

Real Estate Guidance - (7/2014)

[7.2 Introduction](#) Added 10/2009

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a. FAA acquisition actions can raise significant legal issues. For example, although pursuant to 49 U.S.C. §40110, Federal acquisition statutes and regulations are not applicable to FAA, other legal authorities require FAA to demonstrate a rational basis, supported by substantial evidence, for acquisition actions. In addition, FAA acquisitions are subject to the requirements of other statutes and regulations not directly related to procurement, such as certain labor, and historic preservation statutes and regulatory provisions.

b. Therefore, the responsible logistics service organization will coordinate real property actions with FAA Region or Center Counsel on an ongoing basis throughout the real property acquisition lifecycle. It is the responsibility of agency counsel to represent FAA's legal interests within the service organization and, exercising independent professional judgment, advise the service organization concerning legal issues, including the legality and integrity of acquisition actions, and to represent the service organization in litigation and other legal matters.

c. This Guidance establishes legal coordination as the agency practice for real property acquisition, disposal, condemnation or other real property matters.