(16) Cargo or passenger screening equipment.

(17) Emergency response equipment, including fire suppression and decontamination equipment, personal protective equipment, and defibrillators.

(18) Operating and capital costs associated with security awareness, preparedness, and response training, including training under section 1167 of this title, and training developed by universities, institutions of higher education, and nonprofit employee labor organizations, for railroad employees, including frontline employees.

(19) Live or simulated exercises, including exercises described in section 1166 of this title.

(20) Public awareness campaigns for enhanced railroad security.

(21) Development of assessments or security plans under section 1162 of this title.

(22) Other security improvements—

(A) identified, required, or recommended under sections 1161 and 1162 of this title, including infrastructure, facilities, and equipment upgrades; or

(B) that the Secretary considers appropriate.

(c) Department of Homeland Security responsibilities

In carrying out the responsibilities under subsection (a), the Secretary shall—

(1) determine the requirements for recipients of grants;

(2) establish priorities for uses of funds for grant recipients;

(3) award the funds authorized by this section based on risk, as identified by the plans required under sections 1161 and 1162 of this title, or assessment or plan described in subsection (a)(5);

(4) take into account whether stations or facilities are used by commuter railroad passengers as well as intercity railroad passengers in reviewing grant applications;

(5) encourage non-Federal financial participation in projects funded by grants; and

(6) not later than 5 business days after awarding a grant to Amtrak under this section, transfer grant funds to the Secretary of Transportation to be disbursed to Amtrak.

(d) Multiyear awards

Grant funds awarded under this section may be awarded for projects that span multiple years.

(e) Limitation on uses of funds

A grant made under this section may not be used to make any State or local government cost-sharing contribution under any other Federal law.

(f) Annual reports

Each recipient of a grant under this section shall report annually to the Secretary on the use of grant funds.

(g) Non-Federal match study

Not later than 240 days after August 3, 2007, the Secretary shall provide a report to the appropriate congressional committees on the feasibility and appropriateness of requiring a non-Federal match for grants awarded to freight railroad carriers and other private entities under this section.

(h) Subject to certain standards

A recipient of a grant under this section and sections 1164 and 1165 of this title shall be required to comply with the standards of section 24312 of title 49, as in effect on January 1, 2007, with respect to the project in the same manner as Amtrak is required to comply with such standards for construction work financed under an agreement made under section 24308(a) of that title.

(i) Authorization of appropriations

(1) In general

Out of funds appropriated pursuant to section 114(w) of title 49, there shall be made available to the Secretary to carry out this section—

(A) $300,000,000 for fiscal year 2008;

(B) $300,000,000 for fiscal year 2009;

(C) $300,000,000 for fiscal year 2010; and

(D) $300,000,000 for fiscal year 2011.

(2) Period of availability

Sums appropriated to carry out this section shall remain available until expended.

(Pub. L. 110–53, title XV, § 1513, Aug. 3, 2007, 121 Stat. 433.)

§ 1164. Systemwide Amtrak security upgrades

(a) In general

(1) Grants

Subject to subsection (b), the Secretary, in consultation with the Administrator of the Transportation Security Administration, is authorized to make grants to Amtrak in accordance with the provisions of this section.

(2) General purposes

The Secretary may make such grants for the purposes of—

(A) protecting underwater and underground assets and systems;

(B) protecting high-risk and high-consequence assets identified through systemwide risk assessments;

(C) providing counterterrorism or security training;

(D) providing both visible and unpredictable deterrence; and

(E) conducting emergency preparedness drills and exercises.

(3) Specific projects

The Secretary shall make such grants—

(A) to secure major tunnel access points and ensure tunnel integrity in New York, New Jersey, Maryland, and Washington, DC;

(B) to secure Amtrak trains;

(C) to secure Amtrak stations;

(D) to obtain a watchlist identification system approved by the Secretary;

(E) to obtain train tracking and interoperable communications systems that are coordinated with Federal, State, and local agencies and tribal governments to the maximum extent possible;

(F) to hire, train, and employ police and security officers, including canine units, as-

signed to full-time security or counterterrorism duties related to railroad transportation;

(G) for operating and capital costs associated with security awareness, preparedness, and response training, including training under section 1167 of this title, and training developed by universities, institutions of higher education, and nonprofit employee labor organizations, for railroad employees, including frontline employees; and

(H) for live or simulated exercises, including exercises described in section 1166 of this title.

(b) Conditions

The Secretary shall award grants to Amtrak under this section for projects contained in a systemwide security plan approved by the Secretary developed pursuant to section 1162 of this title. Not later than 5 business days after awarding a grant to Amtrak under this section, the Secretary shall transfer the grant funds to the Secretary of Transportation to be disbursed to Amtrak.

(c) Equitable geographic allocation

The Secretary shall ensure that, subject to meeting the highest security needs on Amtrak's entire system and consistent with the risk assessment required under section 1161 of this title and Amtrak's vulnerability assessment and security plan developed under section 1162 of this title, stations and facilities located outside of the Northeast Corridor receive an equitable share of the security funds authorized by this section.

(d) Availability of funds

(1) In general

Out of funds appropriated pursuant to section 114(w) of title 49, there shall be made available to the Secretary and the Administrator of the Transportation Security Administration to carry out this section—

(A) $150,000,000 for fiscal year 2008;
(B) $150,000,000 for fiscal year 2009;
(C) $175,000,000 for fiscal year 2010; and
(D) $175,000,000 for fiscal year 2011.

(2) Availability of appropriated funds

Amounts appropriated pursuant to paragraph (1) shall remain available until expended.

(Pub. L. 110–53, title XV, § 1514, Aug. 3, 2007, 121 Stat. 435.)

§ 1165. Fire and life safety improvements

(a) Life-safety needs

There are authorized to be appropriated to the Secretary of Transportation for making grants to Amtrak for the purpose of carrying out projects to make fire and life safety improvements to Amtrak tunnels on the Northeast Corridor the following amounts:

(1) For the 6 New York and New Jersey tunnels to provide ventilation, electrical, and fire safety technology improvements, emergency communication and lighting systems, and emergency access and egress for passengers—

(A) $25,000,000 for fiscal year 2008;
(B) $30,000,000 for fiscal year 2009;
(C) $45,000,000 for fiscal year 2010; and
(D) $60,000,000 for fiscal year 2011.

(2) For the Baltimore Potomac Tunnel and the Union Tunnel, together, to provide adequate drainage and ventilation, communication, lighting, standpipe, and passenger egress improvements—

(A) $5,000,000 for fiscal year 2008;
(B) $5,000,000 for fiscal year 2009;
(C) $5,000,000 for fiscal year 2010; and
(D) $5,000,000 for fiscal year 2011.

(3) For the Union Station tunnels in the District of Columbia to improve ventilation, communication, lighting, and passenger egress improvements—

(A) $5,000,000 for fiscal year 2008;
(B) $5,000,000 for fiscal year 2009;
(C) $5,000,000 for fiscal year 2010; and
(D) $5,000,000 for fiscal year 2011.

(b) Infrastructure upgrades

Out of funds appropriated pursuant to section 1153 of this title, there shall be made available to the Secretary of Transportation for fiscal year 2008, $3,000,000 for the preliminary design of options for a new tunnel on a different alignment to augment the capacity of the existing Baltimore tunnels.

(c) Availability of amounts

Amounts appropriated pursuant to this section shall remain available until expended.

(d) Plans required

The Secretary of Transportation may not make amounts available to Amtrak for obligation or expenditure under subsection (a)—

(1) until Amtrak has submitted to the Secretary of Transportation, and the Secretary of Transportation has approved, an engineering and financial plan for such projects; and

(2) unless, for each project funded pursuant to this section, the Secretary of Transportation has approved a project management plan prepared by Amtrak.

(e) Review of plans

(1) In general

The Secretary of Transportation shall complete the review of a plan required under subsection (d) and approve or disapprove the plan within 45 days after the date on which each such plan is submitted by Amtrak.

(2) Incomplete or deficient plan

If the Secretary of Transportation determines that a plan is incomplete or deficient, the Secretary of Transportation shall notify Amtrak of the incomplete items or deficiencies and Amtrak shall, within 30 days after receiving the Secretary of Transportation's notification, submit a modified plan for the Secretary of Transportation's review.

(3) Approval of plan

Within 15 days after receiving additional information on items previously included in the plan, and within 45 days after receiving items newly included in a modified plan, the Secretary of Transportation shall either approve the modified plan, or if the Secretary of