of New York City and New York State.

New Yorkers will not accept a process in which the future of Penn Station and the surrounding neighborhood is decided behind closed doors by federal officials, Amtrak, and private developers. They will not be reassured by renderings, press releases, or vague promises. They deserve binding commitments, public disclosure, and a redevelopment process that puts riders, taxpayers, and the surrounding community first.

This process must happen the right way: transparently, locally, accountably, and in service of the people who actually use it. We will use every oversight tool available to us — in Congress, in the state legislature, in city government, and in the courts if necessary — to ensure that this project is

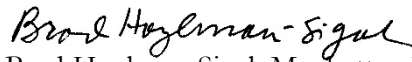
not used to bypass New York, undermine local authority, divert public transportation funds, or turn a critical public infrastructure project into a vehicle for private gain.

We expect your Department's full and timely response.

Sincerely,



Jerrold Nadler, US Representative, NY 12



Brad Hoylman-Sigal, Manhattan Borough President



Mark Levine, NYC Comptroller



Erik Bottcher, NYS Senator, 47th District



Liz Krueger, NYS Senator, District 28



Tony Simone, NYS Assemblymember, District 75



Carl Wilson, NYC Council, District 3



Micah Lasher, NYS Assemblymember, District 69

cc:

Governor Kathy Hochul
Mayor Zohran Mamdani
MTA CEO Janno Lieber
Amtrak President Roger Harris