



**Surplus Federal Real Property Conveyance  
Base Realignment and Closure  
for  
Law Enforcement and Correctional Facility Purposes**

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## PURPOSE

- Facilitate the no-cost public benefit conveyance of suitable surplus military property as determined by the Attorney General to State and local governments for correctional facility use and law enforcement purposes.



## DELEGATING AUTHORITY

- The Attorney General has delegated authority to make these determinations to the Assistant Attorney General for the Office of Justice Programs (OJP).
- The Assistant Attorney General redelegated authority to BJA to process applications and make recommendations.



## DELEGATING AUTHORITY

- BJA receives application
- AAG authority to agree or disagree with BJA regarding determination
- AAG forwards determination to appropriate military department
- DOD has final authority for property conveyance/deeding



## ROLE / AUTHORITY OF BJA

- Preparation, transmittal, and processing applications
- DOJ determines if applicant meets criteria set forth in application
- Make recommendation to AAG



## STATUTORY AND REGULATORY AUTHORITY

- 40 U.S.C. § 553
- 41 C.F.R Parts 102-75.750 THROUGH 102-75.815
- 32 C.F.R. § 175.6



## DEFINITIONS

- Law enforcement: “Any activity involving the control or reduction of crime and juvenile delinquency or enforcement of criminal law, including investigative activities such as laboratory functions and training”
- (41 C.F.R. 102-75.765)



## DEFINITIONS

- Corrections Facility: “Property required for criminal facility purposes or an appropriate program or project approved for the care or rehabilitation of criminal offenders” this aspect is designed to alleviate crowded state and local correctional facilities.
- (40 U.S.C. 553(B) (1))



# APPLICATION PROCESS

- Applicant contacts BJA to request application or downloads application and guidance from BJA Web Site.
- [WWW.OJP.USDOJ.GOV/BJA](http://WWW.OJP.USDOJ.GOV/BJA)
  - Left side – Click on Programs
  - Scroll down to Federal Surplus Real Property Conveyance



# APPLICATION PROCESS

- Application is designated to solicit relevant information so that BJA can evaluate the proposed use and whether it is appropriate and in conformance with applicable federal laws.



# APPLICATION PROCESS

For Example:

- Relevant state and local laws and regulations governing acquisition of federal real property.
- Description/explanation of proposed use
- Funding to operationalize/renovate site for construction, if necessary
  - BJA does not provide any grant funds for construction/renovation purposes.



# APPLICATION PROCESS

- National Environmental Protection Act – NEPA - requirement



## CONTACT INFORMATION

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