

AMENDMENT

OFFERED BY MR. PERRY OF PENNSYLVANIA

At the end of Subtitle C of title II of division B insert the following:

1 **SEC. 230__ REPAYMENT REQUIREMENT.**

2 (a) IN GENERAL.—A transit agency shall repay into
3 the general fund of the Treasury all funds received from
4 the Federal Transit Administration under the heading
5 “Federal Transit Administration, Transit Infrastructure
6 Grants” under the CARES Act (Public Law 116-136) if
7 any portion of the funding was used to award a contract
8 or subcontract to an entity for the procurement of rolling
9 stock for use in public transportation if the manufacturer
10 of the rolling stock—

11 (1) is incorporated in or has manufacturing fa-
12 cilities in the United States; and

13 (2) is owned or controlled by, is a subsidiary of,
14 or is otherwise related legally or financially to a cor-
15 poration based in a country that—

16 (A) is identified as a nonmarket economy
17 country (as defined in section 771(18) of the
18 Tariff Act of 1930 (19 U.S.C. 1677(18))) as of
19 the date of enactment of this subsection;

1 (B) was identified by the United States
2 Trade Representative in the most recent report
3 required by section 182 of the Trade Act of
4 1974 (19 U.S.C. 2242) as a priority foreign
5 country under subsection (a)(2) of that section;
6 and

7 (C) is subject to monitoring by the Trade
8 Representative under section 306 of the Trade
9 Act of 1974 (19 U.S.C. 2416).

10 (b) CERTIFICATION.—Not later than 60 days after
11 the date of enactment of this section, a transit agency that
12 received funds pursuant to the CARES Act shall certify
13 that the agency has not and shall not use such funds to
14 purchase rolling stock described in subsection (a). Repay-
15 ment shall also be required for any such agency that fails
16 to certify in accordance with the preceding sentence.

