**Congress Bans New Purchases of Mass Transit Vehicles from Chinese Companies**

The House and Senate released their agreed upon National Defense Authorization Act (NDAA) of 2019 (S. 1790). In order to pass, the bill includes language to ban mass transit agencies from using federal funds to purchase rail cars or buses from Chinese-owned or Chinese-domiciled companies. As well, penalize transit agencies that use their own funds for such purchases.

The bill does not explicitly point to China, but instead refers to several trade acts that identify China as a non-market economy, or otherwise subject to monitoring by the US Trade Representative.

﻿The provision does include language that would delay the ban for two years, except for the Washington, DC Metro.The provision will not apply to an award of any contract or subcontract made by a public transportation agency with a banned rail rolling stock manufacturer, if the manufacturer and the public transportation agency have executed a contract for rail rolling stock before the date of enactment of this provision.