



**CITY COUNCIL
COMMUNICATION:**

ITEM _____

02-212

**OFFICE OF THE CITY MANAGER
CITY OF DES MOINES, IOWA**

AGENDA:

APRIL 22, 2002

SUBJECT:

AUTHORIZE
EXECUTION OF AN
AGREEMENT WITH
THE U.S.
GOVERNMENT FOR
REIMBURSEMENT
OF DES MOINES
POLICE OFFICER AT
THE AIRPORT'S
PASSENGER
SCREENING
CHECKPOINT

SYNOPSIS -

Execution of a Memorandum of Agreement (MOA) will provide the financial mechanism necessary to seek reimbursement from the U.S. Government for the direct cost to the Airport to provide the required posting of a Des Moines Police Officer at the passenger security screening checkpoint. Effective May 10, 2002, federal security requirements mandate the Airport provide a law enforcement officer at the passenger security screening checkpoint during all hours the checkpoint remains open, approximately 21 hours each day. Reimbursement for the costs associated with this mandate may be provided to the Airport only after the City and U.S. Government have executed the MOA. The MOA will remain in effect when the Iowa Army National Guard departs the Airport on May 10, 2002, and will be terminated if the position is replaced with a Federal Law Enforcement Officer at the passenger screening checkpoint.

TYPE:

RESOLUTION
ORDINANCE
RECEIVE/FILE

FISCAL IMPACT -

The amount of reimbursement, estimated to be \$494,202.30, was derived from the direct cost to provide one Des Moines Police Officer, and the proportionate amount of Police supervision of that officer, at the passenger security screening checkpoint during all hours the checkpoint is open, beginning May 10, 2002, through December 31, 2003 (601 days). (The amount of reimbursement will ultimately be based on actual auditable costs.) The Transportation Security Administration (TSA) anticipates recruitment, training, and deployment of Federal Law Enforcement Officers at the nation's airports but said deployment will not be completed until late in 2003. The cost of the Des Moines Police Officer, and supervision of this officer, amounts to \$822.30 (\$34.26/hour includes benefits and supervisor costs) each day a Des Moines Police Officer is posted at the Airport's passenger security screening checkpoint.

SUBMITTED BY:

WILLIAM
FLANNERY
AVIATION
DIRECTOR

WILLIAM
MOULDER

RECOMMENDATION -

It is recommended the City enter into the MOA with the U.S. Government to provide the necessary mechanism for the Airport to accept reimbursement for costs associated with the required posting of a Des Moines Police Officer at the passenger screening checkpoint at the Des Moines International Airport until a Federal Law Enforcement Officer is assigned to this duty.

BACKGROUND -

On September 11, 2001, the nation's air transportation system was used as a means to deliver a terrorist attack on the United States of America. On November 19, 2001, the Aviation and Transportation Security Act established the TSA under the direction of the Under Secretary of Transportation for Security. Section 110(g)(2) of the Act requires the Under Secretary to order the deployment of at least one law enforcement officer at each airport security location to ensure passenger safety and national security. Title 49 of the United States Code, Section 44903(c), requires the Airport Operator to establish a security program that provides a law enforcement presence and capability that is adequate to ensure law enforcement presence at the levels required by the TSA.

Effective May 10, 2002, federal security requirements mandate the Airport provide a law enforcement officer at the passenger security screening checkpoint during all hours the checkpoint remains open, approximately 21 hours each day. Reimbursement for the costs associated with this mandate may be provided to the Airport only after the City and U.S. Government have executed the MOA. The agreement is to remain in effect from the time the Iowa Army National Guard departs the Airport on May 10, 2002, until a Federal Law Enforcement Officer is assigned to replace the Des Moines Police Officer post at the passenger security screening checkpoint. At this time, the demand placed on federal law enforcement resources by the nations 429 commercial service airports exceeds that available within the U.S. Government.

The mandate for local law enforcement officer presence at the passenger security screening checkpoint is an interim measure to fulfill the requirement of the Aviation and Transportation Security Act (ATSA) to provide law enforcement presence at each checkpoint. This mandate will ensure compliance with ATSA, while allowing time for the TSA to recruit, train, and deploy Federal Law Enforcement Officers at each of the nation's commercial service airports. TSA anticipates that recruitment, training, and deployment of Federal Law Enforcement Officers at the nation's airports will not be completed

until late in 2003.
