



# BJA Fact Sheet

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BUREAU OF JUSTICE ASSISTANCE • OFFICE OF JUSTICE PROGRAMS

DENISE E. O'DONNELL, DIRECTOR

## Federal Surplus Property Program

### Program Overview

The U.S. General Services Administration (GSA) promotes the effective use of real property owned by the federal government and the disposal of this property when federal agencies no longer need it. Through the Federal Surplus Property Public Benefit Conveyance Program (Federal Surplus Property Program), surplus federal land and buildings may be conveyed to public entities at no cost pursuant to 40 U.S.C. 541 et seq., and applicable regulations (specifically 40 U.S.C. § 553 and 41 C.F.R. Parts 102-75.750 through 102-75.815). Eligible applicants for this property include states, or political subdivisions or instrumentalities of states, that propose to use the property for law enforcement or correctional facility purposes. To learn more about the federal statute and regulations governing this program, visit the GSA web site: <https://propertydisposal.gsa.gov>.

Properties available under the Federal Surplus Property Program fall into two categories:

*Base Realignment and Closure (BRAC) Buildings and Land:* Military installations of the U.S. Armed Forces that have been identified as underused and are being closed to reduce the Department of Defense's (DOD's) operations and maintenance costs. GSA has given DOD the authority to convey the deeds for BRAC properties.

*Non-BRAC Buildings and Land:* Federal buildings and land not affected by BRAC that have been identified as surplus by GSA.

For a list of the properties available, visit the GSA web site: <https://extportal.pbs.gsa.gov/ResourceCenter/content/home.do>.

### Department of Justice's Role

As a component within the Department of Justice, the Bureau of Justice Assistance (BJA) receives and reviews the applications submitted for surplus property to determine whether (1) the use proposed by the state or unit of local government meets the requirements of the statute for correctional facilities or law enforcement use; and (2) the environmental impact of the proposed transfer has been properly assessed under the National Environmental Policy Act. BJA will send its determination to the agency (GSA or DOD) holding the deed to the surplus property to consider a no-cost conveyance of that property.

### MESSAGE FROM THE DIRECTOR

The General Services Administration allows federal real estate that has been declared "surplus or excess" to be conveyed to another entity for correctional facility or law enforcement use at no cost. BJA reviews applications for proposed uses of surplus or excess property as correctional facilities or for law enforcement use. Since 1993, 35 state and local government agencies have received conveyed federal property (buildings and land) at no cost. The property is in use today as state-run correctional facilities, local detention centers, and police headquarters. Several conveyances have allowed local police departments to centralize their law enforcement departments, such as their criminal investigations, forensics, and evidence units, into one building. This

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### KEY POINTS

- The General Services Administration holds the title to all federal buildings and land. However, it has given the Department of Defense the authority to convey the deeds for Base Realignment and Closure properties.
- Some federal buildings and land have been declared "surplus."
- Federal surplus property may be conveyed to eligible entities at no cost for correctional and law

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## MESSAGE (cont.)

consolidation has enhanced departmental communications, improved customer service, increased public safety, and provided greater access to other law enforcement regions and state agencies. Other conveyed properties and facilities are in use today as local law enforcement substations, which give the local agency greater access to the community. BJA encourages state and local governments that need more land or additional space for their correctional or law enforcement programs to consider this program.

## KEY POINTS (cont.)

enforcement use. It will be monitored by the federal government to ensure that it is being used as proposed in the application for surplus property.

## CONTACT US

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Web: [www.bja.gov/ProgramDetails.aspx?Program\\_ID=61](http://www.bja.gov/ProgramDetails.aspx?Program_ID=61)



## Application Process

### 1. Notification

BJA must receive your Notice of Intent to apply for federal surplus property by e-mail, fax, or postal mail.

### 2. Application

BJA must receive an application from you with all required documentation, photos, and signatures by the following deadlines:

*BRAC Buildings and Land:* Within 30 days after federal approval of the Local Redevelopment Authority Plan.

*Non-BRAC Buildings and Land:* Within 30 days of GSA's surplus notice expiration date.

Application forms and guidance can be obtained from the GSA web site ([https://extportal.pbs.gsa.gov/ResourceCenter/content/state\\_local\\_authority.do](https://extportal.pbs.gsa.gov/ResourceCenter/content/state_local_authority.do)) or the BJA site ([www.bja.gov/ProgramDetails.aspx?Program\\_ID=61](http://www.bja.gov/ProgramDetails.aspx?Program_ID=61)).

### 3. Determination

BJA will review complete applications and make a determination regarding the proposed use for correctional facilities or law enforcement within 45 days. BJA will then inform GSA or DOD of its decision, as well as the applicant.

### 4. Conveyance

Only the deed holder—the GSA Administrator or the DOD Secretary of Defense—can grant the final approval to convey any and all surplus property to the applicant.

*Disclaimer: Please note that the Department of Justice does not convey nor deed any federal surplus property.*

## Frequently Asked Questions

### Who is eligible to apply for the Federal Surplus Property Program?

The following entities are eligible to apply for federal surplus land and facilities: states, U.S. territories, counties, cities, municipalities, townships, parishes, and other local government entities of the 50 states; the District of Columbia; the Commonwealth of Puerto Rico; Guam; American Samoa; the Virgin Islands; the Federated States of Micronesia; the Marshall Islands; Palau; and the Northern Mariana Islands.

### How can the federal surplus property be used?

Eligible applicants can use the property or land only for correctional facilities or law enforcement purposes. For use as a corrections facility, the property must be "required for criminal facility purposes or [for] an appropriate program or project approved for the care or rehabilitation of criminal offenders" (40 U.S.C. § 553). For law enforcement, the property must be used for "any activity involving the control or reduction of crime and juvenile delinquency or enforcement of the criminal law, including investigative activities such as laboratory functions as well as training" (41 C.F.R. Parts 102-75.750).

### Where can I find the application form for proposed correctional facility or law enforcement use?

You can obtain an application from the BJA web site:  
[www.bja.gov/ProgramDetails.aspx?Program\\_ID=61](http://www.bja.gov/ProgramDetails.aspx?Program_ID=61)

### Are there any restrictions on the use of the property if conveyed by GSA or DOD?

Yes. The conveyed surplus property must always be used and maintained for the purpose described in your application. There is, however, another program by which you can purchase federal surplus property through a negotiated sale and use it without restrictions. Unlike conveyed surplus property, *purchased* surplus property is not monitored by the federal government.