



NO: 700.4
DATE: September 17, 2002

SECRETARY OF THE AIR FORCE ORDER

SUBJECT: Real Property Acquisition

AUTHORITY: 10 USC §§ 2571, 2601, 2661, 2662, 2663, 2664, 2672, 2672a, 2675, 2676, 2677, 2812, 2813, 2852(b), 9771, 9773, and 9780
40 USC §§ 255, 257, and 258a
43 USC § 1714
DoD Directive 5160.63

1. Delegation of Authority to Transfer Real Estate Between Military Departments.

a. The authority vested in the Secretary of the Air Force under 10 USC § 2571(a) relating to real estate is hereby delegated to the Assistant Secretary of the Air Force (Installations, Environment, and Logistics).

b. The authority delegated in subparagraph 1a may be re-delegated by the Assistant Secretary to the Deputy Assistant Secretary of the Air Force (Installations).

2. Delegation of Authority to Accept Gifts, Devises, and Bequests of Real Property.

a. The authority vested in the Secretary of the Air Force under 10 USC §§ 2601(a) and 9771 is hereby delegated to the Assistant Secretary of the Air Force (Installations, Environment, and Logistics).

b. The authority delegated in subparagraph 2a may be further re-delegated.

3. Delegation of Authority to Acquire Leasehold Interests in Real Property.

a. The authority vested in the Secretary of the Air Force under 10 USC § 2661(b)(1) is hereby delegated to the Assistant Secretary of the Air Force (Installations, Environment, and Logistics).

b. The authority delegated in subparagraph 3a may be further re-delegated.

4. Delegation of Authority to make Reports and Certifications to Congress on Real Property Transactions.

a. The authority vested in the Secretary of the Air Force under 10 USC § 2662 is hereby delegated to the Assistant Secretary of the Air Force (Installations, Environment, and Logistics).

b. The authority delegated in subparagraph 4a may be re-delegated by the Assistant Secretary to the Deputy Assistant Secretary of the Air Force (Installations).

5. Delegation of Authority to Acquire Interests in Land, Request Condemnation of Real Property, and Execute Declarations of Taking.

a. The authority vested in the Secretary of the Air Force under 10 USC § 2663 and 40 USC §§ 257 and 258a is hereby delegated to the Assistant Secretary of the Air Force (Installations, Environment, and Logistics).

b. The authority delegated in subparagraph 5a may be re-delegated by the Assistant Secretary to the Deputy Assistant Secretary of the Air Force (Installations).

6. Delegation of Authority to Acquire Property for Lumber Production.

a. The authority vested in the Secretary of the Air Force under 10 USC § 2664 is hereby delegated to the Assistant Secretary of the Air Force (Installations, Environment, and Logistics).

b. The authority delegated in subparagraph 6a may be re-delegated by the Assistant Secretary to the Deputy Assistant Secretary of the Air Force (Installations).

7. Delegation of Authority to Acquire Interests in Land.

a. The authority vested in the Secretary of the Air Force under 10 USC § 2672 is hereby delegated to the Assistant Secretary of the Air Force (Installations, Environment, and Logistics).

b. The authority delegated in subparagraph 7a may be further re-delegated.

8. Delegation of Authority to Acquire Interests in Land When Need is Urgent.

a. The authority vested in the Secretary of the Air Force under 10 USC § 2672a is hereby delegated to the Assistant Secretary of the Air Force (Installations, Environment, and Logistics).

b. The authority delegated in subparagraph 8a may be further re-delegated.

9. Delegation of Authority to Approve Leases in Foreign Countries.

a. The authority vested in the Secretary of the Air Force under 10 USC § 2675 is hereby delegated to the Assistant Secretary of the Air Force (Installations, Environment, and Logistics).

b. The authority delegated in subparagraph 9a may be further re-delegated.

10. Delegation of Authority Relating to Land Acquisition.

a. The authority vested in the Secretary of the Air Force under 10 USC § 2676 is hereby delegated to the Assistant Secretary of the Air Force (Installations, Environment, and Logistics).

b. The authority delegated in subparagraph 10a may be re-delegated by the Assistant Secretary to the Deputy Assistant Secretary of the Air Force (Installations).

11. Delegation of Authority to Acquire Options in Property.

a. The authority vested in the Secretary of the Air Force under 10 USC § 2677 is hereby delegated to the Assistant Secretary of the Air Force (Installations, Environment, and Logistics).

b. The authority delegated in subparagraph 11a may be re-delegated by the Assistant Secretary to the Deputy Assistant Secretary of the Air Force (Installations).

12. Delegation of Authority for Lease-Purchase of Facilities.

a. The authority vested in the Secretary of the Air Force under 10 USC § 2812 is hereby delegated to the Assistant Secretary of the Air Force (Installations, Environment, and Logistics).

b. The authority delegated in subparagraph 12a may be re-delegated by the Assistant Secretary to the Deputy Assistant Secretary of the Air Force (Installations).

13. Delegation of Authority for Acquisition of Existing Facilities in Lieu of Construction.

a. The authority vested in the Secretary of the Air Force under 10 USC § 2813 is hereby delegated to the Assistant Secretary of the Air Force (Installations, Environment, and Logistics).

b. The authority delegated in subparagraph 13a may be re-delegated by the Assistant Secretary to the Deputy Assistant Secretary of the Air Force (Installations).

14. Delegation of Authority to Approve Construction on Land Held in Other Than Fee Simple Interest.

a. The authority vested in the Secretary of the Air Force under 10 USC §§ 2852(b) is hereby delegated to the Assistant Secretary of the Air Force (Installations, Environment, and Logistics).

b. The authority delegated in subparagraph 14a may be re-delegated by the Assistant Secretary to the Deputy Assistant Secretary of the Air Force (Installations).

c. Any authority re-delegated under subparagraph 14b may be further re-delegated, but such re-delegation shall not authorize construction that has a total cost in excess of \$200,000 on land held in other than fee simple interest.

15. Delegation of Authority to Acquire Property for Air Bases and Depots.

a. The authority vested in the Secretary of the Air Force under 10 USC § 9773 is hereby delegated to the Assistant Secretary of the Air Force (Installations, Environment, and Logistics).

b. The authority delegated in subparagraph 15a may be re-delegated by the Assistant Secretary to the Deputy Assistant Secretary of the Air Force (Installations).

16. Delegation of Authority to Acquire Buildings in the District of Columbia.

a. The authority vested in the Secretary of the Air Force under 10 USC § 9780 is hereby delegated to the Assistant Secretary of the Air Force (Installations, Environment, and Logistics).

b. The authority delegated in subparagraph 16a may be further re-delegated.

17. Delegation of Authority Regarding Land Titles and Legislative Jurisdiction.

a. The authority vested in the Secretary of the Air Force under 40 USC § 255 is hereby delegated to the Assistant Secretary of the Air Force (Installations, Environment, and Logistics).

b. The authority delegated in subparagraph 17a may be re-delegated by the Assistant Secretary to the Deputy Assistant Secretary of the Air Force (Installations).

18. Re-delegation of Authority to Request Withdrawal of Public Lands and to Consent to Making, Modifying, or Revoking Withdrawals.

a. The authority of the Secretary of Defense under 43 USC § 1714 to request withdrawal of public lands and to consent to the making, modifying, or revoking of withdrawals, delegated to the Secretary of the Air Force pursuant to Department of Defense Directive (DoD) 5160.63, *Delegation of Authority Vested in the Secretary of*

Defense to Take Certain Real Property Actions, is hereby re-delegated to the Assistant Secretary of the Air Force (Installations, Environment, and Logistics).

b. The authority re-delegated in subparagraph 18a may be further re-delegated by the Assistant Secretary to the Deputy Assistant Secretary of the Air Force (Installations).

19. Re-delegation of Authority to Purchase Real Property Interests for Greater than Fair Market Value.

a. The authority of the Secretary of Defense to make determinations under Section 105 of the annual Military Construction Appropriations Act, to purchase real property interests for greater than fair market value, delegated to the Secretary of the Air Force by DoD Directive 5160.63, is hereby re-delegated to the Assistant Secretary of the Air Force (Installations, Environment, and Logistics).

b. The authority re-delegated in subparagraph 19a may be further re-delegated by the Assistant Secretary to the Deputy Assistant Secretary of the Air Force (Installations).

20. Re-delegation to the Principal Deputy Assistant Secretary of the Air Force (Installations, Environment, and Logistics). Any authority re-delegated by this Order to the Assistant Secretary of the Air Force (Installations, Environment, and Logistics) may be re-delegated by the Assistant Secretary to the Principal Deputy Assistant Secretary of the Air Force (Installations, Environment, and Logistics), without authority to re-delegate.

21. Use of the United States Army Corps of Engineers or the Naval Facilities Engineering Command. The official having approval authority for any action authorized under this Order may use the services of the United States Army Corps of Engineers or the Naval Facilities Engineering Command, but only the Assistant Secretary of the Air Force (Installations, Environment, and Logistics) may delegate the authority to approve or execute legal instruments to persons who are not officers or employees of the Department of the Air Force.

22. General Rules Governing Re-delegations. Re-delegations of authority under this Order may only be made to the extent this Order expressly authorizes such re-delegation. Any re-delegation of authority made pursuant to this Order shall not be effective unless it is in writing. No re-delegation shall occur by implication. Re-delegations to a level below that of Deputy Assistant Secretary of the Air Force (Installations) may be made by Air Force Instruction. Any person re-delegating authority in accordance with this Order may further restrict or condition the authority being re-delegated.

23. Notifications to Congress. No re-delegation of authority under this Order to a level below that of Deputy Assistant Secretary of the Air Force (Installations) shall include authority to provide notifications or reports to Congress.

24. Secretary of the Air Force Order 700.4, *Real Property Acquisition*, March 18, 2000, is hereby superseded.



James G. Roche
Secretary of the Air Force