

The Dallas-Fort Worth International Airport Board (DFW) hereby submits its comments to the FAA's NPRM on Procedures for Reimbursement of Airports et al for Security Mandates. DFW's brief comments are as follows: The NPRM improperly excludes capital costs from those that may be reimbursed. Such an exclusion is not required by, and cannot reasonably be inferred from, the Aviation and Transportation Security Act (ATSA), which authorizes funds to reimburse airports (and others) for direct costs to comply with new, additional, or revised security requirements. In common parlance, "direct costs" can and do include capital costs. In that regard, DFW believes that ATSA's failure to (1) expressly limit reimbursement to "operating costs", (2) to expressly exclude capital costs, or (3) to limit reimbursement to ANY specifically-enumerated costs (see ATSA Section 118, for example) was intentional and reflects a Congressional intent to allow reimbursement for any and all REQUIRED, DIRECT security costs, whether capital or operating.

Notwithstanding the events of September 11, 2001, life must go on at the nation's airports. While security remains the paramount consideration, safety and capacity issues continue to be important and cannot be ignored. The \$1.5 billion authorized under Section 121 of ATSA should (when and if appropriated) be available to pay security-required capital costs in order to relieve pressure on already limited AIP funds that are needed for safety and capacity projects. This is especially true where Congress has expressed no intent to limit the authorized \$1.5 billion to operating costs.