

FOR IMMEDIATE RELEASE
January 10, 2019

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Amash introduces Eminent Domain Just Compensation Act

WASHINGTON, D.C. – Rep. Justin Amash (R-Mich.) today introduced the Eminent Domain Just Compensation Act (EDJCA) to ensure private property owners are fairly compensated if the federal government takes their land for border security or enforcement activities.

The Fifth Amendment to the Constitution permits the federal government to take private property for public use—provided the property owner receives “just compensation.” But in some cases, the Department of Homeland Security (DHS) and other government agencies are using “quick take” condemnations to take possession of private property before just compensation has been determined. If the preliminary payment the government makes when it takes the property is not fair, the property owner is left fighting for full compensation while dealing with the immediate practical and financial consequences of losing their property without adequate payment.

EDJCA ensures private property owners are justly compensated for takings by DHS by requiring that court proceedings settling compensation be completed prior to the government’s taking possession of the property.

“It is unjust for the government to seize someone’s property with a lowball offer and then put the burden on them to fight for what they’re still owed,” said Amash. “My bill will stop this practice by requiring that a property’s fair value be finalized before DHS takes ownership.”

The bill is attached.

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