



Federal Aviation Administration

Memorandum

Date: DEC 06 2010

From: James H. Washington, FAA Acquisition Executive

To: Regional Administrator, Alaskan Region, AAL-1
Regional Administrator, Central Region, ACE-1
Regional Administrator, Eastern Region, AEA-1
Regional Administrator, Great Lakes Region, AGL-1
Regional Administrator, New England Region, ANE-1
Regional Administrator, Northwest Mountain Region, ANM-1
Regional Administrator, Southern Region, ASO-1
Regional Administrator, Southwest Region, ASW-1
Regional Administrator, Western-Pacific Region, AWP-1
Director, Mike Monroney Aeronautical Center, AMC-1
Director, William J. Hughes Technical Center, AJP-7

Subject: Eminent Domain Delegation of Authority

Pursuant to the authority delegated to me by the Administrator on January 27, 2006, as the FAA Acquisition Executive (FAE), I hereby designate to the positions listed above unlimited authority to acquire real property by eminent domain (also known as condemnation). Eminent domain proceedings should be initiated under the following circumstances:

- Price disagreement
- Title defects
- Missing or unknown landowner
- Landowner violates terms of contract for sale
- Landowner's request or necessity
- Landowner unwilling to sell at any price or unwilling to lease the property to the FAA and FAA officials have demonstrated a long-term continuing need for the real property.

The following requirements must be met when entering into eminent domain proceedings:

- The Department of Justice rules and title requirements on condemnation
- FAA procedural guide, “Acquisition of Real Property by Eminent Domain”

Eminent domain is an essential attribute of government power. Therefore, legal participation is required on all condemnations. Additionally, given the degree of difficulty, the length of time, and the considerable expense involved in litigating a condemnation action, FAA seeks to avoid acquisition of non-permanent interests such as short-term leaseholds by condemnation.

The Regional Administrators and Center Directors may, subject to such conditions and limitations as they may prescribe, redelegate any authority herein delegated to them to officials in their region or center with sufficient knowledge, education, judgment and experience.

This delegation rescinds and replaces all previously issued delegations for authority to acquire real property by eminent domain.