

THE LOOKING AHEAD SERIES: THE ARCHITECT  
OF THE CAPITOL'S STRATEGIC PLAN FOR  
THE 118TH CONGRESS

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HEARING

BEFORE THE

COMMITTEE ON HOUSE  
ADMINISTRATION

HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTEENTH CONGRESS

FIRST SESSION

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FEBRUARY 9, 2023  
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**THE LOOKING AHEAD SERIES: THE ARCHITECT OF THE CAPITOL'S STRATEGIC PLAN FOR THE 118TH CONGRESS**

**THURSDAY, FEBRUARY 9, 2023**

COMMITTEE ON HOUSE ADMINISTRATION,  
HOUSE OF REPRESENTATIVES,  
*Washington, DC.*

The Committee met, pursuant to notice, at 9:06 a.m., in room 1310, Longworth House Office Building, Hon. Bryan Steil [Chairman of the Committee] presiding.

Present: Representatives Steil, Loudermilk, Murphy, Bice, Carey, D'Esposito, Lee, Morelle, Sewell, Kilmer, and Torres.

Staff present: Tim Monahan, Staff Director; Caleb Hays, Deputy Staff Director and General Counsel, Acting Parliamentarian; Hillary Lassiter, Chief Clerk; Aubrey Wilson, Deputy Staff Director and Director of Oversight; Nick Crocker, Deputy Staff Director; Elliot Smith, Deputy Director of Oversight; Jamie Fleet, Minority Staff Director; Khalil Abboud, Minority Deputy Staff Director; Matthew Schlesinger, Minority Oversight Counsel; Enumale Agada, Minority Oversight Counsel; and Owen Reilly, Minority Professional Staff Member.

**OPENING STATEMENT OF HON. BRYAN STEIL, A REPRESENTATIVE FROM WISCONSIN, CHAIRMAN, COMMITTEE ON HOUSE ADMINISTRATION**

The CHAIRMAN. The Committee on House Administration will come to order.

Welcome everyone to the first hearing of our "Looking Ahead Series: The Architect of the Capitol's Strategic Plan for the 118th Congress."

I note that a quorum is present.

Without objection, the Chair may declare a recess at any time.

The Committee is meeting today to hear testimony from J. Brett Blanton, Architect of the Capitol.

I now recognize myself for the purposes of making an opening statement.

Thank you to our witness, Mr. Blanton, for coming to testify before our committee today.

The Architect of the Capitol, or the AOC, is one of the largest legislative branch entities, with over 2,400 employees, and an annual operating budget of over \$1 billion. Every day, employees from the AOC provide maintenance and work to preserve the United States Capitol campus, which is recognized around the world as a

symbol for the American Government and the freedoms that we enjoy.

I want to say thank you to all the employees of the AOC for the work they do behind the scenes to keep the campus both functional and beautiful.

We're also wrapping up a congressional transition, where the AOC, along with support offices, coordinated the moves of nearly 300-member committee and leadership offices. This is no small feat, and I want to thank everyone who assisted in that transition.

The AOC has also played an important role in the full reopening of campus after nearly 3 years of closures under the previous majority, and I'm excited that the Capitol's Visitor Center will start welcoming visitors for Saturday tours again, beginning March 4th. Changes to the House campus are occurring. Following the move of the Department of Health and Human Services, we have new opportunities in O'Neill.

Last Congress, I did a walk-through of the third phase of the Cannon renewal project, which is now in its final phase. That construction project is the most expensive the AOC has ever managed, with cost overruns of over 23 percent. I look forward to learning how to best protect taxpayers in this regard moving forward.

Additionally, the AOC plays a central role in campus security, with you serving as one of the three voting members the United States Capitol Police Board. In fact, just last week, the board voted to put up a fence for the State of the Union, which cost nearly \$1 million. I have questions about this decision.

Your organization serves both Chambers and interacts with Members, Committees, and their staff more than almost any other legislative branch entities. With the AOC playing such a role—with the AOC playing such a role here on—on the Capitol campus, I'm disappointed that over the last few Congresses, there's hardly been any hearings focused on your organization's leadership and long-term planning.

I acknowledge this was an error of previous Congresses. In fact, you were appointed 3 years ago, and this is the first time you've been invited to testify specifically to the strategic plan of the organization. This is the first time in 6 years that the committee has held a hearing on this specific topic. I believe there's been a lack of oversight of your organization over the last several Congresses, which at times has resulted in lapses of accountability.

As Chairman, I can assure you that accountability starts today. This Committee will bring more transparency and accountability into how Congress, including the AOC, functions. Where we can, we want to do so in a non-partisan way.

Our goal for today's hearing is to get an update from you on numerous projects and initiatives under your organization's purview, some of which I briefly mentioned, and to learn more about the strategic plan for the organization.

I'm also going to address the elephant in the room: We need to discuss your personal role as head of the AOC and allegations that have been brought to light by the AOC inspector general. I've read the inspector general report, and the allegations are highly concerning. I want to give you the opportunity to address the IG report head on, and I expect you to be truthful and transparent.

This hearing today will be about more than just the IG report. It will also include discussions about how accountability needs to be reestablished throughout multiple functions of your organization. After 3 years of being architect, it is clear that there is still a lot of work ahead to get the AOC to the standard of performance and service that Congress expects from a \$1 billion a year investment.

I fully acknowledge that part of that requires an engaged Congress that works to get the AOC the resources and structure it needs to perform. From where I'm sitting, it seems to be that after 3 years under your leadership, the organization still faces significant challenges, and the allegations in the IG report need to be addressed before the AOC organization can move on.

Clearly, we have a lot to talk about today, and I look forward to hearing from you.

I now recognize the Ranking Member, Mr. Morelle, for 5 minutes for the purpose of making an opening statement.

**OPENING STATEMENT OF HON. JOSEPH MORELLE, A REPRESENTATIVE FROM NEW YORK, RANKING MEMBER, COMMITTEE ON HOUSE ADMINISTRATION**

Mr. MORELLE. Good morning. Thank you, Chairman Steil, and thank you for convening today's hearing.

I'd also like to thank Architect Brett Blanton for his presence today. I know the Members are anxious for your testimony, sir.

As the Chairman has said, the agency of the Architect of the Capitol plays a pivotal role in making the Capitol complex a place in which my colleagues and I are privileged to work, safe, welcoming, and functional. In addition to preserving the House and Senate Office Buildings and the Capitol Grounds, this agency is also responsible for maintaining the Capitol Visitors Center, the Botanic Garden, two entities that provide additional ways for American citizens to connect with their government.

The Architect of the Capitol employees are ubiquitous here in the House. They are a necessary and invaluable component of the broader machinery that allows this institution to run smoothly. My staff has the opportunity to meet with representatives from each unit of the Architect of the Capitol every month to discuss the agency's major projects and day-to-day operations. I want to thank you and your team for your continued efforts to ensure that those of us in Congress can fulfill our responsibilities.

Notwithstanding the enormous dedication of the agency's employees, in October 2022, the report released by the inspector general, which is referenced by Chairman Steil, points to serious problems within the Architect of the Capitol.

While some of these problems have relatively simple solutions, there are others that speak to more deep-rooted issues with the agency's leadership, such as a lack of transparency, inappropriate use of government resources and credentials, and insufficient or ineffective internal mechanisms to check questionable practices and behavior.

I expect today's hearing to cover a wide range—excuse me—of important topics, including what AOC leadership is doing to com-

bat some systemic problems within the agency, and very much look forward to this discussion. With that, Mr. Chairman, I yield back.

The CHAIRMAN. I thank the gentleman.

Without objection, all other Members' opening statements will be made part of the hearing record if they are submitted to the committee clerk by 5 p.m. today.

Pursuant to paragraph (b) of Committee rule 6, will the witness please stand and raise your right hand. Do you solemnly swear or affirm that the testimony that you're about to give is the truth, the whole truth, and nothing but the truth so help you God?

Mr. BLANTON. Yes.

The CHAIRMAN. Let the record show that the witness answered in the affirmative.

I'll now introduce our witness, Mr. Brett Blanton. Mr. Blanton, we appreciate you being here today and look forward to your testimony.

As a reminder, we've read your written statement, and it will appear in the full record hearing. Under committee rule 9, you are to limit your oral presentation to a brief summary of your written statement, unless I, in consultation with the Ranking Member, extend that time period.

Please remember to press the button on the microphone in front of you so that it is on and the Members can hear you. When you begin to speak, the light in front of you will turn green; after 4 minutes, the light will turn yellow; when the red light comes on, your 5 minutes has expired, and we will ask you to please wrap up.

I now recognize Mr. Blanton for 5 minutes.

#### **STATEMENT OF J. BRETT BLANTON, ARCHITECT OF THE CAPITOL**

Mr. BLANTON. Thank you. Chairman Steil, Ranking Member Morelle, and Members of the Committee, thank you for the opportunity to testify before you. I welcome the opportunity to share more about the agency's work, our efforts to support Congress in the path ahead. I also appreciate the opportunity to address the allegations by the agency's inspector general since this is the first opportunity I've had to be able to do so.

Roughly 2,400 Architect of the Capitol team employees support the daily operations of Congress, the Supreme Court, and the Library of Congress. Coming into this role, I quickly realized that this critical work requires attention 24 hours a day. The daily care of the Capitol complex is 18.4 million square feet of historic facilities, 570 acres of grounds, and thousands of work of art, is far beyond what our Founding Fathers could've imagined.

I have spent my entire career in public service. I graduated the Naval Academy, and have served our country with distinction ever since. I was honored to have been selected by a bipartisan, bicameral commission, and to have been nominated into this position.

I could never have imagined that I would be part of the response of an unprecedented worldwide pandemic within the first few weeks of my confirmation. I am proud of the work that the agency

has done to procure supplies and services for the legislative and judicial branch.

Since being sworn in, I have remained focused on safety of our employees, as well as everyone in the Capitol complex. As you all know well, we then faced another extraordinary and unprecedented challenge with the breach of the Capitol on January 6th. Once again, I was so proud and grateful of the unwavering and steadfast work of so many AOC employees in order to ensure the mission of Congress could resume as quickly as possible.

Given the incredible challenges that the agency has overcome the last 2 years, I am frustrated by the current distraction created by the inspector general's report regarding the execution of my responsibilities in this position. I wholeheartedly reject any assertion that I have engaged in unethical behavior during my service to this country.

While serving in this particular role, I have taken my commitment to transform the agency's culture to promote positive workplace for every AOC employee. Moreover, I have fully invested to ensure that I meet the responsibilities and the expectations of this role.

Since I have only had the opportunity to review the inspector general's summary report, I can only speak to the language I have seen. I will say that the report is filled with errors, omissions, mischaracterizations, misstatements, and conclusory statements lacking evidence. For example, the agency stated publicly the purpose of the Architect's vehicle is for the direct support of the continuity of programs and to allow the Architect to remotely support agency operations and campus emergencies.

In the legislative branch, information about these programs is shared on a need-to-know basis. It is inaccurate to characterize the State of the vehicle is only for home-to-work purposes. The agency is a 24-hour-a-day, 7-day-a-week operation; as such, having the vehicle with the architect is vital for him or her ability to communicate and quickly and safely return to campus at any time.

Shortly after 9/11, the vehicle was appropriated to directly support resiliency, security, and continuity of operation programs for Congress and the congressional community, including my service on the Capitol Police Board. I realize I don't live in a—I realize that we don't live in a world of absolutes. With that said, I caution against the use of yes-or-no questions as they don't provide the necessary context for any answer.

With the emphasis on safety and security, I am working every day to coordinate with partners across campus to improve and preserve the Capitol campus for those visiting and working. As a member of the Capitol Police Board, I continue to work in a productive partnership with the U.S. Capitol Police, the House and Sergeant-at-Arms, and other security officials. Physical and cyber-security are my top priorities. In addition, I remain focused on the implementation of measures to make ensure the AOC is doing everything possible to ensure we are safer and more prepared than we were 2 years ago.

To conclude, we recognize the importance of an adequate, long-term, multi-year approach to facilities management focusing on maintaining, preserving the Capitol campus, while also modern-

izing facilities. With support of Congress and the incredible talent of the skillful team, I am proud of what we have accomplished and look forward to the success of future projects.

On behalf of all the AOC staff, I look forward to your questions. Thank you.

[The prepared statement of Mr. Blanton follows:]

**Statement of J. Brett Blanton  
Architect of the Capitol**

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*“The Looking Ahead Series: The Architect of the Capitol’s Strategic Plan for the 118<sup>th</sup> Congress”*

**Statement before the Committee on House Administration  
United States House of Representatives**

February 9, 2023

Chairman Steil, Ranking Member Morelle, and Members of the Committee, thank you for the opportunity to testify before the Committee at the start of the 118th Congress.

As you know, the Architect of the Capitol (AOC) supports the day-to-day operations of Congress, the Supreme Court and the Library of Congress. Carrying on traditions of unique craftsmanship and ingenuity, the AOC is responsible for the operations and care of more than 18.4 million square feet of facilities, 570 acres of grounds and thousands of works of art. On a typical day, there are more than 2,400 AOC employees serve the Capitol campus in diverse roles around the clock.

In totality, the House Office Buildings comprise almost 13 acres — or approximately 13 football fields — that require meticulous maintenance and care throughout the day and night to support the operations of the House of Representatives, the Committees, staff and visitors.

These numbers reflect a scale of operations far beyond what our founding fathers might have ever imagined. In the beginning, representatives worked from their desks in the House Chamber or borrowed space in committee rooms in the U.S. Capitol Building.

Since the first cornerstone of the U.S. Capitol was laid in 1793 to the tasks we face today, the Architect of the Capitol has held a critical role in the day-to-day operations of the legislative branch.

Throughout the years, our focus has remained unchanged. As reflected in our current mission statement:

*To serve Congress and the Supreme Court, preserve America's Capitol and inspire memorable experiences.*

Looking ahead, our team developed a new vision statement last year, reflecting our forward-looking focus:

*Working together, we strengthen and showcase the foundation, facilities and functions supporting American democracy.*

This new vision statement clarifies how we will achieve our mission and our ongoing commitment to achieve excellent results.

In the past year, the AOC reached critical achievements on major projects across campus, including the completion of 42 Member suites in Phase 3 of the Cannon Renewal Project (Cannon Renewal) and the successful renovation of the Rayburn House Office Building Garage.

With the completion of the Cannon Office Building in 1908, the House had the first congressional office building on Capitol Hill. There were 397 offices, one for each representative and 14 committee rooms. A modern building for its time, it boasted such facilities as a forced-air ventilation system, steam heat, telephones and electricity. Additional amenities included a post office, a telegraph office, a dining room and a cafeteria. A tunnel provided a quick underground route to the U.S. Capitol. The opening of the building resulted in the first lottery for office space among representatives.

Fast forward to today, the Cannon Renewal is on track to complete a thorough renovation of this historic building over the next few years. In doing so, the AOC addressed significant structural issues. The project also involved extensive repair of the exterior and interior stone and masonry, rehabilitation of office spaces, and comprehensive infrastructure upgrades, ranging from heating, cooling, lighting, plumbing, fire and life safety systems. At the same time, the project involved a complete overhaul of the fifth floor, resulting in restored and modernized space for Members to meet with constituents.

The Cannon Renewal also incorporates many accessibility improvements within a historic building. As part of the project, the ADA-accessible building entrance located on New Jersey Avenue — as well as the First Street entrance — can now accommodate wheelchairs and electric scooters. For all entrances, the building lobbies have been designed to increase the amount of space for access and security needs.

Upon final completion, the reconfigured public restrooms will include accessible restrooms and drinking fountains on every floor as well as the new construction of six family restrooms. The Cannon Renewal also implemented critical improvements to expand accessibility of elevators. Furthermore, the project also expanded accessibility for Members of Congress to participate in hearings and meetings for the House Committees on Homeland Security, Budget and Veterans Affairs. As part of ongoing assessments and planning, the AOC will continue to implement similar measures across the other House Office Buildings and we look forward to the Committee's based on guidance and approval as we look ahead.

As work began for the 118th Congress, the AOC provided support with the 58th Suite Selection Lottery as well as 244 office moves, including offices for the 74 newly elected representatives and their staff. During this period, the AOC also took the initiative to improve energy efficiency and safety as part of ongoing efforts to improve daily functionality and operations in all the House office buildings.

Moreover, the AOC continued to make significant progress on preservation efforts around the Capitol exterior, the renovation of Capitol Visitor Center Exhibition Hall, and other historically and culturally significant projects. It is a credit to our dedicated workforce that such achievements have been accomplished despite many unforeseen challenges and demanding circumstances.

Across the agency, our leaders are dedicated to efforts to recruit and retain the most talented and capable workforce. All of us remain committed to doing our part to foster a safe and secure work environment, not just for our employees but for everyone who passes through the Capitol campus. This commitment starts with the physical security of the campus and extends to the health and well-being of every individual on campus. We recognize the need for repairs, improvements and new projects impacting immediate security concerns, as well as health and safety issues. These efforts are essential to enable and modernize support for Congressional, Library and Supreme Court operations.

The AOC also recognizes the need to solidify existing capabilities further while increasing efficiencies and collaborative efforts. The AOC has begun a comprehensive effort to update the Master Plan for the Capitol campus, while bringing our internal agency departments into better alignment and enabling improved cross-organizational services. We also acknowledge the agency's need to execute on existing priority projects and implement our new asset management strategy. This strategy will allow the AOC to better maintain the facilities, and leverage emerging industry standards and technology to improve system reliability through modernization. In doing so, the agency will be able to operate more efficiently, reduce sustainment costs, and keep facilities fully operational and reliable to support critical operations. All these efforts reflect an unwavering commitment to provide Members of Congress, staff and visitors with a fully functioning government apparatus and day-to-day experiences as well as execute programs in the most cost-effective manner.

#### **I. Necessary Physical Security Improvements**

Physical security remains a top priority for the AOC. On a constant basis, the agency is coordinating with the U.S. Capitol Police (USCP), the House and Senate Sergeants at Arms, and other security and law enforcement officials to provide direct support on campus security.

While major progress has been achieved, we are continuing to implement recommendations from the comprehensive security assessment supported by Congress after the events of January 6, 2021. Simultaneously, the AOC and USCP continue to work closely — around the clock — to address any current needs and to be prepared for future threats and liabilities.

The AOC is also focused on increasing readiness for special events that pose unique security risks. We remain committed to working with the USCP to provide necessary resources, to monitor the proceedings, and to respond as needed to extraordinary challenges.

In addition, the AOC continues to improve its cybersecurity efforts and to further protect its networks from any intrusion by malicious threats. Given the sensitive and critical nature of the networks at the AOC, sustaining these efforts remains a priority. The AOC continues to maintain 24/7 monitoring to detect and respond to cyber incidents. Moving forward, the AOC looks to implement hardware and programming upgrades to maintain resilient, reliable and cyber-secure operations.

With the Committee's support, the AOC can fully achieve its responsibilities to support our partners as we work together to keep the campus more secure.

## **II. Unwavering Focus on Public Health and Safety**

Beyond security, the overall safety of everyone on the Capitol campus remains a top priority. This safety can be defined in a variety of ways — safety from potential facility failures, natural disasters, emergencies and health crises, among other issues. Casting a wide net, the AOC takes a proactive role in anticipating and addressing as many of these concerns as possible.

The AOC has also launched a new initiative to have a Building Official program to oversee code and industry standards for project execution, safety and environmental projects across the organization. The AOC currently has multiple internal entities responsible for health, fire and life safety without a unified approach to code compliance. With more consistent standards and a permitting system, we can improve efficiencies and allocation of resources to address code deficiencies. To mitigate this rework and potential threats to life, health and safety, the AOC has established this necessary program to improve how we oversee safety and code compliance to maintain our iconic buildings for future generations.

Although safety and accessibility have long been priorities for the AOC, the agency continues to seek to improve itself and the facilities. The AOC continues to focus on the study and implementation of all measures that could further the safety of everyone on the Capitol campus. This includes the continued development of the Capitol Complex Master Plan, which will serve as a foundational document for master planning over the next 20 years. This plan will incorporate findings and recommendations of the AOC's ongoing studies into its security, safety and accessibility, including forthcoming study recommendations. With the Committee's support, these studies and reports will set forth a robust vision for future generations.

In this area and others, we continue to dedicate time and attention to training, safety procedure review, communications, and supervision of our workforce to ensure they are operating in the safest manner possible across the entire campus. To further ensure safety, the AOC is planning critical studies and facility upgrades. For example, the AOC is seeking fire alarm system upgrades at the U.S. Capitol and other critical areas, which will address code deficiencies, reduce the risk of system failure and improve facility safety for building occupants. Furthermore, we are planning airflow validation studies across the Capitol campus. These studies will ensure that the ventilation of offices and common spaces meet or exceed industry standards and is safe for all who frequent the campus.

## **III. Prioritization of Data-Driven Tools for Predictive Maintenance**

The AOC's aging facilities and infrastructure present a variety of issues and concerns. The past three years have only compounded many of these concerns, as supply chain shortages, raw material cost increases and the competition for skilled workers have increased the difficulty of

addressing existing deficiencies. Despite this, the AOC has successfully collaborated with partners across campus to enhance security, safety and emergency preparedness.

The AOC's mission is to preserve operations of the agency's facilities as well as address an array of critical requirements, which range from preserving priceless artwork to replacing roofs and addressing exterior stone degradation, installing emergency generators and supporting physical security. At the same time, we recognize the limitations of the federal budget and remain focused on projects with the most immediate urgency. For this reason, we continue to prioritize projects from prior years which failed to receive funding and address critical needs.

Looking ahead, we are working on solutions that will improve predictability of maintenance needs and create efficiencies that will save taxpayer dollars. As discussed last year, the AOC is developing a new Enterprise Asset Management (EAM) system that will provide a thorough asset management strategy to inform work priorities and provide for data-driven fiscal decisions and prioritization. Specifically, EAM will serve as a new process to aid decision-making about inventory, condition, operation, maintenance and replacing or modernizing buildings and infrastructure asset components such as mechanical, electrical and plumbing equipment. With sufficient resources for ongoing implementation, EAM will allow the AOC to proactively manage industry best practices and leverage maintenance-based strategies, modernize obsolescence, improve reliability, and avoid or reduce long-term costs and better forecast resource requirements.

EAM will enhance decision-making through enterprise visibility and maximize return on investment by informing priorities. We are committed to implementing a disciplined, consistent approach to annual inspections and standardizing our approach to maintenance practices to prolong key infrastructure and enhance visibility of issues that left unchecked could truncate asset lifecycles. With this approach, the AOC can address and mitigate costs associated with deferred maintenance requirements.

Every day we work to preserve our historic facilities and aging infrastructure for the benefit of future generations. At the same time, we are working tirelessly to upgrade our capabilities and facilities to meet the technological, space, sustainability and accessibility needs of a 21<sup>st</sup> century workforce.

#### **IV. Space Utilization Recommendations and Accessibility**

To be good stewards we need a strong plan. As we embark on the Capitol Complex Master Plan, adaptability is key. The world around us is changing fast and information in the Master Plan will provide a level of flexibility to accommodate needs.

The Master Plan will offer a more overarching approach rather than fragmented within departments in the agency. It is being updated at a time when our agency is transitioning from a decentralized management approach to an enterprise-level organization that looks holistically at facilities management and development, both for the buildings and for our grounds.

Accessibility remains a priority for the AOC and is addressed during the planning and design of new projects. Moreover, the agency continues to work toward improving the accessibility of existing areas around the Capitol campus.

#### **V. One Team Dedicated to Innovative Solutions**

Above all else, the AOC's mission cannot be fulfilled without its dedicated employees possessing the skills required to meet the AOC's deep commitment to maintaining the historic buildings of Capitol Hill. One of our top priorities is an innovative and empowered workforce. As such, the AOC relies heavily on a workforce that includes skilled tradespeople that have been in short supply in the labor market for the past several years. With that in mind, we are taking a variety of steps to shore up current and future human capital at the AOC.

This past year, we introduced AOC University — a new organization under the AOC's Office of the Chief Administrative Officer. Its mission is to foster individual and organizational learning that maximizes agency performance and supports employees in achieving their career goals with a vision to empower employees to grow and succeed. AOC University offers an online hub that provides a wide variety of courses and training opportunities for employees across the organization. These courses focus both on core competencies for employees as well as their long-term development. AOC University will also offer enhanced professional training, mentoring programs and leadership seminars. Moreover, the AOC will continue to offer a robust selection of rotational opportunities throughout the organization, allowing for cross-pollination between jurisdictions and subject areas. AOC University is essential in our efforts to train employees, inspire their careers, and foster their professional growth and development over time.

AOC University is focused on the long-term success of the AOC's employees and the organization by ensuring the right people, with the right skills, are in the right jobs at the right time. Ultimately, AOC University will improve workforce capability and transform employee learning to support excellent results.

The AOC is also focused on attracting and training future talent by expanding internships and opportunities for students in careers aligned with the AOC's needs. At the same time, the agency is increasing the use of career ladders to encourage professional development of our current workforce. For example, the AOC recently established a partnership with the American College of the Building Arts that will allow the agency to build a talent pipeline for AOC positions that are considered hard to fill. Furthermore, the AOC continues to examine its recruitment and benefit programs to remain competitive with the wider industry. Given existing talent shortages, the AOC must continue to target a variety of sources for skilled employees.

**VI. Looking Ahead: The 118th Congress and Beyond**

The AOC continues to make significant progress on a variety of fronts. However, we must push forward to accelerate progress as we confront new challenges. The agency's strategic vision reflects our solutions-driven approach to problems faced by the agency and broader community, including the current state of many critical projects and facilities.

If we fail to support these projects in an adequate manner, we will compound existing vulnerabilities and costs. Postponed decisions on repairs, replacements and maintenance will only lead to more unintended and hazardous consequences. Moreover, we will face the deterioration of facilities that house and protect some of our nation's most beloved treasures.

When it comes to the Capitol campus and these facilities we rely so heavily upon, we need to conduct long-term planning with the best interests of the public and Capitol community in mind. Adopting a multi-year approach for the planning, design and execution of major AOC projects is the best course to achieve long-term maintenance and preservation of our historic buildings, while pursuing goals to expand efficient and modernized facilities.

Everyone at the AOC stands ready to support this Committee's effort to meet current demands and to plan for the future. Together, we can protect and preserve this cherished institution as well as all of those who serve here. Across the agency, we are committed to working as one team, united in one mission.

Thank you for the opportunity to highlight AOC's current accomplishments and future goals. I appreciate the Committee's time and look forward to learning more about your goals and priorities as we move into the 118th Congress and beyond.

The CHAIRMAN. Thank you, Mr. Blanton.

We will now question the witness under the 5-minute rule beginning with me, followed by the Ranking Member. We'll then alternate between sides.

I now recognize myself for the purpose of questioning our witness.

Mr. Blanton, the AOC inspector general has alleged that you misused your official vehicle in a variety of manners, misled investigators, impersonated a police officer, and violated ethics by hosting private tours of the Capitol when it was closed to the public. The report is very detailed, over 800 pages, and I request unanimous consent that the 10-page executive summary of the IG report be entered into the official record.

No objection, so ordered.

[The information referred to follows:]



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## OFFICE OF INSPECTOR GENERAL

*2021-0011-INVI-P – J. Brett Blanton, Architect of the Capitol, Abused His Authority, Misused Government Property and Wasted Taxpayer Money, Among Other Substantiated Violations*

**Suspected Violations include Architect of the Capitol (AOC) Standards of Conduct, Government Ethics, Fleet Management, Authority and Responsibilities of the Office of Inspector General (OIG) and Cooperation of AOC Employees Policies and Title 18 U.S.C. §1001, Statements or Entries Generally. Substantiated.**

On March 7, 2021, the AOC OIG received a hotline complaint from a private citizen concerning the misuse of an AOC vehicle. According to the complainant, at approximately 1:15 p.m. ET, March 6, 2021, a black Ford Explorer with license plate AOC 053A was observed in the garage of the Walmart near Tyson's Corner, VA (1500 B Cornerside Blvd., Vienna, VA, 22182). The driver of the vehicle was reportedly a woman with brunette hair, possibly in her 20s or 30s, wearing a flannel shirt, and a passenger was in the front seat. The complainant and their passenger observed the vehicle driving extremely reckless in the parking garage and swerving out of the garage at a high rate of speed, estimated to be about 65 miles per hour (mph) in a 30-mph zone. The complainant claimed the driver made obscene gestures toward them while at the stop sign outside the parking garage. The OIG later identified the driver and passenger to be the daughters of Mr. James Brett Blanton, SR-00, Architect of the Capitol.

The OIG determined the Ford Explorer (AOC 053A) was assigned to the Office of the Chief Security Officer (OCSO) and utilized by Blanton. During the OIG's review, it was discovered that a previous complaint had been made with the General Services Administration (GSA) referencing the same vehicle (AOC 053A) in December 2020.<sup>1</sup>

### Unauthorized Vehicle Use

Per Public Law 117-103, Consolidated Appropriations Act, 2022, funds are available for purchase or exchange, maintenance and operation of a passenger motor vehicle. It does not mention the intended usage of the vehicle. Prior to and throughout the OIG investigation, Blanton consistently contradicted his vehicle-use authority. The Office of General Counsel (OGC), OCSO and Blanton stated he is authorized a vehicle for continuity of operations (COOP) or emergency response to the U.S. Capitol, as necessary. Blanton also claimed that he was "tethered" to the vehicle — a term no one had heard of or previously used. The AOC OIG found overwhelming evidence that Blanton and his family continually misused AOC vehicles intended for home-to-work (HTW) use. AOC policy applies to all AOC employees who operate and use AOC and GSA motor vehicles and fleet cars. The policy defines HTW transportation as "the use of an AOC motor vehicle to transport employees between their home and place of work. This includes the use of an AOC motor vehicle solely for the purpose of supplementing part of or all of an employee's commute." The policy

<sup>1</sup> The previous complaint received from the GSA was then provided to at least 11 AOC employees (including senior management), but it was never provided to the AOC OIG for review. The AOC OIG is tasked with investigating allegations of fraud, waste and abuse, including allegations of improper use of AOC resources or property, and will conduct an additional inquiry on the lack of reporting and failure to follow policy.

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continues to state that the Architect of the Capitol (person) or their designee has the authority to determine if a compelling operational condition exists that would benefit AOC operations by using a motor vehicle for HTW use. If an authorized user is on leave or otherwise absent for three or more consecutive days, the policy notes that the vehicle must be housed on AOC property and further states this is governed by the rules outlined in Federal Management Regulation 102.5, HTW Transportation. Only the Architect and Chief Operating Officer are authorized to grant an exception to components of this policy if determined to be in the best interests of the AOC due to security considerations. Such exceptions must be provided in writing to the Personal Property Management Office. At the time of the investigation, no such memorandums or requests had been submitted. Blanton has not authorized any other AOC employee a HTW vehicle for their personal use on a consistent basis, and he has abused his authority by continually approving his own HTW vehicle use as well as misusing the AOC vehicle appropriated to the Architect of the Capitol.

The OIG's investigation confirmed that unauthorized use of government resources occurred within the Washington, D.C., metro area as well as West Virginia, South Carolina and Florida. Additional evidence and testimony confirmed the AOC vehicles intended for HTW transportation by Blanton were consistently used as personal vehicles by both Blanton and his family for weekend trips to a craft brewery, out-of-town trips and general family use. The AOC vehicles were driven by his spouse, Michelle Blanton (M. Blanton), and adult daughter, Reilly Blanton (R. Blanton), on a regular basis without him in the vehicle. R. Blanton advised the OIG that her father had given her permission. She had transported both her friends and boyfriend in the vehicle and referred to using the AOC's fuel as "free gas." Allowing multiple family members to drive the vehicles without him negates his need to be "tethered" (a term used by Blanton) to the vehicle and traveling outside the immediate area negates the ability to respond to emergencies at the U.S. Capitol in a timely manner for COOP or otherwise.

The OIG collected data pertaining to the three AOC vehicles assigned to Blanton from January 16, 2020 (the day Blanton was sworn in as the 12<sup>th</sup> Architect of the Capitol), to February 28, 2022. A comparison of telework days, obtained from the AOC's online Time and Attendance System (WebTA™), to vehicle mileage logs showed that, during his tenure as the Architect of the Capitol, Blanton should have driven approximately 10,438 miles using AOC vehicles.<sup>2</sup> Instead, a total of 29,291 miles were recorded during that time frame. While the AOC OGC and applicable law and policy allow for some incidental use during travel to and from work, Blanton and his family used AOC vehicles for an additional 18,853 miles. Evaluation of the additional mileage added to the AOC vehicles, wear and tear, and extra maintenance in accordance with Internal Revenue Service (IRS) policies for 2020 and 2021 amounted to a total of no less than \$12,434.00 in unreported, taxable noncash fringe benefits to Blanton.

<sup>2</sup> Round-trip mileage from Blanton's residence to the U.S. Capitol is 34 miles. While some minor incidental use of government vehicles to and from work is generally permitted by both the AOC OGC and Federal Management Regulation 102-5, HTW Transportation, the OIG does not concur that use constitutes an additional 18,853 miles.



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In addition to the added mileage, wear and tear, and fuel, the AOC paid \$1,409.80 because of an accident that took place at a craft brewery on Saturday, May 30, 2020. Immediately following the AOC vehicle's return from a Blanton family vacation in August 2020, it was taken for an oil change that cost \$82.76. Although an oil change is regularly scheduled maintenance, 2,679 miles were added to the vehicle during the time frame Blanton was on vacation.

The OIG identified no less than \$13,926.56 as net questioned costs<sup>3</sup> associated with Blanton's use of AOC vehicles. Although applicable government rates were used to determine the questioned costs associated with improper vehicle use, the frequency of inappropriate use, multiple vehicles involved, fuel added by Blanton that was not accounted for on AOC records, and additional miles added between each fueling made it impractical to differentiate between legitimate gallons of fuel added by the AOC; therefore, the AOC's direct loss of funds associated with gallons of fuel added to the vehicles was not included.

During the time frame of the investigation, Blanton used three different vehicles belonging to the U.S. Government.

### 1. 2018 Jeep Grand Cherokee (EA 3080)

From mid-January 2020 to mid-November 2021, Blanton drove a black 2018 Jeep Grand Cherokee privately leased by the AOC. The vehicle was equipped with emergency equipment (i.e., police lights, siren and radio) and displayed a Washington, D.C., license plate (EA 3080) and had been used by previous Architects. Digital forensic and testimonial evidence confirmed that Blanton used the Jeep Grand Cherokee for personal use on a regular basis. On Saturday, May 30, 2020, Blanton, his family and the AOC vehicle were involved in an accident at Vanish Farmwoods Brewery, 42245 Black Hops Ln., Leesburg, VA, 20176. Blanton told the other party involved that it was a government vehicle, he was an "agent" and he did not have insurance information because the government would handle the insurance claim. Photos Blanton provided his staff displayed evidence corroborating they were taken on Saturday, May 30, 2020, at a latitude and longitude that places both Blanton and the AOC vehicle at the parking lot of Vanish Farmwoods Brewery. A police report was not obtained, witness statements were not taken and other AOC accident procedures were not followed in accordance with policy.

On June 29, 2020, Blanton used the Jeep Grand Cherokee to pursue a suspect involved in a hit and run that took place near his residence. The vehicle struck belonged to the boyfriend of Blanton's daughter. The police report obtained from that incident identified Blanton as an "off-duty DC police officer," and in-car video (ICV) footage obtained from the Fairfax County Police Department depicted Blanton and a vehicle matching the Jeep Grand Cherokee belonging to the AOC parked on the street in front of the residence of the suspect. Testimony from the suspect's

<sup>3</sup> Net questioned costs, as defined in Section 5(f)(1) of the Inspector General Act, means a cost that is questioned by the OIG because of "(a) an alleged violation of a provision of a law, regulation, contract, grant, cooperative agreement, or other agreement or document governing the expenditure of funds; (b) a finding that, at the time of the audit, such cost is not supported by adequate documentation; or (c) a finding that the expenditure of funds for the intended purpose is unnecessary or unreasonable."



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legal counsel corroborated the information from the police report, stating that, because of his belief that Blanton was off-duty law enforcement, he did not object to Blanton's presence at the pretrial meetings. He then described Blanton as making an affirmative action when asked if he was law enforcement during the meetings. Additional testimony obtained from multiple interviews stated that Blanton advised the witnesses he had "activated the emergency equipment" when pursuing the suspect that struck the vehicle belonging to his daughter's boyfriend.

Digital forensic and testimonial evidence obtained by the OIG confirmed the Jeep Grand Cherokee traveled to both South Carolina and Florida during the time Blanton was on annual leave in August 2020. A forensic exam of the Jeep Grand Cherokee revealed that, while Blanton was on annual leave from the AOC from August 8, 2020, to August 23, 2020, the Jeep Grand Cherokee traveled to Daniel Island, SC, and Apalachicola, FL. Photographs obtained by the OIG placed Blanton's family in those locations during the specific time frame, and R. Blanton corroborated that Blanton used the AOC vehicle for his family vacation. Fuel and mileage logs retained by the AOC OIG confirmed that 2,679 miles were added to the vehicle during the time frame Blanton was on vacation.

AOC policy states that the driver may be personally liable for any infractions, including traffic citations. On August 6, 2020, at 5:07 p.m. ET, a date that Blanton's certified WebTA records reflect he teleworked, the Jeep Grand Cherokee received a red-light citation at Pickett Road in Fairfax, VA. Testimony obtained by the OIG stated that Blanton was notified and provided the citation. As of September 28, 2022, the citation has still not been paid.

### 2. 2020 Ford Explorer ST (AOC 053A)<sup>4</sup>

While on campus, AOC staff have driven the vehicle assigned to Blanton less than one mile to the AOC fuel station located at 14 E Street SE, Washington, DC, 20003, to refuel the vehicle. On November 10, 2020, AOC staff driving the Jeep Grand Cherokee struck a barricade at the U.S. Capitol. Blanton was then loaned a black 2020 Ford Explorer ST from the OCSO. The OCSO vehicle had a government license plate (AOC 053A), was equipped with emergency equipment and was the subject of multiple complaints received by the OIG.

On December 18, 2020, the GSA received a complaint stating that, on December 17, 2020, the Ford Explorer (AOC 053A) was observed around Premier Court and Roberts Parkway in Burke, VA, after 6 p.m. ET. The complainant noted that, as a taxpayer, they were concerned that a government vehicle was being used for private purposes. Blanton advised the OIG that his youngest daughter attends gymnastics in that area and he would occasionally pick her up after work; however, certified WebTA records displayed Blanton as teleworking on December 17, 2020, and evidence obtained by the OIG revealed the gym she attends was closed on December 17, 2020.

<sup>4</sup> The 2020 Ford Explorer belonging to the OCSO (AOC 053A) now has D.C. license plate EA-2743.

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On March 7, 2021, the AOC OIG received the complaint that initiated this investigation. The complaint stated that, at approximately 1:15 p.m. ET on Saturday, March 6, 2021, the Ford Explorer (AOC 053A) was observed in the garage of the Walmart in Tyson's Corner, VA. The driver of the vehicle was a woman with brunette hair, possibly in her 20s or 30s, wearing a flannel shirt, and a passenger was in the front seat. The complainant and their passenger observed the vehicle driving in an extremely reckless manner in the garage and swerving out of the garage at a high rate of speed. The complainant claimed the driver made obscene gestures toward them while at the stop sign outside the parking garage. The OIG obtained closed-circuit television (CCTV) footage of two females matching the description entering Walmart as well as of the vehicle crossing Leesburg Pike, VA, heading in the direction of Blanton's residence. Blanton confirmed the females to be his daughters but did not initially recall the trip. The CCTV did not capture Blanton entering or exiting the Walmart with his daughters. He later sent the OIG an email stating that his daughter recalled him being in the vehicle and reading from a black binder. During a follow-up interview, he stated that he recalled being in the back seat.

On both weekends and days certified as telework for the AOC, the Ford Explorer (AOC 053A) was observed transporting his youngest daughter to and from Bishop O'Connell High School, where she was enrolled, for both school and sporting events.

### 3. 2021 Ford Explorer ST (EA-4088)

After driving the 2020 Ford Explorer, and because the Jeep Grand Cherokee's lease was coming to an end, Blanton told his Administrative Officer that he preferred the Ford Explorer and would like a similar vehicle for his use. The AOC purchased a 2021 Ford Explorer ST, which was equipped with D.C. license plate EA-4088, for \$49,033.64 and paid an additional \$37,458.74 to outfit it with emergency equipment. Due to the COVID-19 pandemic and supply chain issues, the 2021 Ford Explorer was not in the AOC's possession until March 2022.

R. Blanton advised the OIG that, while driving his daughter back to James Madison University (JMU) on a weekend following spring break, the new Ford Explorer (EA-4088) experienced issues and needed service. JMU is approximately 125 miles from Blanton's residence. The OIG confirmed with the AOC that Blanton had taken possession of the vehicle in early March 2022, drove it home over a weekend and returned it to the OCSO due to maintenance issues on March 21, 2022.

Coincidentally, on July 4, 2022, following multiple interviews and knowledge of the OIG's investigation into misuse of the AOC vehicle, an OIG investigator observed Blanton, teenage girls, a teenage boy, and one adult blond female exit the vehicle at the East Front of the U.S. Capitol Building.

Blanton did not use any of the AOC vehicles to respond to the U.S. Capitol on January 6, 2020, or during any incident that has taken place at the U.S. Capitol during his tenure as the Architect. In a statement provided to the Committee on House Administration, U.S. House of Representatives, on

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May 19, 2021,<sup>5</sup> pertaining to the events on January 6, 2021, Blanton said, "As a member of the Capitol Police Board, I advise my colleagues on the impacts to physical infrastructure of any security considerations being debated. My team plans, designs and constructs physical security infrastructure as approved by the Capitol Police Board and authorized by Congress." He went on further to confirm that he nor any AOC employee engaged in conversation with the U.S. Capitol Police (USCP) regarding a request for an emergency declaration or interest seeking National Guard support in advance of the breach of the U.S. Capitol. Blanton's statements about his role on the Capitol Police Board and his actions have continued to contradict the need for a law-enforcement-equipped vehicle since the onset of this investigation.

### **Misrepresentation of Position**

Each AOC vehicle assigned to Blanton was outfitted with an emergency equipment package, including law enforcement lights and sirens, a USCP radio and a satellite phone. In addition to downplaying any responsibility associated with driving a vehicle with emergency equipment activated, Blanton allowed his family to misuse and drive law-enforcement-equipped vehicles.

As a member of the Capitol Police Board, Blanton is issued credentials since he is charged with oversight and support of the USCP. The credentials allow the holder access to police information and secured areas without delay while carrying out their official duties. The credentials specifically do not delegate law enforcement authority. The investigation revealed that a minor accident involving the AOC-leased Jeep Grand Cherokee (EA 3080) took place in the parking lot of Vanish Farmwoods Brewery, 42245 Black Hops Ln., Leesburg, VA, 20176, on May 30, 2020. Blanton advised agents during two separate interviews that he could not recall the location of the accident. The other driver had backed out of a parking space and accidentally bumped into the Jeep Grand Cherokee that was parked along the roadway, not in a parking spot. When the driver inquired about Blanton's insurance information, Blanton told him that it was a government vehicle, he was an "agent" and he did not have insurance information because the government would handle the insurance claim. Blanton advised his staff of the minor accident but did not obtain a police report or witness statements as required in the AOC Fleet Management policy. Digital evidence obtained from photographs provided by Blanton to his staff confirmed the AOC vehicle to be at the aforementioned location on the date and time of the accident.

On June 29, 2020, Blanton used an AOC vehicle to pursue a vehicle involved in a hit-and-run incident that took place in front of his residence. A vehicle belonging to R. Blanton's boyfriend was struck in front of Blanton's residence. The Fairfax County police report stated in part, "Ms. Blanton's husband, Mr. James Blanton, an off-duty DC police officer, then followed the Mustang through the neighborhood." The Fairfax County Police chronology report identified Blanton as the 911 caller and listed him as working for the USCP. ICV footage depicted a vehicle matching the Jeep Grand Cherokee belonging to the AOC parked on the street in front of the suspect's residence. Interviews confirmed that, based on Blanton's statements, affirmative

<sup>5</sup> <https://docs.house.gov/meetings/HA/HA00/20210519/112640/HHRG-117-HA00-Wstate-Blanton-20210519.pdf>

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movements, use of a law-enforcement-equipped vehicle and credentials, the Fairfax County Police Officers, Assistant Commonwealth's Attorney and defense counsel for the suspect all believed Blanton was an off-duty law enforcement officer throughout the entire court proceedings. When the Assistant Commonwealth's Attorney and defense counsel were advised by the OIG in May 2021 that Blanton was not law enforcement, immediate steps were taken by the defense attorney to advise his client of the potential implications of an untruthful witness. Testimonial evidence obtained by the OIG revealed that, following the incident, Blanton told a witness that he used the AOC vehicle with the emergency equipment activated to pursue the driver and detain him near his residence on Elsinore Avenue (a few blocks away) until Fairfax County Police arrived.

Additional interviews conducted by the OIG and U.S. Attorney's Office (USAO) confirmed that Blanton not only told neighbors he used the AOC vehicle's emergency equipment during that incident but also failed to later advise the Assistant Commonwealth's Attorney or the individual's defense counsel that he was not law enforcement. Testimony obtained from the individual's defense counsel confirmed that Blanton had never advised the court that he was not law enforcement, and he made an affirmative action when asked about being the off-duty law enforcement officer who witnessed the incident. Because of the defense counsel's belief that Blanton was off-duty law enforcement, he did not object to Blanton's presence at the pretrial meetings. Blanton denied representing himself as law enforcement, stated that it was their mistake and stated his credentials are marked to say "Capitol Police Board Member."

### **Ethics Violations**

Throughout the investigation, the OIG obtained multiple social media posts created by M. Blanton, including photographs of congressional license plates and a photograph of her and Blanton on September 30, 2020, from the dome of the U.S. Capitol with a comment stating, "This is happening!!!" and "All PATRIOTS welcome...PM me 😊." The specific comment was then later edited to read "\*Patriots=Americans who love America. Not a candidate." On the same date, an additional photograph taken from the U.S. Capitol was posted with the comment, "Contact me for a private tour. All PATRIOTS accepted! While it is not against AOC policy to post photographs from the U.S. Capitol, M. Blanton openly offered tours of the building while it was closed to the public due to the COVID-19 pandemic. Additionally, on December 28, 2021, M. Blanton publicly published images and comments on social media stating she took her swim team on a tour of the U.S. Capitol while it was still closed to the public. None of the posts or photographs are specifically in violation of U.S. Code (U.S.C.); however, offering private tours of the U.S. Capitol creates the appearance of impropriety and using a public position for private gain, which is a violation of AOC policy.

Blanton utilized his position and AOC vehicles for private gain by using AOC fuel, allowing family to drive a vehicle covered by government insurance and using an AOC vehicle to pursue the driver who struck a vehicle outside of his residence. He misrepresented himself as law enforcement and did not object or correct the Fairfax County Police Department, the Assistant

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Commonwealth's Attorney or the suspect's defense counsel. He also admitted to using an AOC vehicle on the weekend to drive to Aldie, VA, to meet with individuals who were interested in "government affairs type work." These actions are direct violations of the AOC Government Ethics policy.

During interviews, Blanton provided the OIG misleading and false information on multiple occasions. He indicated that he could not recall taking the vehicle on an overnight or out-of-town trip or recall where the Vanish Farmwoods Brewery accident took place (and stated it was near his residence); he also disagreed that his "incidental" use of the vehicle was frequent. Blanton told the OIG that he was advised the vehicle was to be "tethered" to him and that he used the AOC vehicle to run local errands or transport his children, but he would not "call it daily by any stretch of the imagination." Blanton stated that AOC policy governing vehicle use does not apply to his vehicle because it was separately appropriated. In a follow-up interview with the OIG and USAO, Blanton continued to provide misleading information and then confirmed that he came to his own conclusions that the vehicle was "tethered" to him and needed to be with him at all times. Blanton told investigators in multiple interviews that the AOC's General Counsel and former Acting Architect had advised him of the permissible use of the vehicle. Both individuals, in multiple interviews, testified to the opposite.

### Appropriations Violations

When deciding to procure the 2021 Ford Explorer ST, Blanton and his staff decided to purchase the vehicle outright versus using a GSA program or lease option. Blanton requested the tint be lessened (only on the back window where the emergency equipment is displayed, not on the side windows); a bench seat be added in the second row instead of captain's chairs to add additional seating (according to R. Blanton, this was at the request of his daughters to have more room for guests); the advanced technology package be removed; a covert Washington, D.C., license plate be used instead of a U.S. Government license plate; and a global positioning system (GPS) tracking device be removed when the new security equipment was installed. Although the OCSO coordinates the equipment in the Architect's vehicle, email evidence was found that outlined the OCSO's own concerns of violating applicable Appropriations Law regarding the OSCO both purchasing and maintaining the Architect's vehicle.

The 2021 Ford Explorer ST cost the agency \$49,033.64 to buy outright and an additional \$37,458.74 to outfit it with emergency equipment. Once obtained, the 2021 Ford Explorer and 2020 Ford Explorer belonging to the OCSO were both outfitted with D.C. license plates versus AOC license plates, making it more difficult and less transparent to track or report on by future complainants.

According to the original appropriations for the motor vehicle, the AOC is authorized "for purchase or exchange, maintenance, and operation of a passenger motor vehicle."<sup>6</sup> The OIG has

<sup>6</sup> Division I—Legislative Branch Appropriations Act, Public Law 113-76, 128 Stat. 426 (2014).



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concerns about the lack of limits this language places on the ability to purchase or replace a new vehicle annually, as well as limiting the type of vehicle and accessories that it may have installed (e.g., emergency law enforcement light packages, seating). The AOC is exempt from Title 31 U.S.C. § 1344 Passenger Carrier Use; however, the OIG does not believe that the AOC is exempt from Title 31 U.S.C. § 1343, Buying and Leasing Passenger Motor Vehicles and Aircraft, and should be limited by the statutory controls over vehicle acquisition and use, including price limitation and replacement of motor vehicles.

The additional \$37,458.74 to outfit the 2021 Ford Explorer ST with emergency equipment had been budgeted from a Jurisdiction Centralized Activities program group and not from the Capitol Construction and Operations budget, which authorized the purchase or replacement of the motor vehicle. Jurisdiction Centralized Activities funds are used for general operating expenses to include vehicle operations and maintenance. Per the AOC's Fiscal Year 2021 budget submission and justification, the AOC has justified the increased emergency and/or law enforcement motor vehicle accessories as a need since, "[A]s a member of the Capitol Police Board, the Architect of the Capitol plays a vital role in the COOP. Within the AOC, the OCSO jurisdiction is responsible for resiliency and COOP. AOC vehicles that operate in an emergency or COOP capacity must be compatible with USCP radio communications and emergency operations capabilities. Therefore, funds used to equip AOC vehicles to operate in a COOP environment or USCP supporting capacity are requested and obligated to OCSO through the Capitol Police Buildings, Grounds and Security appropriation." Further, the OIG maintains that there is no reasonable justification for OSCO or other AOC COOP vehicles to maintain clandestine license plates that do not recognize the vehicle as AOC property.

The OIG has concerns that, although the motor vehicle may be permitted and budgeted from Capitol Construction and Operations, the AOC justifies any increase or changes to the Architect's motor vehicle from a separate appropriation or group and that the appropriation is listed year over year since 2014, which raises the question of actual need and reasonableness.

The OIG identified a significant amount of administrative, ethical and policy violations as well as evidence of criminal violations throughout the investigation. Blanton misled and provided false information to investigators on multiple occasions. Blanton used taxpayer dollars to fund an additional personal vehicle for his family. The OIG is dedicated to promoting economy and efficiency and preventing and detecting fraud, waste and abuse within the AOC's programs and operations. Blanton's actions have violated every pillar the OIG operates under including theft, fraud, waste and abuse against not only the AOC but also the taxpayer.

In accordance with the Inspector General Act of 1978, and all applicable statutes, the OIG presented the potential violations of U.S.C. (including Title 41 CFR 105-5, HTW Transportation; Title 18 U.S.C. § 641, Public Money, Property or Records; Title 18 U.S.C. § 242, Deprivation of Rights Under Color of Law; Title 31 U.S.C. § 1349, Adverse Personnel Actions; and Title 18 U.S.C. § 1001, Statements or Entries Generally) to the USAO on April 29, 2021. The USAO brought in the Federal Bureau of Investigation who, after five months of discussion and

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collaboration, declined to provide investigative assistance. The USAO then assigned an internal criminal investigator, and after 10 months of conducting a joint investigation, ultimately decided not to pursue criminal prosecution in Washington, D.C., or the Eastern District of Virginia. The USAO referred the case back to the OIG for administrative violations and referrals to other law enforcement and government agencies as per the Inspector General Act of 1978.

The investigation findings and alleged violations have been referred to the U.S. Government Accountability Office to determine whether, in consideration of all laws, statutes, orders and rules, the purchase of the motor vehicle and accessories is proper and to examine and opine whether the Architect has the authority to determine when “operational consideration exists” to authorize a motor vehicle for their own use. Additionally, the OIG has requested an opinion as to whether the alleged activities and family use fall outside of “official business” or “official purpose” and would therefore be in violation of appropriations law or other applicable statutes or orders.

The OIG will provide investigative findings and alleged violations of unreported fringe benefits (including Title 26 U.S.C. § 132, Certain Fringe Benefits) to the IRS for their consideration.

The OIG will provide investigative findings and potential violations of law in the Commonwealth of Virginia to the Assistant Commonwealth’s Attorney for their consideration.

**Final Management Action:** The OIG substantiated multiple administrative policy violations. The case is closed, and the OIG has provided the final Report of Investigation to the AOC’s Congressional Oversight Committees for their review and any action they deem appropriate.

Mr. Blanton, this report was released 3 months ago; and yet, you have made no public statements prior to today's opening statement denouncing these allegations or explaining these circumstances to the American people. This Committee has promised to give you the opportunity to further explain yourself on the record, and I'd like to begin with a series of questions.

Are the facts set forward in this IG report true?

Mr. BLANTON. I would say, they are an interpretation, and they had a narrative that was, I would say, predetermined that they—in the 10-page summary report, where they picked facts to try to justify a narrative.

The CHAIRMAN. Did you—so let me maybe then dive in. Did you—did you impersonate a police officer or misrepresent yourself as law enforcement, as noted in the 10-page executive summary?

Mr. BLANTON. No. It's actually very, very interesting, because when—I was subpoenaed to testify when a drunk driver hit my 17-year-old daughter's boyfriend's car. When I talked to the Commonwealth attorney, they asked me, are you MPD? Metropolitan Police Department, I'm sorry, just so everybody knows. I said, no. I said, I'm a member of the Capitol Police Board. I even looked over to my wife, and I go, I wonder why they would think I was MPD.

Now, in that time, and in there, I sat in the lobby of the courthouse in Fairfax County for approximately 2 hours. The only thing I did was show the Nest Cam video of the vehicle striking my daughter's vehicle—my daughter's boyfriend's vehicle to the Commonwealth attorney. Our IG knew that, but they chose to characterize it that I was sitting in pretrial meetings as well as judicial proceedings, which I was in none of that. I was in the lobby the entire time of the Capitol—of the—of the courthouse in Fairfax County.

The CHAIRMAN. Thank you for providing additional color on that point. Maybe I—maybe I can follow up with a—with an additional question here. You referenced in your opening statement regarding private use of the—of a government vehicle. Did you use the government vehicle for personal purposes?

Mr. BLANTON. I—I wouldn't call it private use or personal use. As I alluded to, the job is 24/7. Being able to respond to Congress and the Supreme Court requires me to be in a State that I could get back to Congress at any time. If—I'm going to say a hypothetical here. If I am somewhere which would require me to travel in a personal vehicle in an opposite direction of the Capitol to pick up my government vehicle that Congress appropriated so that I could respond back and use the equipment in the vehicle to communicate with my staff, to communicate with the Capitol Police, and to communicate with the Capitol Police Board, if I had to do that, and then go back to Congress, that just delays the reaction of my agency and my leadership to our agency to the entire Capitol campus, and frankly puts everybody at risk.

The CHAIRMAN. During the period of time from August 8 to August 23 in 2020, while you were on leave from the AOC, I believe for a family vacation to either South Carolina or Florida, was that the purpose for using that vehicle at that time?

Mr. BLANTON. I used that vehicle, to be honest, because I was under the frank assumption that I had to use that vehicle, because

one of the unique things about the vehicle is, regardless of where I am, I am in communications with the Capitol Police Board.

While I was there, in Florida and in South Carolina, I was attending meetings, because at that time everybody was in a virtual world, so I was—I was working. It was more likely an alternate work site. Also, I took care, in when I planned my trip, to be in a location that had the opportunity for military airlift should an emergency happen for me to be able to get back to the Washington, DC. area.

The CHAIRMAN. Thank you for that information. I would note that the policy defines HTW transport as, quote, “the use of an AOC motor vehicle to transport employees between their homes and places of work. This includes the use of an AOC motor vehicle solely for the purpose of supplementing part or all of the employee’s commute.”

I’ll ask just one final question on this point. I know we have a lot of Members that want to also be asking questions. On January 6th, a date obviously of significance here on Capitol Hill, did you utilize your government-issued vehicle to come to the Capitol?

Mr. BLANTON. I absolutely utilized my government vehicle, and I’m glad to be able to make this point to everybody. That vehicle was served as AOC’s mobile command post during the events of January 6th. I was in that vehicle listening to police radio on my computer, and on my phone, directing AOC personnel in our support of Congress during that event.

The CHAIRMAN. But did you drive the vehicle?

Mr. BLANTON. No, I did not drive the vehicle back. It would’ve been not prudent to drive the vehicle back, because there would’ve been next to no way to get onto this campus at that time with the number of people that were there. That actually serves the—that actually demonstrates the purpose of why the vehicles that AOC, the House and Senate Sergeant-at-Arms have, is because they—because we are able to operate remotely and be able to be in command and control of all of our staff because of that vehicle. That is also why it is prudent that vehicle exists, and that the vehicle is with me, because, for example, hypothetically, if I’m at Home Depot and something happens, then I would have to—there would be a delayed response to this—to the Capitol complex.

The CHAIRMAN. Well, cognizant of the time, I appreciate your willingness to provide additional details as it relates to the inspector general’s report. I will note my frustration that it has taken you so long to come forward publicly to address this, because the concern here is that while you’re engaging here with us today, we want to make sure that we’re reestablishing the strength and integrity of the leadership of the Architect of the Capitol writ large.

Cognizant of the time, I will now conclude my remarks, yield back. I now yield to the Ranking Member, Mr. Morelle.

Mr. MORELLE. Thank you, Mr. Chairman.

Thank you, sir, for being here. I want to go back over some testimony you just gave to the Chair. I know that you have described—I think this is the right term—that you need to be tethered—your vehicle needs to be tethered to the architect, meaning you, so that you could respond directly to get to the Capitol.

I'm—I'll admit, given the chairman's question about whether or not you were here on January 6th, which seems to me probably the greatest emergency the Capitol has faced in probably two centuries, if you need to be tethered and if you needed the vehicle to be here, why did you make the decision not to come here, and could you not have—without the vehicle and all the emergency equipment that's attached to it, could you not have fulfilled the same function at home using a cell phone?

Mr. BLANTON. No, I could not have, because I wouldn't have the police radios.

Mr. MORELLE. You wouldn't have—excuse me?

Mr. BLANTON. The police, Capitol Police radios that were in—and the equipment that were in the vehicle that would allow me to spur live communication and then be able to react.

Mr. MORELLE. Would you not—do you not—in your home, do you not have that—since you work out of your house a fair amount, do you have emergency equipment in your home, an emergency radio?

Mr. BLANTON. No.

Mr. MORELLE. Would that not be more prudent than—I think the cost of the equipment looked to me like it was, according to the inspector general's report, about 40,000—a little shy of \$40,000 to equip the vehicle. Would there not be—if you're going to work remotely and you're not going to use the vehicle in its mobile capacity and you're not going to come to the Capitol during an emergency, I'm sort of struck by—there seems to be better, less expensive ways to make sure that you maintain ongoing communication.

Mr. BLANTON. If we are only talking about responding to the Capitol, then, yes, you can make that statement. However, part of what we do is ensure that the continuity of operations for this entire body exists, and that involves other sites other than here.

Mr. MORELLE. The—I'm—Okay. Can you just share with me—I'm just curious, a little deeper dive, and I don't have a ton of time here, so—why your presence wasn't required here on January 6th?

Mr. BLANTON. I wouldn't say it wasn't required. What I said in my—in my statement to the Chairman is that, because of the activities, getting to the Capitol on that particular time, when the breach occurred, would not have been practical because I would not be able to get on to the Capitol complex because of the security situation. Frankly—

Mr. MORELLE. Could you not—I'm sorry. Just given the fact that you're equipped and you have obviously credentials, would you not have been able to get through the security quickly?

Mr. BLANTON. It's not necessarily security. It was the thousands of people that were blocking the access to the Capitol.

Mr. MORELLE. Let me just go on. I—the notion that you need the car to be with you at all times, to be tethered to it, can you explain how there have been, at least in the inspector general's report, times when the vehicle's been used by members of your family where you were not in the car? How would you have responded to emergencies in those circumstances?

Mr. BLANTON. I'll have to say that you would have to address that with members of my family, because the times that—that—I knew when my wife drove the vehicle and my daughter drove the vehicle were the times that I was in the vehicle.

Mr. MORELLE. So your testimony is that your family members have never driven the vehicle without you being in the vehicle?

Mr. BLANTON. I'm saying that would be something that would have to be discussed with them. I will also say—

Mr. MORELLE. Well, you're not suggesting we bring members of your family in to testify before us, are you?

Mr. BLANTON. No. I'm just saying that when my daughter was interviewed, who was 17 at the time of these allegations, and 18 during the time that she was interviewed, she told me afterwards that she felt like she was pressured to make statements that were not fully—fully providing the context and statements that she didn't actually feel like were actually accurate based off of what she remembered. So, they used those statements to try to make comments about me.

Mr. MORELLE. I apologize. I'll just—

The CHAIRMAN [continuing]. have an additional 30 seconds.

Mr. MORELLE. Thank you, sir.

Just to be clear, your testimony is that at no point are you aware of family members using the vehicle without you being a passenger in the vehicle?

Mr. BLANTON. My recollection is no.

Mr. MORELLE. Okay.

Mr. BLANTON. I will say, to be honest, I can't say 100 percent definitively, because that may have occurred or it may not have occurred, but specifically to your statement—

Mr. MORELLE. Well, let me just observe that I think if you felt the need to go to South Carolina or Florida on vacation and have the car with you because it needs to be with you at all times, and yet, there are allegations, pretty serious ones, that members of your family used it without your presence in the vehicle, it seems to undercut the argument.

With that, I'll yield back, Mr. Chairman.

The CHAIRMAN. Thank you.

I now recognize Mr. Loudermilk for 5 minutes.

Mr. LOUDERMILK. Thank you, Mr. Chairman.

Mr. Blanton, I'm going to move off to another subject, so you can take a breath here for a moment.

Mr. BLANTON. Thank you.

Mr. LOUDERMILK. I want to talk about the security of the Capitol itself. You know, we brought up January 6th here, and a lot of changes have been made and a lot of money has been spent. I want to specifically start off with the Fiscal Year 2021 security supplemental that was provided, value of \$300 million, to your office to address security issues. Was the entirety of that amount, \$300 million, used in the area that was designated, that it was supposed to be?

Mr. BLANTON. So it's been—it's been obligated, and it was specifically for—\$283 million for windows, \$17 million—windows and other security upgrades, which relate to the Senate projects, and then \$17 million for security cameras. That is the only area that we will be expensing money from that security supplemental.

Mr. LOUDERMILK. Okay. Just to make sure I got this right, \$283 million for windows. Is that—

Mr. BLANTON. Yes, and that's across campus. That's not just on the House.

Mr. LOUDERMILK. So that would be Senate, House—and we can get in—

Mr. BLANTON. Senate and House Office Buildings.

Mr. LOUDERMILK. Okay. We can discuss details on that at another time. \$17 million was—is for—

Mr. BLANTON. Security cameras.

Mr. LOUDERMILK [continuing]. security cameras.

Mr. BLANTON. In the Senate and the House Office Buildings.

Mr. LOUDERMILK. Are these additional cameras to what's there, upgrade to what we already have? A combination?

Mr. BLANTON. They're additional cameras. The scope of it was for the first and second floor to the House Office Buildings. I want to be very clear, it also did not include anything for the Capitol Building itself.

Mr. LOUDERMILK. Okay so the money has not completely been used at this point?

Mr. BLANTON. It's been obligated but not expensed.

Mr. LOUDERMILK. Has any of it been expensed?

Mr. BLANTON. Design work has been expensed.

Mr. LOUDERMILK. Okay.

Mr. BLANTON. One of the—I'm sorry.

Mr. LOUDERMILK. No, go ahead.

Mr. BLANTON. One of the challenges that we have with the storm windows is when you have buildings such as the Rayburn Building, where they have a facade as opposed to being solid stone, it was—we found during inspections, prior to—routine inspections, prior to the supplemental that the windows themselves appear to be causing cracks to the stone facade.

Now, the Russell has had a challenge with its stone facade for years, and that's been part of our maintenance program and trying to come of it. It appears that the windows are—the tall, narrow windows that you have in the Russell are exacerbating the cracks. We had to go back and completely redesign, with our external support agency, the window systems so that they don't damage the buildings themselves.

Mr. LOUDERMILK. That redesign is part of the money allocated in the \$300 billion?

Mr. BLANTON. We actually did the redesign from internal AOC resources.

Mr. LOUDERMILK. Okay.

Mr. BLANTON. Because the money did not have anything for planning or design to it we had to—we had to absorb that in order to fix the problems.

Mr. LOUDERMILK. Okay. Is the Capitol in its state right now less secure or more secure than it has been for previous State of the Unions?

Mr. BLANTON. I think in general, the Capitol is—the Capitol complex is more secure.

Mr. LOUDERMILK. Okay.

Mr. BLANTON. Part of that is physical security upgrades, but part of that, and the most important piece of it, is the communication that we have had with the executive branch when it comes to shar-

ing intelligence and sharing security information, as well as with the intel community and the neighboring police forces around—around us. We have much better cooperative partnering agreements. We have a more robust ability for the Chief of Police to be able to declare an emergency without having to come back to the—to a bureaucratic board and ask permission. That gives us the ability, as the Capitol complex, to be able to respond more.

Mr. LOUDERMILK. Okay. Well, with that question, can you answer very quickly, succinctly, why—why did you—with—from what I understand, there was no actionable intelligence with specific threats for this State of the Union, no—the House Sergeant-at-Arms disagreed with putting up the security barrier. You and the Senate Sergeant-at-Arms agreed. Why did you believe that we needed additional security, the security fencing?

Mr. BLANTON. To me, it came down to a fiscal issue, and this might sound ironic to you that—that spending \$872,000 could end up being a—you could have a cheaper option. However, in discussions with the Secret Service and the Capitol Police, they wanted to have, if we didn't have a fence, three layers of bike racks, and then would require additional staff and additional support from—that would be—that could be reimbursable from jurisdictions around us. The math in my head was, Well, it's going to be cheaper to put the fence up and have less people out there.

Mr. LOUDERMILK. Alright. Well, thank you for that. I do have additional questions, but I can submit them for the record or if we do a second round. Thank you.

The CHAIRMAN. The gentleman yields back.

I would request of our witness, if you could pull your microphone closer, it might assist some folks here being able to hear your remarks.

I now recognize Ms. Sewell for 5 minutes.

Ms. SEWELL. Thank you, Mr. Chairman.

Mr. Blanton, as the Chair said in his opening remarks, this is really about accountability, both professional accountability with respect to the strategic plans and framework for moving this—the Capitol complex forward, as well as personal accountability. While the strategic plans are critically important, I have to tell you, as a new Member of this Committee, it is particularly troubling that only until today have you been willing to address the 800-page IG report.

The findings of the IG were particularly startling. You know, I think that we are all here because we are entrusted by the public to do and to represent this government, this Nation, in a personally responsible and ethical way. My question is, has anyone ever used the vehicle that has been assigned to you other than yourself? Simple yes or no.

Ms. SEWELL. You—did your wife ever drive the car with you in it or not with you in it?

Mr. BLANTON. With me in it, absolutely she has, and so has my daughter, as I stated earlier.

Ms. SEWELL. Why were they even driving the car that was there for personal—for the use of you going back and forth to work? I'm trying to understand that.

Mr. BLANTON. Well, yes, so the vehicle itself is not a home-to-work vehicle, which is—which is very specifically and very narrowly tailored to—

Ms. SEWELL. Actually, that's, you know, something that the chairman just read suggests—I mean, it's black and white. It is for use to go to work and back to work. Frankly, sir, the fact that you would drive it to Florida, and yet on the day of the attack of this Capitol, which arguably was the most important day to have your presence there—why were you not here? I mean, the actual attack on the Capitol didn't take place until early afternoon, 12, 1.

Mr. BLANTON. Why was I not here?

Ms. SEWELL. Yes. I mean, do you not work from here?

Mr. BLANTON. Yes, I work from here.

Ms. SEWELL. Okay. I know that most of us were here at 9 a.m. that morning. I guess I'm trying to understand why you were physically not here on a pretty important day, especially given the fact that you had access to information being on the Capitol Police Board about potential, you know, problems that may happen on the campus of this Capitol.

Mr. BLANTON. Well, as would have been litigated through the Senate and the House Committees who looked at this, and has been discussed by—

Ms. SEWELL. With all due respect, sir, the IG said that the amount of mileage that exceeded the normal mileage from your home to work was something like 19,000 miles. My question is, have you reimbursed the Federal Government for nearly \$14,000 in excess benefits that you have received due to improper use of the vehicle?

Mr. BLANTON. Thank you. I appreciate this question, and I appreciate the opportunity—

Ms. SEWELL. I'd appreciate an answer, sir.

Mr. BLANTON. No, I will give you a very succinct answer.

Ms. SEWELL. I only have a minute.

Mr. BLANTON. I will be as succinct as possible. Those mileage calculations are absolutely incorrect. At the time that we—

Ms. SEWELL. Did you or did you not drive the vehicle to Florida?

Mr. BLANTON. That's not what you asked. You asked a question about reimbursement.

Ms. SEWELL. Yes. I mean, if you drove it to Florida and it was improper use, that mileage would count toward the mileage that you should be reimbursing the Federal Government.

Mr. BLANTON. However, in the IG report, as you alluded, that mileage—those mileage calculations are absolutely incorrect.

Ms. SEWELL. You're saying that 800 pages of findings by the IG, you said in your testimony that you thought that they were framed narratives. So are you suggesting that the IG is not an independent arbiter of the facts, but rather, has some sort of malice against you to actually frame it, a narrative that's not correct?

Mr. BLANTON. As I alluded to in my opening statement, I've only seen the 10-page summary report, and so I don't know what else is in there. I will say, though, that the IG assumed that because we went to half-on, half-off during the initial COVID that I wasn't coming into the office almost every day. If we were still following this schedule that we did at the beginning of COVID—

Ms. SEWELL. I only have 3 seconds, and I just want to say this—

Mr. BLANTON [continuing]. they would be a telework here, and I wouldn't be here.

Ms. SEWELL. With all due respect, I'm reclaiming my time.

Mr. Chairman, I think it's really important that we get beyond what we—we actually get to the bottom of what really happened in terms of the ethical charges against the Architect. I agree with you that the framework of—the strategic framework of us going forward is critically important. Personally, if we cannot, you know—if we don't feel comfortable with the integrity of the person who's in over it, I don't know how we can move forward. Thank you, sir.

The CHAIRMAN. Thank you.

I now recognize Mr. Murphy for 5 minutes for the purpose of asking questions.

Mr. MURPHY. Thank you, Mr. Chairman.

Just—I'll try to make this very succinct and quick. Mr. Blanton, did you offer, or conduct Capitol dome tours in your official capacity when it was closed to the public during the pandemic?

Mr. BLANTON. Yes, absolutely. I conducted tours with Members of both the House of Representatives and Members of the Senate, their families, and associated personnel with them.

Mr. MURPHY. The swim team that's mentioned in the investigation?

Mr. BLANTON. The swim team tour was an exterior tour, from my understanding, because the pictures that were posted from Facebook were posted on the exterior steps.

Mr. MURPHY. You didn't offer that or you didn't conduct that?

Mr. BLANTON. No, I—I conducted it, but the exterior of the Capitol was not closed at that time.

Mr. MURPHY. Did you take them inside?

Mr. BLANTON. I don't remember specifically the swim team tour itself. It was a surprise to me. But I do know my wife on her Facebook had pictures of her and the swim team on the Senate side of the Capitol steps on the east plaza.

Mr. MURPHY. Okay. Alright. Well, Okay. We can only infer.

Just let me—let me do two other lines of questioning. Has the Architect of the Capitol fully returned to work in person? Have you been fully returned to work in person?

Mr. BLANTON. We still have a telework policy. I am here effectively every day of the week. There may be days where, for example, we also have our COVID protocols and our health checklists that if you are—have any of the symptoms that OAP says are COVID-related symptoms that I main—I may call in and say, I'm feeling this, I'm not going to show up. However, I'm still working at that time.

Mr. MURPHY. I just would think—I'm—you know, I've been a physician for 30 years. The public health emergency honestly should have ended a year ago. We're into an absolute endemic phase with this, and why people are not back to work in Washington, DC. blows me away. It just absolutely blows me away, and you, as Architect of the Capitol, Architect of the Capitol, why you

are not here every day, physically all day, I'll just go on about that. Does your executive team come here and work fully every day?

Mr. BLANTON. In the original pandemic, I cut my executive team in half so that we wouldn't—because at that time, we didn't—

Mr. MURPHY. No, I'm talking about today.

Mr. BLANTON. Today?

Mr. MURPHY. Let's talk about today.

Mr. BLANTON. My—there is—part of my executive team or me here—I mean, this—this—it's a rare week that I'm not here every day.

Mr. MURPHY. It should be—my opinion, your executive team and you should be here every day. You're the Architect of the Capitol. You're in charge of this building. There's no reason for you to be doing stuff otherwise.

Let me ask a few other things. I'm a physician and very well-known—or very well-versed with PPE and everything. You were given over—close to \$12.5 million for the PPE. Have you done any type of fraud review to see where all that stuff is? Was it spent correctly, and what its disposition is? Have you done any type of accounting oversight with that \$12.5 million?

Mr. BLANTON. I'm very confident with the money that we received for PPE. It was disbursed to the House, Senate, Library of Congress, our Botanic Garden, and Supreme Court for support.

Mr. MURPHY. What gives you that confidence?

Mr. BLANTON. The fact that I have had numerous meetings with my staff, and discussing the distribution and the purchase of the PPE. I will also say that at the time that we were buying it, there were great fluctuations in the cost.

Mr. MURPHY. Absolutely. Understand it completely. What's—how much did you spend? Do you have any left?

Mr. BLANTON. No. That—our COVID supplemental money is expired. We do not—we have some minor inventory of PPE left, such as things home COVID tests and things like that, but we don't have—we don't have any money to procure PPE for the entire campus anymore.

Mr. MURPHY. Okay. Mr. Chairman, that's all my questions. I'll yield back.

The Chair now recognizes Mr. Kilmer for 5 minutes for the purpose of asking questions.

Mr. KILMER. Thank you. Thank you, Mr. Chairman.

Thanks for being with us.

Last Congress, the Select Committee on the Modernization of Congress was able to look at a lot of the role of the Architect of the Capitol, including looking at issues related to the continuity of Congress, if, God forbid, there was a crisis, some of the role that your office would play.

By statute, the Deputy Architect of the Capitol serves as acting Architect of the Capitol in the event that there's a vacancy, but that deputy position has been open since 2019. I know that was one of the things flagged in the IG report. I think this leaves some question as to who would serve as acting Architect if you no longer held this position.

I guess a couple questions: Why haven't you filled the deputy position, and if you can at least give us some sense of what efforts have been undertaken to hire a deputy architect?

Mr. BLANTON. Alright. Well, thank you for that question, and I think it's a very insightful one. What I have—we have had legislative proposals since my first budget that I submitted that unlinks the deputy's salary to mine. I have no problem with the fact that my senior executives make more than me, and that's fine. I'm—I'm here to serve the country, and I'm not here to get rich.

However, if you want to attract and retain top talent, there needs to be a commensurate pay scale. The fact that the Deputy—the fact that I'm one of the lowest paid executives in AOC, and the Deputy would be paid lower than me, I've been trying to de—decouple that for a couple—for several positions, including the CEO of the Visitor Center from my salary so we can actually get the top talent we need in the agency. That's—that's the reason why. It's hard to—at the salary that the Deputy would get, it's hard to get somebody at that level that we need to be—to want to be attracted to the job.

Mr. KILMER. Has there been any effort to hire a deputy?

Mr. BLANTON. No. We have been—we're trying to get the Leg Props through. We are hiring the CHOPS, though.

Mr. KILMER. Who would serve as acting Architect of the Capitol if there is a vacancy?

Mr. BLANTON. Currently, it would be the chief of operations.

Mr. KILMER. Chief of operations, Okay.

I have a couple minutes left. I actually wanted to ask something not related to the IG report. The Select Committee on the Modernization of Congress actually made a number of recommendations that are kind of in the purview of the AOC, primarily about space, how space is used within the institution.

There are three open recommendations that sort of fall under your jurisdiction; one of them is about actually creating some bipartisan Members-only space within the Capitol so that there can be some space for collaboration that's not necessarily—actually, during the pandemic, there was opportunity off the House floor in the Speaker's Lobby because it was closed to the media. That's no longer the case.

One of the recommendations was to actually provide some space for Members to actually engage one another outside of the—outside of the C-SPAN cameras. There's a similar recommendation focused on providing space for staff, bipartisan staff collaboration. Then a third, trying to ensure that there's space within the Capitol for hearings that might use a different kind of format. The select committee looked at roundtable types of hearings. I'm just eager to hear about any progress that's been made on these recommendations. If there's—if the answer is too long, I'm happy to just follow up offline.

Mr. BLANTON. Real quick answer. I appreciate everything that the Modernization Committee did, and I support those recommendations. In our 2024 budget, we have a—we have money to study this. As you know very well, space is a combination of the House Office Building Commission, AOC, and CAO and what we want to be able to do is produce good recommendations.

The assignment of the space, as you know very well, is the House Office Building Commissions. However, one of the things we're doing in our current space in the Ford Building is doing a demonstration of what the future office should look like or could look like, so people can come in and see, Oh, I see this is wonderful. We would like this in this un—underutilized space.

Mr. KILMER. Gotcha.

Thank you, Chairman. I yield back.

The CHAIRMAN. The gentleman yields back.

The Chair now recognizes Mrs. Bice for 5 minutes for the purpose of asking questions.

Mrs. BICE. Thank you, Chairman.

Thank you, Mr. Blanton, for being with us.

I am very concerned about the things that I've heard from my colleagues this morning. What is the current telework policy for the AOC?

Mr. BLANTON. We have a—you know, and it's very interesting, because if you would've talked to me 3 years ago, my answer on telework would've been the same answer that you would have gotten from just any other government agency.

Mrs. BICE. Today. I want to know what the telework policy is today.

Mr. BLANTON. We—until the pandemic ends, we are still—

Mrs. BICE. The pandemic has ended. The President even said so.

Mr. BLANTON. Well, it officially ends May 11th, and that's when—that's when our policies are going back to where there were prior to the pandemic.

Mrs. BICE. Which is—

Mr. BLANTON. That people can telework should their supervisors allow them to telework. However, if you look at my staff, the largest majority of my staff are people who can't telework because they have to be here to do work here. There's very, very few people who are actually teleworking in AOC. However, the flexibility in the policy I think should remain, because it allows us to attract and retain the top workforces.

Mrs. BICE. You said, replying to Ms. Sewell, that you were not in this building or on this campus on January 6th. I find it mind-blowing that the head of the AOC, the leader, knowing what you knew, probably a lot more than we did that day, would not have been in this building ensuring the safety and security, not only of the building, but of the employees that you lead. Why? Why were you not here that morning?

Mr. BLANTON. I—I will say to your—to address the first part of what you said is, as has been testified to the House and the Senate, there was no actionable intelligence that there was going to be anything here that was presented to the Capitol Police Board.

Mrs. BICE. I was—I was day three on the job, and I knew, not having any intelligence information from anyone, that it was going to be a busy day because there were so many people here. You knew that people were going to be on campus, regardless of whether or not they were going to breach the Capitol. Why were you, as the leader of this organization, not on this campus on that day?

Mr. BLANTON. Well, I can say, this is a great example of why Congress appropriated the vehicle because it acts as a mobile command center.

Mrs. BICE. But you didn't come, because you said you couldn't get in—couldn't get on the campus, which I find offensive, sir, the fact that you would say that I wasn't going to be able to get in. I can't—I cannot fathom that. It doesn't make any sense.

Mr. BLANTON. I respectfully disagree with you, and I apologize.

Mrs. BICE. Let's talk about morale. You mentioned earlier in your opening statement that you were here to improve the morale within your agency. What are you doing to improve morale?

Mr. BLANTON. Oh, we have some wonderful initiatives. One of the first ones is we have—we've developed a human capital strategy, which—and in partnership with that, AOC University, which allows people to further their careers so that they can go from, let's say somebody is a nighttime recycler, and they want to end up being an electrician, we are going to be able to give them the training to be able to change what their career field is.

I will—I will tell you this, when I first got here, one of the things that AOC was known as is the last plantation, and that pained me when I heard that phrase when I was researching this job. Right now, Forbes has indicated to us that they are going to put us on their list of the top workplaces in America.

Mrs. BICE. What's the turnover rate for your organization?

Mr. BLANTON. It actually—it depends on where it is. I mean, for example, at the State of the Union, I gave—I gave my ticket, my plus-one ticket to somebody who worked here 50 years, and so it really depends, because you have generational people here, where my grandfather worked for the agency, my father worked for the agency.

Mrs. BICE. Do you have data though on the turnover of your staff?

Mr. BLANTON. I will—I will have to get that specifically for you, and I will respond back for—to the question for the record.

Mrs. BICE. What about turnover for leadership? Do you have the—any information on the turnover for the leadership staff?

Mr. BLANTON. We have had post-pandemic turnover, just like most agencies have. Many of this is people who are wanting to retire after many years of service. I—I tell you, I view this as an opportunity for us as an agency to grow and gets the right people in the right jobs.

Mrs. BICE. Thank you.

Mr. Chairman, I yield back.

The CHAIRMAN. The gentlewoman yields back.

The Chair now recognizes Mrs. Torres for 5 minutes for the purpose of asking questions.

Mrs. TORRES. Thank you, Mr. Chairman. Thank you to you and to the Ranking Member Morelle for bringing us together for this discussion today. I look forward to working with both of you and everyone on this Committee to improve the quality of life for all employees and visitors here on this campus.

Mr. Blanton, thank you for being here with us today. I am the Ranking Member of the Subcommittee on Oversight, just for your information.

There has been a lot of talk around security and the January 6th insurrection. I just—I want to tell you that, for every employee that works in this campus, whether they are maintenance people or Members of Congress, that was a very difficult day, a very, very difficult day, a deadly day.

For some of us who were stranded on the balcony for 45 minutes, face down, crawling from one area all the way clear across the area. I am outraged to hear that you were in a comfortable place, sitting, whether in your car or in your home, while we were screaming at the one police officer that was near Gallery 3, asking him to lock the door above us that was wide open after the emergency had been called and after every single one of our colleagues that was down on the floor had already been evacuated. I am outraged that you would be in a comfortable place, sir, while the rest of us were thinking about dying that day and how we were going to come out alive that day. Outrageous that you were not here.

Do you know, sir, that police officer could not close or lock that door because he did not have the keys to that door? Do you know that?

Mr. BLANTON. That is news to me.

Mrs. TORRES. Oh, my God. Here we are 2 years later, this is all news to you. I'm trying to calm myself down, because you bring a lot of anxiety to me. Your inability to do your job brings a lot of anxiety to me.

When you were appointed to this position, did you sign—I know you took an oath of office, right?

Mr. BLANTON. Yes.

Mrs. TORRES. Okay. That oath says that you commit to defend against enemies foreign and domestic, correct?

Mr. BLANTON. Correct.

Mrs. TORRES. Okay. Did you also sign an ethics statement, sir?

Mr. BLANTON. I'm—I'm assuming I did.

Mrs. TORRES. Okay. I would like to see that document. It should be in your personnel record, and I would like somebody to produce it to my office.

Members of Congress and our spouses are subject to ethics and ethic violations. I'm shocked that you consider yourself exempt from that, shocked by that, as a public servant that you are, like the rest of us.

Do you know that, as a Member of Congress—this is my fifth year in Congress—I have never taken a tour of the dome because I have been told that there is a long waiting list and that I have to put my name on that waiting list.

Do you not think I'm patriot enough to take a tour of the dome? Do I not meet that patriot requirement?

Mr. BLANTON. I think—

Mrs. TORRES. I'll let you think about that, and maybe you can come to my office, and you and I can have a longer conversation around that.

Mr. BLANTON. I welcome that discussion, ma'am.

Mrs. TORRES. Throughout the investigation, the OIG obtained multiple social media posts created by Michelle Blanton. Who is that?

Mr. BLANTON. That's my wife.

Mrs. TORRES. That is your wife. Those statements included photographs of congressional license plates, the license plates that we use as security to come onto campus, correct?

Mr. BLANTON. That is the license plate that allows access to the campus, yes.

Mrs. TORRES. That is part of our security. You allowed your wife to breach security for Members of Congress and every single employee that works here on this campus.

Mr. BLANTON. I wouldn't characterize it that way.

Mrs. TORRES. Well, I would characterize it that. Remember, I was the one face down, not you, sir.

Your wife also posted pictures at the dome saying: This is happening here. All patriots welcome.

I assume I'm not a patriot to you or to your wife. Maybe I don't meet that qualification. Who is a patriot, in your eyes?

Mr. BLANTON. In general, a patriot is somebody that loves our country. It has got nothing to do with political parties. It's somebody who loves the Capitol. I mean, every day I—

Mrs. TORRES. If you loved the Capitol, sir, you would not have put us in this—in danger either on January 6th by failing to do your job and being here. I flew across the country to be here.

My time has expired. I yield back.

The CHAIRMAN. The gentlewoman yields back.

Mr. CAREY is now recognized for 5 minutes for the purpose of asking questions.

Mr. CAREY. Mr. Chairman, I appreciate the opportunity to address the witness.

You know, what's tragic is—and I think, as this Committee will find—I'm a huge history buff. Love historic preservation. Love the Capitol. My plan was to be here today and ask you—and I will eventually—ask you about the historic preservation work that you are doing, asking about some of the things that we could do better with historic preservation in terms of the Capitol.

As I'm listening to my colleagues across the aisle and even on our side asking you questions about things that, really, I wasn't planning on asking you, but I'm going to ask you now.

Does the AOC, do any of your other team members have any other—have vehicles like you do, sir?

Mr. BLANTON. No. It was. In fact, I want to make it clear too. I don't have the vehicle anymore.

Mr. CAREY. You said the vehicle was essential. Why do you not have it now?

Mr. BLANTON. Because Congress in the last appropriations bill chose to defund the vehicle.

Mr. CAREY. If it's a mobile operational center, as you alluded to earlier, where is that communication now? Is that in your home?

Mr. BLANTON. No. My opinion is it would have been better if they continued to appropriate it, but they—

Mr. CAREY. Where is it now? No, where's the communication that you have to have since you have to be on 24/7, as you said earlier in your testimony?

Mr. BLANTON. Now it's going to occur via cell phone.

Mr. CAREY. Okay. The other question was, in listening to—because I do want to get to the historic preservation stuff because

that's really stuff I care about, but these are questions that just came up as I'm listening to my colleagues across the aisle.

If somebody else is driving the vehicle and you're in the vehicle but they are driving it and it's provided for by the government, if that person is in an accident, who's liable for that?

Mr. BLANTON. I'd have to get back with you on that. I'm not a lawyer.

Mr. CAREY. Neither am I. That's why I'm asking a simple question. What is it? Do you have any idea? I mean, you don't know?

Mr. BLANTON. I don't know, but if I'm working in the vehicle then I'm doing work, which has occurred many times.

Mr. CAREY. Okay, but no other person in your executive team has a vehicle that was driven back and forth to the Capitol?

Mr. BLANTON. That is correct. We have a home-to-work policy. That vehicle does not—

Mr. CAREY. I got that earlier. Let me ask you real quick to Mrs. Torres' question, I mean. I know you weren't here—and neither was I because I just came here in November 2021—but were any of your executive—any other of your executives on your team here on January 6th?

Mr. BLANTON. I believe—and I'll have to get back to you on all the number of executives. I believe the House Office Building was there because I was in constant contact with—the Capitol Building superintendent was there because I was in constant contact with him about how to change the flow of air to get all the pepper spray and stuff like that out of the Capitol and secure elevators and stuff like that.

Mr. CAREY. I appreciate that. I would like to just kind of have an idea of how many of your executives actually were here during January 6th. I mean, obviously, I was not since I was not even thinking that I would ever be serving in this position.

Okay. Let me ask you just a couple questions. You alluded to the AOC University. Can you give me some information on the program—and quickly do it because I only have a minute and 9 seconds—and how it actually is going to help staff development and how you think it's going to help your staff moving forward.

Mr. BLANTON. Yes. Thank you. AOC University is mirrored closer to what you would see in your normal corporate university, whether you're a large construction firm or you're an IT-type firm. It's really meant to offer the courses and training so that staff can either cross-train into something else where we have shortages or further their careers.

We have—we've partnered with Percipio, which is an online training center, and are able to give staff classes where it's going to be free to them but allow them if they want to go from an electrician to an electronics major, for example.

Mr. CAREY. Okay, so I have 23 seconds. How does historic—this is the stuff I really wanted to talk about. How does historic preservation work factor into your strategic plan for the AOC? I have 10 seconds.

Mr. BLANTON. Yes. That's actually one of our core missions, is to serve, preserve, and then inspire are our three core missions. So historic conservation is obviously exceptionally important, but there's a tension between modernization and historical prevention

[sic]. I would love to have a continued conversation with you on this.

Mr. CAREY. Let's do that, because we're now 11 seconds over.

Mr. Chairman, I appreciate your indulgence, and I yield back.

The CHAIRMAN. The gentleman yields back.

The Chair now recognizes Mr. D'Esposito for 5 minutes for the purpose of asking questions.

Mr. D'ESPOSITO. Thank you, Mr. Chairman.

Good afternoon, sir. Just in a brief 10 seconds, can you just tell us a little bit about your career path prior to becoming the Architect of the Capitol.

Mr. BLANTON. I—I graduated Naval Academy. I retired—I spent a time as a Civil Engineer Corps officer in the Navy. I briefly worked for a private consulting firm doing infrastructure. Then I worked at the Airport Authority as deputy vice president and then was—during the bicameral, bipartisan process was recommended and then—and then nominated.

Mr. D'ESPOSITO. Great. Thank you. At no point did you—well, first, thank you for your service to the country. At no point did you graduate from any law enforcement agency's police academy?

Mr. BLANTON. No.

Mr. D'ESPOSITO. Okay, so there is—part of the report dates back to 2020, when apparently there was an issue with a motor vehicle accident. In the report, it states that you used your official vehicle to pursue said vehicle and then detain the driver.

First, did that happen? It's a yes-or-no question, sir.

Mr. BLANTON. It is actually—if you don't mind, sir, it is a nuanced question because I followed the skid—the vehicle that hit my daughter's boyfriend's car wheel broke, and I followed the skid mark around my neighborhood. I never detained because, when I stopped and called 911 at the person's house, he went inside and then went out his back door.

Mr. D'ESPOSITO. I would hope you didn't kick the door in and go get the guy.

Mr. BLANTON. The Capitol—sorry. The Fairfax County Police caught him walking through the neighborhood.

Mr. D'ESPOSITO. Okay.

Mr. BLANTON. There was no detention whatsoever.

Mr. D'ESPOSITO. Looking back at it now, do you believe that was appropriate use of your government vehicle?

Mr. BLANTON. I think it was appropriate use of any citizen in the United States would follow a drunk driver who did a hit and run.

Mr. D'ESPOSITO. How did you know at that point that he was drunk?

Mr. BLANTON. What—I did know it was a hit and run, and that's why I followed him.

Mr. D'ESPOSITO. Okay. Now, when that report was filed, from what was listed in the report from the OIG, I guess the—was it the Fairfax Police Department that handled the job?

Mr. BLANTON. Yes.

Mr. D'ESPOSITO. Okay. I guess, at some point during your interaction with the Fairfax Police Department—I just want to preface this with I spent my career in the New York City Police Depart-

ment. I'm a proud NYPD detective, and I take this stuff very seriously.

One of the things that's most important to me and one of the things I'm most proud of to be able to work on both sides of the aisle here is to enhance everything that we can possibly do for the Capitol Police Department.

My question is I'm not sure if it was because of the way that you followed the vehicle, followed the skid marks to the home, or if it was something that you presented, but the officers who filed the report from the—from Fairfax County identified you as a member of service, a member of law enforcement.

Mr. BLANTON. They identified me as MPD.

Mr. D'ESPOSITO. Did you identify yourself as a member of the Capitol Police Department? Sir, it's a yes-or-no question.

Mr. BLANTON. All I know is I can tell you I did not identify myself as MPD. I—I would have said—and I don't know the specifics right at this time, I just can't remember—that I was on the Capitol Police Board. If someone misconstrued that as an officer, but I clearly would have never done an MPD.

Mr. D'ESPOSITO. Preparing for today's testimony, don't you think that's something that you should have probably tried to remember? I think it's a big part of the report that the OIG did.

You're saying that you never claimed to be a member of law enforcement, but you did say that you were a member of the Capitol Police Board.

Mr. BLANTON. Yes.

Mr. D'ESPOSITO. Okay. When they referred to you in the reports or when they referred to you on the scene as a member of service, at any point did you disagree with them and say, you know, "Sir, ma'am, I am not a member of law enforcement, in fact, I am an appointed member of government and I sit on the Capitol Police Board as part of my service as the Architect to the Capitol"?

The Architect to the Capitol and being a member of law enforcement and having arrest powers are two very different things.

Mr. BLANTON. I completely understand that. That — that deference occurred when I was subpoenaed to testify and sat in the lobby of Fairfax County Courthouse, and the Commonwealth attorney asked me: Are you MPD?

I said: No.

Mr. D'ESPOSITO. How long after the incident was that?

Mr. BLANTON. Oh, maybe a month or so. I— Mr. D'ESPOSITO. So, in that month, you didn't read anything, any reports from the Day? You didn't read anything from the Fairfax County Police Department that identified you as a member of service?

Mr. BLANTON. No. I found out during—during the investigation that—two things that were a problem, at least—and I said from the beginning I have only seen the 10-page report. They identified my wife was actually my 17-year-old daughter at the time. Second, they identified me as MPD. Those are both errors. I—when I was sitting in the lobby, the waiting room of Fairfax County Courthouse, I told that to the Commonwealth attorney.

All I did was show the Nest Cam video of the person hitting my daughter's boyfriend's vehicle and then driving away. That's the extent that my interaction was with anybody.

Mr. D'ESPOSITO. I think my time expired. Thank you, Chairman.

The CHAIRMAN. The gentleman yields back.

The Chair now recognizes Ms. Lee for 5 minutes for the purpose of asking questions.

Ms. LEE. Thank you, Mr. Chairman.

Mr. Blanton, I'd like to begin by returning your attention to the temporary security measures that were implemented around the Capitol complex in association with the State of the Union. Now, you, the Sergeant-at-Arms of the House and of the Senate convened to discuss and vote on the temporary security measures to be implemented, correct?

Mr. BLANTON. That is correct.

Ms. LEE. One of the measures that you opted to discuss and vote upon was the construction of the perimeter fence around the Capitol complex. Is that right?

Mr. BLANTON. That is correct.

Ms. LEE. You in particular voted in support of the addition of that fence around the complex for the State of the Union, correct?

Mr. BLANTON. That is correct.

Ms. LEE. Isn't it also true, sir, that there was no specific threat information related to the accumulation of crowds or the need to control crowds around the State of the Union?

Mr. BLANTON. That is correct. Also, on January 6th, there was no specific threat as well.

Ms. LEE. Just to be clear, in the absence of any specific threat information about the need for such fencing and at a cost of over \$1 million to taxpayers, you voted in support of construction of the perimeter fence for the State of the Union this week?

Mr. BLANTON. The fence itself cost \$872,000. It was reimbursed by the Secret Service to—to AOC. Based off of the security measures that the Capitol Police and the Secret Service said that they would need if the fence was not constructed, it actually worked out that—in my calculations, that the fence would be the cheaper solution.

Ms. LEE. If I understood your earlier testimony correctly, you also pointed out that today the Capitol complex is more secure than it has been for prior State of the Union addresses. Is that right?

Mr. BLANTON. Yes.

Ms. LEE. Okay. Let's turn our attention to the use of the government vehicle. You've testified for us here today that it was your assessment that appropriate use of your official government vehicle was not simply going to and from work but that it should also appropriately include use for personal errands and other things so that, in the event of an emergency, you could return expeditiously to the complex. Is that right?

Mr. BLANTON. With the exception I would take to personal because it's part of my job to be ready and respond regardless of where I am when something happens.

Ms. LEE. So you would not characterize it as personal use, but if you were using your official government vehicle to go to an event or occasion that was not related to your official business, your position is nonetheless that it was important that you be able to do so that you can get back here in the event of an emergency, correct?

Mr. BLANTON. Yes, and I will say, for example, one of the things I said in the—in the IG report is that I went to—

Ms. LEE. Here's my question for you, sir: I would like to know, during your tenure as Architect of the Capitol, how many times were you in your official vehicle at an occasion or an event that was not official business that you actually returned to the campus in a State of emergency?

Mr. BLANTON. Well, I can tell you one of the things they alluded to in the IG—

Ms. LEE. Is there a number?

Mr. BLANTON. I have to preface it with this.

Ms. LEE. Did it ever happen?

Mr. BLANTON. There is—yes, there is, but what I want to preface it with is, much like from my military career, you train for a state of readiness. Whether—and you hope you never have to do it, but you then—if you have to do it you have to be ready to do it. That's—that's the purpose.

Ms. LEE. Alright. So there was not an occasion during your tenure when it was actually necessary to leave and return on an emergency basis, but your testimony today is that you maintained that position for a State of readiness?

Mr. BLANTON. Yes.

Ms. LEE. Alright. Now, going back to the use of others of the official vehicle, if I understand your testimony today, it is that you are unsure—and tell me if I've got this wrong, but your testimony seemed to be that you were unsure if your wife or daughter might have ever driven an official vehicle without you in the vehicle.

Mr. BLANTON. That is correct. I can't—what I said is I can't tell you if they did or not because it's something that I don't know specifically.

Ms. LEE. Just to be clear, you do not have personal knowledge of your wife or daughter ever using an official vehicle without you in the vehicle. Is that correct?

Mr. BLANTON. That's what I'm saying is I'm—I—what I'm telling you is I can't answer that question because I don't know is the answer.

Ms. LEE. So you do not know, which is where I started. You are not sure, you do not know if your wife or daughter ever drove an official vehicle without you inside the vehicle?

Mr. BLANTON. Yes. I'll say, if you have an instance that is in the full report that I don't know of—

Ms. LEE. I'm just asking you. From your personal knowledge, is there a time where you were aware that either your wife, daughter, or any other person drove an official government vehicle assigned to you without you inside the vehicle?

Mr. BLANTON. I can't think of one right now.

Ms. LEE. Okay.

Mr. BLANTON. Again, I'm not denying that it may or may not have happened. I'm just saying I can't think of it.

Ms. LEE. Alright. Mr. Chairman, I believe my time has expired.

The CHAIRMAN. Thank you very much.

In conversation with the Ranking Member, we're going to do one additional question on each side and then small conclusion remarks, and we will then wrap up today's hearing.

The Chair now recognizes the Ranking Member, Mr. Morelle.

Mr. MORELLE. Thank you, Mr. Chairman.

I want to go back to the inspector general's report as it relates to phase 1 and phase 2 of the Cannon Project. The IG identifies \$54,246 in unallowable costs; questioned \$234,000 in legal fees for allowability and reasonableness; and \$286,000, almost \$287,000, with no or insufficient supporting documentation. That totals \$575,562, nearly \$600,000.

I have not seen any response to that. I wondered if you could give me the—your rationale for those costs.

Mr. BLANTON. Yes. Real quickly, and I think some of the numbers that you added up that aren't necessarily cumulative; they're just inclusive. So there was \$286,933 of insufficiently supported cost. Of that, after—after the IG recommended we investigate, \$198,763 were supported. There's \$16,500 still under scrutiny.

In the second IG report, which referenced \$55,235, of that \$29,735 in the costs are neither legally or administratively able to be recovered. So, in a billion dollar program, although they may have identified—what they identified was questionable costs, not costs that were done out of impropriety or anything like that. Everything that was—that was determined to be recoverable we have recovered.

Mr. MORELLE. May I ask, Mr. Chair, if we could just ask the witness if you could supply us with some detail on those in written following up, but I'd like some accounting for this, if you could. Thank you.

Mr. BLANTON. Absolutely, and I welcome it. Thank you.

Mr. MORELLE. Thank you, sir.

The CHAIRMAN. Thank you very much. The Chair now recognizes himself for the purpose of asking an additional question.

My colleague Mr. Loudermilk was engaged with you regarding in particular the security of the campus, and I want to make sure—my understanding is that many of these indepth findings from the comprehensive Capitol security assessment and the details on supplemental spending have been classified, and the update on projects with physical security implications document indicates as such.

Who classified this if, in prior testimony before this Committee, you stated that no entity in the legislative branch has classification authority?

Mr. BLANTON. We work with an external support agency, and they have classifying authority. I will be more than willing to have a discussion with you about this in a setting that's more appropriate.

The CHAIRMAN. I appreciate that. I look forward to that. This Committee does. I know last night your office released an update on projects with physical security implications labeling it controlled and classified information, law enforcement sensitive. That briefing came out, of course, hours before this hearing.

I think that actually states to the importance of the oversight that this Committee does. This Committee is going to continue working on oversight over important legislative branch entities. We're going to continue to do it in the nonpartisan manner we did

here. I appreciate the work of the Ranking Member because this is about accountability for the American people.

I have a few closing remarks, but I want to yield to the Ranking Member if he has closing remarks first.

Mr. MORELLE. Well, first, let me thank my colleague and the Chairman of this Committee for organizing this hearing. I appreciate my colleagues and their, I thought, very, very important questions and want to thank them all for their input this morning.

I will just say that I think, from our perspective—and I think you're hearing this loud and clear—I think we still need to understand many of the questions that have been raised in the inspector general's report.

I think we need greater clarity on personal conduct that involved the use of vehicles, and we need more clarity on how that was done.

I think, in addition, this raises questions of succession planning and the need to have a deputy in place in case of a vacancy, as Mr. Kilmer pointed out, like more documentation on what happened relative to some of the costs in the IG report.

I think there's a lot that we learned here this morning. I think there's a lot more for us to learn, and I think we're going to continue to pursue it to make sure that the American public gets their share of—or gets the value that they put into this job and the importance of this job, that we are making sure that those dollars are well-spent and can be accounted for. Again, I want to thank you and Mr. Chairman for organizing this hearing.

The CHAIRMAN. The gentleman yields back.

I agree with the Ranking Member. I think we made some progress today. It had been 3 months since the inspector general's report was released. To the best of my knowledge, today is the first day that you've spoken on that topic on the record. I think it's important that additional information is ultimately provided, such that the AOC's office can operate at the highest level of function.

I'd like to comment that there's many individuals that work under your leadership. I want to speak directly to them and just say: Thank you for the work that you do, that these employees do every day to make this Capitol operate.

We've had a discussion on the leadership side, but the men and women who are working in the Office of the Architect of the Capitol day in and day out do yeoman's work, and I just want to recognize those individuals who are not here with us today.

We're going to continue a robust oversight agenda on this Committee, as I noted earlier. I want to reference back to one thing you noted. You noted as your role on the Capitol Police Board, which we discussed, that there was no actionable intel provided to the Capitol Police Board prior to January 6th.

We will be reviewing the oversight. We'll be reviewing the structure of the Capitol Police Board going forward. I will leave that there as a nugget that we will ultimately come back to in this Committee. I'd like to thank you, Mr. Blanton, for your testimony and for appearing before us today. It has been helpful.

Members of the Committee may have some additional questions for you, and we ask that you'd respond to these questions in writing.

Without objection, each Member will have 5 legislative days to insert additional materials into the record or to revise and extend their remarks.

If there's no further business, I thank the Members for their participation.

Without objection, the Committee stands adjourned.

[Whereupon, at 10:29 a.m., the Committee was adjourned.]



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REPORT TO CONGRESSIONAL COMMITTEES

Response to House Report 117-389: Architect  
of the Capitol's Integrated Pest Management  
Program

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March 2023

Cost to Draft Report: The contracted assessment in Fiscal Year 2022 of the Architect of the Capitol's integrated pest management practices cost \$60,000.



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**Response to House Report 117-389: Architect of the Capitol's Integrated Pest Management Program**

The Architect of the Capitol (AOC) was directed in House Report 117-389 to provide a response to Congress detailing the integrated pest management (IPM) program:

*"The Committee directs the AOC to review existing challenges and brief the Committee, including providing a written copy of the latest integrated pest management plan. The Committee further directs that AOC provide recommendations to improve pest management and coordination between various jurisdictions no later than 90 days after the date of enactment of this Act."*

This report details the AOC's IPM program for Fiscal Year 2022 and provides recommendations to improve the program and jurisdiction coordination going forward.

Sincerely,



Chere Rexroat, RA  
Acting Architect of the Capitol

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**Introduction**

This report is provided to the congressional appropriations legislative subcommittees as directed on page 32 of House Report 117-389 to accompany the Legislative Branch Appropriations Act, 2023.

***Pest Management.** The Committee recognizes the importance of proactive pest management and mitigation to ensuring a safe, healthy, and productive workplace. The Committee directs the AOC to review existing challenges and brief the Committee, including providing a written copy of the latest integrated pest management plan. The Committee further directs that AOC provide recommendations to improve pest management and coordination between various jurisdictions no later than 90 days after the date of enactment of this Act.*

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**Executive Summary**

The Architect of the Capitol (AOC) oversees a highly urbanized campus of 18.4 million square feet of interior space across 230 buildings and more than 570 acres of landscape managed by 10 jurisdictions. Pests are an ever-present challenge to daily operations and include insects, rodents, weeds, bacteria and viruses. Controlling these varied pests requires an integrated approach across the facilities, grounds and gardens. Control methods include removing access points, food, water and shelter options for pests, as well as trapping, biological and chemical controls.

Based on client feedback in the summer of 2022, the AOC contracted for an assessment of the integrated pest management (IPM) program. The assessment found that implementation of IPM at the AOC is not currently standardized and coordinated at the enterprise level. This is an opportunity for improvement, and the AOC is proposing the designation of a dedicated subject matter expert to serve as a single point of contact within the agency to coordinate IPM services. The AOC is working to improve pest management data collection and analysis and is proposing a Service Level (SL) support program that will define and standardized services and action thresholds at the agency level to support jurisdiction requirements. The AOC is also proposing to increase communication with building occupants about their role in pest prevention.

The AOC created an agencywide functional working group to share data and lessons learned across the organization and support the IPM program while working to identify funding and resources to implement the long-term improvements noted.

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**Review of Existing Challenges**

The AOC operates and oversees a highly urbanized campus, making pests an ever-present challenge to daily operations. The Capitol campus is made up of 18.4 million square feet of interior space 230 buildings and more than 570 acres of landscape managed by 10 jurisdictions. The AOC has an IPM policy. The Office of Attending Physician (OAP) manages the primary IPM contract for rodents and insects such as spiders, cockroaches, centipedes, mosquitoes and ants, both inside buildings and on the grounds. Each jurisdiction has a separate task order under this primary contract. Additionally, D.C. Humane Rescue Alliance has been called in to occasionally handle specific pest challenges (e.g., rabid animals such as foxes, raccoons, etc.), and several other pest contractors are used for exterior wildlife and plant diseases.

**Architect of the Capitol Integrated Pest Management Plan**

The AOC's IPM program encompasses three primary areas: facilities management, grounds keeping and gardening. The AOC jurisdictions may have only one, or several of these primary areas, and thus use different strategies to manage the IPM programs in their areas. Therefore, the AOC IPM plan includes the AOC Integrated Pest Management Policy (Environmental Manual 12-4 Chapter 11) and the individual jurisdiction IPM plans. [See attached for the AOC IPM policy and an example of a specific plan for the House Office Buildings.] The AOC does not provide IPM services in the Capitol Police Buildings, Grounds and Security facilities, and Supreme Court and Library of Congress buildings — these organizations manage their own IPM programs and are not included in this report.

The AOC's current approach to pest management is primarily reactive; there is inconsistent jurisdictional involvement with the OAP's IPM services contractor.

## Response to House Report 117-389: Architect of the Capitol's Integrated Pest Management Program

Within the AOC's IPM policy, IPM is defined as: *"an effective and environmentally sensitive approach to pest management that relies on a combination of common-sense practices. IPM programs use current, comprehensive information on the life cycles of pests and their interaction with the environment. This information, in combination with available pest control methods, is used to manage pest damage economically, and with a strong preference for examining a range of cultural, mechanical, biological and chemical practices and selecting a method presenting the least possible hazard to people, property and the environment (20 District of Columbia Municipal Regulations (DCMR) 22-2299.1)."*

A pest is defined as: *"any insect, rodent, nematode, fungus, weed or any other form of terrestrial or aquatic plant or animal life or virus, bacteria or other micro-organisms (except viruses, bacteria or other micro-organisms on or in living man or other living animals) (7 USC 6-2-36(t))."*

And a pesticide is defined as *"any substance or mixture of substances intended for preventing, destroying, repelling or mitigating any pest; any substance or mixture of substances intended for use as a plant regulator, defoliant or desiccant; and any nitrogen stabilizer (7 USC 6-2-36(u))."*

The current roles and responsibilities for the AOC's IPM program are:

## Office of Attending Physician (OAP)

- Manage the campuswide IPM service contract
- Provide recommendations for integrated pest services to mitigate pests for food service areas
- Conduct pre- and post-treatment surveillance, upon request, to determine course of action by the contractor
- Coordinate with local health officials to determine the prevalence of disease vectors and other public health pests on the Capitol campus
- Approve pesticide use by IPM services contractor

## AOC Office of Safety and Code Compliance (SCC)

- Support the development of AOC policy related to the AOC's IPM program and the application of pesticides

## AOC IPM Services Contractor

- Provide weekly campuswide inspections that include observations for pest activity and potential entry points into the building and provide recommendations (i.e., improved cleaning practices, food storage containers) to alleviate pests
- Provide reports to the jurisdictions with recommendations to reduce pests

## AOC Jurisdictions

- Handle service calls related to pest concerns and sightings
- Designate an IPM Coordinator for all pest management activities to:
  - Create task orders on the OAP's campuswide IPM services contract for pest management services
  - Implement recommendations from the IPM services contractor and OAP to control pests
  - Provide feedback for IPM program improvements

## Response to House Report 117-389: Architect of the Capitol's Integrated Pest Management Program

## Building Occupants

- Apply good sanitary practices daily to prevent pest infestations, such as wiping down surfaces used for beverages
- Ensure trash is removed if a space will be unoccupied for more than two days
- Keep food in airtight containers — do not leave food out overnight
- Cooperate fully with contractors in scheduling pest management inspections, to include preparing the areas to be treated
- Submit pest control service requests through the respective jurisdiction's service center

In addition to reactive pest management activities, the monitoring, reporting and post-treatment follow-up actions are not consistently executed, which perpetuates a reactive approach to IPM. Exacerbating the pest issue are a return to in-person operations following the COVID-19 pandemic and intensifying climate conditions. Pest population dynamics are becoming more unpredictable — higher precipitation rates contribute to larger amounts of standing water, which combines with rising temperatures to escalate pest populations.

Overall, an IPM system includes more than just traps and responses, it includes controls such as sealing potential entry points where pests can enter buildings, and cooperation from building occupants to appropriately dispose of and store food. Control strategies in an AOC IPM program include:

- **Addressing the sources of pests** through structural and procedural modifications to identify and reduce food, water, harborage and access used by pests
- **Applying exterior** pesticide compounds, formulations and application methods that present the lowest potential hazard to humans and the environment
- **Coordinating** among all facilities management programs that have a bearing on the pest control effort
- **Applying interior**, nonpesticide technologies such as trapping and monitoring devices

Examples of IPM program implementation include:

- Survey and monitor pest populations
- Develop and implement control strategies, including alternatives to pesticides, and determine action thresholds
- Educate building occupants about their role and responsibility in preventing pests and reporting sightings or evidence of pest activity
- Maintain required records of sightings, responses and control measures
- Evaluate control measures for continual improvement

In addition to IPM standards applicable to all areas, there are additional requirements for food service and childcare areas, which must follow [Food and Drug Administration \(FDA\) standards](https://www.fda.gov/media/164194/download)<sup>1</sup> under Food Code 6-501.111 and the Centers for Disease Control and Prevention's (CDC) [Caring for Our Children](https://nrckids.org/CFOC/Database/5.2.8.1),<sup>2</sup> respectively. Based upon conversations with the OAP Environmental Health Division, the IPM contract for food service on the Capitol campus (excluding previously noted

<sup>1</sup> <https://www.fda.gov/media/164194/download>

<sup>2</sup> <https://nrckids.org/CFOC/Database/5.2.8.1>

exemptions) exceeds existing food service IPM requirements. House and Senate childcare facilities on campus also follow the best business practices outlined by the CDC.

An experienced contractor was hired to assess the AOC's IPM practices with a focus on the existing primary pest management contract. Additionally, they performed a benchmark evaluation against similar agencies using current industry standards and best practices.

**IPM Assessment Findings:<sup>3</sup>**

1. The implementation of IPM across the AOC is not standardized and coordinated at an enterprise level, and there are no distinct personnel with roles, responsibilities and accountability to perform this coordination. Each jurisdiction has a separate task order under a primary contract managed by the OAP. The jurisdiction task orders include creating an individualized IPM plan and providing pest management services from the IPM services contractor. This separation by jurisdiction makes critical activities such as monitoring, reporting and evaluation less effective across the Capitol campus. This also hinders sharing of information and lessons learned among various jurisdictions.
2. Overall, the current OAP pest management contract includes the elements required in an IPM but it does not require the contractor to provide AOC-wide data, analysis and specific recommendations for campuswide program improvements. The OAP and the AOC have not leveraged the full capabilities of the contractor's knowledge to provide root cause analyses, quality assurance evaluations and holistic recommendations.

**Recommendations to Improve Pest Management and Coordination Between Jurisdictions**

The AOC remains committed to providing a safe, secure and socially responsible environment for all its patrons. The AOC has created an agencywide functional working group to share pest management lessons learned across jurisdictions and develop a standard data collection process to support analysis, trending and IPM program improvement while the agency works toward identifying additional funding and resources to support the long-term solutions to improve coordination of IPM practices across the whole of AOC properties, such as:

1. The AOC is proposing to designate a dedicated subject matter expert to serve as a single point of contact within the agency who will coordinate IPM services, collect and share data and distribute lessons learned across the agency.
2. The AOC will improve the current processes for collecting pest management information from the OAP IPM services contractor, standardize work orders across jurisdictions and develop a mechanism to track, analyze and trend performance.
3. The AOC will develop an SL support program to provide a framework that establishes standards, sets expectations and details the impacts of agency resources on these services. The AOC is benchmarking to determine the most appropriate SL standards. This SL

<sup>3</sup> The AOC does not provide IPM services for the U.S. Capitol Police, Supreme Court and Library of Congress buildings. These areas are excluded from the assessment and this report.

approach is an industry best practice that sets requirements around pest management while considering risk from a holistic approach.

4. The AOC is planning to increase educational outreach communications with building occupants about pest prevention (e.g., food attracts pests — occupants can help prevent problems by always storing or appropriately disposing of food items) and how to report pest sightings.

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### Conclusion

The AOC remains committed to addressing pests in an environmentally responsible manner to create a safe workplace for all who work at and visit the Capitol campus. The IPM practices, contracts and task orders relied on by the AOC have been handled by individual jurisdictions, using mechanisms to support their specific needs. The AOC recognizes that agencywide coordination is an area for improvement and proposes a dedicated pest management subject matter expert to coordinate implementation the IPM program across the campus. The AOC is working to improve data collection and work order standardization and to develop a mechanism to track, analyze and trend performance. The AOC also proposes enhancing IPM practices across all jurisdictions with an SL support program, based on industry benchmarking, that will inform the requirements around pest management while considering risk from a holistic approach. Using an SL program is an industry best practice that will continue the delivery of quality services throughout the agency and provide a standardized, repeatable process at the enterprise-level for managing pests.

In the interim, the AOC is proposing an increase in communications outreach to building occupants with information on how their support is important to pest prevention efforts.

Last, the AOC has created an agencywide functional working group to share data and lessons learned across the organization while working toward identifying additional funding and resources to support the long-term solutions.

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A Report by a Panel of the  
NATIONAL ACADEMY OF PUBLIC ADMINISTRATION  
for the United States Architect of the Capitol

*Rolling Renewal of the Rayburn and  
Longworth House Office Buildings*



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The National Academy of Public Administration is an independent, non-profit, and non-partisan organization established in 1967 and chartered by Congress in 1984. It provides expert advice to government leaders in building more effective, efficient, accountable, and transparent organizations. To carry out this mission, the Academy draws on the knowledge and experience of its over 900 Fellows—including former cabinet officers, Members of Congress, governors, mayors, and state legislators, as well as prominent scholars, business executives, and public administrators. The Academy helps public institutions address their most critical governance and management challenges through in-depth studies and analyses, advisory services and technical assistance, congressional testimony, forums and conferences, and online stakeholder engagement. Learn more about the Academy and its work at [www.NAPAwash.org](http://www.NAPAwash.org).



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*A Report by a Panel of the*

NATIONAL ACADEMY OF

PUBLIC ADMINISTRATION

February 2020

***Rolling Renewal of the Longworth  
and Rayburn House Office  
Buildings***

BLUE RIBBON PANEL

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## Foreword

The Architect of the Capitol (AOC) was founded in spirit in 1791, when President George Washington chose the first commissioners to oversee the construction of the workplace of the Congress, and the layout of the city around it. It took another seventy years for the title of “Architect of the Capitol” to be applied by act of Congress, and it was not until the mid-20<sup>th</sup> century that the title became attached to both the individual, and the agency. No matter the name, AOC, in its various incarnations, has been the caretaker and curator of the halls of Congress, the Supreme Court, and Capitol Hill, since their first bricks were laid.

Among the structures in their charge, the Rayburn and Longworth House Office Buildings (RHOB and LHOB, respectively) rank among the most well-known buildings to anyone who has worked around the Congress. Carrying the names of former Speakers Nicholas Longworth of Ohio, and Sam Rayburn of Texas, the buildings are home to just over half of the Members of the House of Representatives, and hearing rooms that have borne witness to some of the most historic events in American history. More than just centers of government and places of historical significance, the two buildings include the offices of hundreds of legislative and support staff, and boast a diverse array of amenities, such as gymnasiums, cafeterias, barbershops, and a tram to the Capitol. Though perhaps not as famous as the White House, they hold a prestige all their own.

Like any building, however, RHOB and LHOB have suffered the ravages of time, the stresses of nature, and the wear-and-tear of near constant occupancy for decades. With Longworth constructed in 1933, and Rayburn in 1965, they have begun to show their age. Given the work that happens there, it is only natural that a renewal of these two landmarks be of the utmost importance. Yet, refurbishing two, large buildings of historic prominence comes with its own set of implications, made even more challenging because they house critical components of the United States government and are paid for with taxpayer dollars.

As a congressionally-chartered non-partisan, non-profit organization with over 950 distinguished Fellows, the National Academy of Public Administration is eminently familiar with the needs and concerns of the Congress. While architecture is a relatively unexplored dimension of the Academy’s expertise, we were pleased to be able to call upon experts from within our Fellowship, and to partner with architectural firm AECOM, to help AOC chart the future of the House of Representatives.

I extend my thanks to the Academy Panel of experts who offered their invaluable insight and keen analysis, and to the professional study team that provided critical support throughout the project. I expect this report will be a valuable roadmap to AOC as they move forward to make America’s House ready for the future.

Teresa W. Gerton  
President and Chief Executive Officer,  
National Academy of Public Administration

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## Executive Summary

At the request of the Architect of the Capitol (AOC), a Blue Ribbon Panel of subject-matter experts in the fields of engineering, architecture, and federal finance and real estate development studied options to renew the Rayburn House Office Building (RHOB) and the Longworth House Office Building (LHOB). Based on research and data collection, the Panel concluded the following statements.

- Substantial reinvestment will be necessary to ensure that buildings will be able to continue to support the business of government into the future.
- The RHOB is in worse condition than the LHOB, despite having been built decades later.
- Space and system configuration constraints necessitate the construction of additional Member suite and Committee hearing room spaces. Without swing space, construction could stretch into a period of 26 years or more.

The Panel recommends that the AOC move forward with renewals of the RHOB and LHOB, starting with the RHOB. Renewal should include the creation of swing space to enable relocation of Members and Committees during construction.

**Recommended renewal approach: Construct new swing space in the Longworth House Office Building courtyard (“Longworth courtyard infill option”).** The Panel concluded that this option best meets the primary criteria of minimizing total project cost, minimizing project duration, and maintaining current operation to the extent feasible. This option entails the construction of 10 new suites and nine new Committee hearing rooms in the courtyard of LHOB. Along with 42 suites made available through the Cannon project, this new construction would serve as swing space until renewal is complete.

**Alternative renewal approach: Construct a new building (“new construction”).** The Panel notes that the Longworth courtyard infill option comes with substantial risks associated with space limitations, construction proximity to occupied space, two-year construction phases, and uncertainty of conditions within the buildings. This option also misses an opportunity to pursue other objectives, such as accommodating the future facility needs of Members and optimizing AOC and House jurisdiction operations. If the AOC and the House agree that decision making should consider these values, then new construction becomes more viable.

Figure 1 below summarizes the Longworth courtyard infill (recommended) option and the new construction (alternative) option. The total cost of the Longworth courtyard infill is estimated to be approximately \$1 billion less than the cost of new construction. The difference in estimated annual appropriations needed to fund these options is approximately \$100 million.<sup>1</sup>

*Figure 1. Cost comparison of the Longworth courtyard infill and new construction options*

	Longworth courtyard infill	New construction
Program duration	17 years	15 years
Rough order of magnitude cost (escalated)	\$5.1 billion	\$6.2 billion
Estimated annual appropriation needed	\$222 million	\$328 million

Cost estimates at this stage in the process are “rough order of magnitude,” based on a set of general assumptions about existing conditions in the buildings and future requirements. Estimates of the total cost and anticipated annual appropriations will be refined as subsequent studies and designs are completed.

**Recommended financing approach:** The most straightforward approach to funding the Longworth courtyard infill option would be the annual appropriations process, relying on financing through the U.S. Treasury. Borrowing through the Treasury has lower financing costs than other options. However, funding through annual appropriations carries some risk that a future Congress would delay or reduce needed funds. Any interruption in funding would lengthen the project schedule and drive up total costs. An alternative would be private sector financing. Although the cost to finance the project would be higher, the AOC might be able to reduce construction costs through an advanced project delivery method that allows the contractor flexibility to reach design objectives. The AOC should explore the feasibility of such project delivery methods.

<sup>1</sup> Estimates of needed annual appropriations assume that funding will begin in 2023. Annual appropriations would continue through 2045 (23 years) for the Longworth courtyard infill option and 2041 (19 years) for the new construction option. The total cost and the estimated annual appropriations needed would increase with any delay in approval of the project or funding.

## Introduction

In December 2018, the Architect of the Capitol (the AOC) engaged the National Academy of Public Administration (the Academy) to provide a Blue Ribbon Panel of experts (the Panel) to identify and assess major renewal strategies for the Rayburn House Office Building (RHOB) and Longworth House Office Building (LHOB) and to develop recommendations to guide the AOC in development of a renewal plan. The Panel consisted of seven individuals with distinguished careers in government, the private sector and academia, representing the fields of architecture, engineering, finance, and real estate.<sup>2</sup> See Appendix A for brief biographies of Panel members.

This document describes the Panel's analytical process. It accompanies "Longworth and Rayburn House Office Building: Rolling Renewal," February 2020 (AECOM study) which provides details of the technical study and the renewal strategies considered. The Panel considered such issues as:

- Renovation opportunities;
- New construction alternatives to renovation;
- Associated costs and timing for those plans;
- Required swing space;
- Impacts on Congressional Members and operations; and
- Historic preservation of important heritage assets

To understand the severity of the physical problems of the RHOB and LHOB, the study team<sup>3</sup> reviewed AOC documentation, interviewed the AOC staff in charge of management and maintenance, and toured the buildings with AOC staff.

The Panel concluded that the renovation of the RHOB and LHOB will serve the American people by preserving and improving Members' ability to conduct the business of government. Despite the preventive maintenance measures of the AOC, the Panel also found that substantial

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<sup>2</sup> The Panel oversaw the work of the Academy study team and its subcontractor, AECOM, which provided architectural and engineering expertise and support.

reinvestment will be necessary to ensure that buildings will be able to continue to support the business of government into the future.

The impetus for this study is two-fold. During a Committee hearing on the FY18 AOC budget, the Architect of the Capitol at the time, Stephen T. Ayers, F.A.I.A., was asked whether an estimate of the total cost of renewing the RHOB and LHOB was available. Mr. Ayers responded that the AOC would conduct an analysis to answer the question. In addition, the Master Plan for the Capitol campus identified the need for a comprehensive study of renewal of these buildings.

*Figure 2. The Rayburn and Longworth House Office Buildings*



*The Rayburn House Office Building (RHOB) was completed in 1965. It contains 2.4 million gross square feet (GSF) divided among 10 levels, including three parking levels and a sub-basement which are partially below grade. The RHOB has 168 Member suites and 30 Committee hearing rooms.*



*The Longworth House Office Building (LHOB) was completed in 1933. It contains 703,000 gross square feet (GSF) on 11 levels. The LHOB has 131 Member suites and seven Committee hearing rooms.*

## Technical Study

The Panel's technical study proceeded in two phases. In the initial phase, the Panel and team collected data on the buildings and developed multiple renewal scenarios. The work included review of available documents, preliminary analysis, and interviews with key AOC staff to uncover the critical factors in planning for renewal. This phase concluded with the study's first charrette, in March 2019, a day-long meeting convened with experts from across the AOC, in which the Panel refined the scenarios under consideration. In the second phase, the Panel and team conducted more detailed data collection and analysis and convened for a second charrette in May 2019. At that time, the Panel selected the scenario that they believed offers the best combination of features and highest likelihood of meeting the decision criteria of Congressional leaders. Detailed findings are in the AECOM study.

The RHOB and LHOB Renewals are a complex undertaking because of the age, size, and location of the buildings, and the operational needs of their occupants. Discussions of findings are listed below.

➤ **FINDING 1: Aging systems drive the need for the RHOB and LHOB renewals**

Multiple vital building systems within the RHOB are at risk of imminent failure. Consequently, substantial actions are urgent and must be undertaken with sufficient planning and resources. For instance, pinhole leaks are present in domestic water and sanitary pipes throughout the RHOB, due to corrosion caused by pipe hangers of dissimilar metals. In addition, the heating and cooling water systems in the RHOB are also in imminent danger of failure. Pipes

originally used to circulate hot water were converted to chilled-water circulation, to provide additional cooling. However, this has resulted in condensation which in turn has degraded the insulation and accelerated corrosion. Compounding the problem, the insulation contains asbestos which means that degradation may have health consequences and removal is likely to have an impact on occupied spaces.

While the systems in the LHOB are not at imminent risk of failure, they are known to be older, inefficient, and ineffective at maintaining comfort levels. Air handling units are original to the building. Masonry on the external façade is in decay. Windows are single pane and in poor

*Figure 3 Decaying pipes in Rayburn are at risk of imminent failure.*



condition, contributing to heating and cooling problems and associated costs. Machinery linked to the energy systems is operational, but repair is becoming more difficult, in many instances requiring the fabrication of custom parts. Repairs to the roof and life safety systems are also high priority.

Several factors will complicate phasing of renovations.

- In its present state, the RHOB heating and cooling system is too fragile to shut down and restart incrementally. A Facility Condition Assessment has determined that the pipes would not likely withstand the change in pressure associated with starting and stopping the system. As a result, the system must be taken down all at once. The AOC will have to plan for temporary systems before the RHOB Renewal starts.
- Any one wing of a building may impact multiple zones for electrical, plumbing, heating, communications and other systems, all of which may extend into adjacent wings. Preparing for each phase of construction will require capping of some systems and extensions of others that operate on continuous circuits or loops (such as electricity and water).
- Some functions currently can only be operated holistically (either all “on” or all “off” on a building-wide basis).
- Each phase of the project could require the AOC to establish alternative arrangements for safety and security; ingress and egress (including elevators and stairways); heating and air conditioning; water; access to the Capitol; bathrooms, and other facilities.

➤ **FINDING 2: Building configurations and locations limit renewal options**

RHOB, LHOB, and CHOB are all space-constrained, leaving little area to accommodate shifting of uses during construction. The CHOB Renewal has required relocating some House staff to as many as 42 new swing suites.

A particular challenge of the RHOB Renewal is that a large number of Committee hearing rooms are concentrated in one section of the building. Phasing will require several to be taken offline at once. New hearing rooms will have to be constructed if Committees are to continue to have dedicated spaces.

Building locations on the campus present additional constraints. Tiber Creek runs beneath the RHOB and under one of the garages. Secure perimeter and other requirements constrain possible expansion size and location opportunities.

*Figure 4. Construction of Rayburn in 1957 broke into the Tiber Creek sewer near C Street*



*Source: The Architect of the Capitol, accessed at [https://www.capitol.gov/html/IMG\\_2010061848457](https://www.capitol.gov/html/IMG_2010061848457).*

➤ **FINDING 3: Construction will create inconveniences and require phased relocation of Members, Committees, and their staffs**

As a major construction project, the comprehensive renewals of the RHOB and LHOB will create some level of disruption to Members, Committees, and their staffs. Anticipated disruptions may entail impact from construction operations including but not limited to demolition, new construction, material deliveries, debris removal, and equipment storage resulting in excess noise, vibration, dust, and fumes during normal and off hours. The RHOB and LHOB Renewals activities must also accommodate security needs, the peace and quiet of the neighborhood, and circulation on adjacent public streets.

Additionally, the temporary closing and relocation of hallways, special purpose spaces, building entrances, access to parking and other support functions within the buildings will result in operational impacts to Members, Committees, and their staffs. Special purpose spaces in the RHOB include the wellness centers, postal facility, cafeteria, other retail spaces, and support functions. Late night and overnight use of offices are likely to experience greater impact, which in turn may constrain off-hours construction work.

➤ **FINDING 4: Project assumptions maintain normal operations and mitigate some of the impact, but also drive up costs and limit options**

Assumptions provided by the AOC maintain normal operations and generally preserve the status quo. Figure 7 lists assumptions and implications for the study.

Figure 5. Assumptions constrained options

Assumption	Implication
Renovated Member suites will retain the three-room configuration. The number of Members will remain at 435 with six non-voting delegates.	➤ This study does not consider expansion of facilities to accommodate the future needs of Congress.
Committees will continue to have dedicated hearing rooms, although Committee staffs may be relocated during construction.	➤ To maintain dedicated hearing rooms throughout construction, the phasing plan must include swing space. The RHOB houses 30 hearing rooms, many of which are clustered together.
Two-year construction phases will align with the election cycle, to provide continuity during each Congress. Member and Committee moves will occur at the end of even years, before the start of each Congress.	➤ To accommodate moves, any two-year cycle allows approximately 18 months of construction activity, as construction is limited during changeovers. This down time extends the overall length of the project, which in turn drives up costs.
Steps will be taken to minimize disruption to Members, including scheduling of construction activities, physical buffers, and impact barriers.	➤ Construction in an occupied building tends to be slower than construction in a vacant building because construction activities have to be scheduled around normal uses. In addition, extra steps must be taken to ensure that building users do not encounter hazardous conditions. However, not all inconveniences can be avoided.
House operations will remain on the Capitol campus.	➤ Keeping all House operations on the Capitol campus limits the amount of space available for renewal at any one time and requires construction activity to accommodate the business of government. Members will face disruption from ongoing construction activities for a minimum of 15 years beyond the completion of the CHOB project.

Relaxing some of the assumptions associated with maintaining normal operations could result in substantial cost savings and a shorter schedule. Modified guidelines worth further exploration include:

- Sharing Committee hearing rooms;
- scheduling Committee hearings in the Capitol Visitor Center (CVC);
- moving significant portions of House operations off campus to allow renovation of buildings while vacant;
- reducing or reconfiguring parking garages; and,
- planning for optimization of the campus, as called for in the long-range plan.

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## Panel Review and Recommendation

Panel deliberations occurred primarily at two charrettes and in periodic phone discussions. At the first charrette, the Panel developed and applied criteria to a wide range of options. At the second charrette, the Panel came to consensus on the option that best met those criteria. Based on their shared understanding with and direction from AOC that the focus of the study was efficient and effective renewals of the RHOB and LHOB, the Panel identified the following primary criteria:

- Minimize total cost: Taxpayer dollars are at stake, so investments should be made wisely.
- Minimize project duration: Maintaining operations within a construction zone is disruptive and can erode the level of service provided to Members and, in turn, the American people. A shorter period of construction would reduce this impact. A secondary benefit of a shorter construction period is limiting cost escalation – the normal growth in costs that occur over time.<sup>4</sup>

These criteria, along with project assumptions, shaped the options. Other important considerations—including security, historic preservation, and environmental impact—were, with only a few exceptions, relatively similar across the principal options.

### ➤ **The Panel recommends the “Longworth courtyard infill option”**

The Panel recommends the “Longworth courtyard infill option” because it satisfies the primary criteria of minimizing total cost and project duration to renew the RHOB and LHOB. The rough order of magnitude cost estimate is the same or lower than other options considered. The Longworth courtyard infill option is also consistent with study assumptions that maintain normal operations. This option has the added advantage of little visible impact once infill construction is complete.

The Longworth courtyard infill option would start with installation of temporary mechanical systems in the RHOB, followed by construction of 10 new swing suites and nine committee hearing rooms in a portion of the LHOB courtyard; in Figure 6, below, the yellow phase “o”

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<sup>4</sup> Two factors drive the growth in cost estimates over time. First, inflation raises the nominal value of all costs. Second, experience of recent years points to a rise in construction costs in the Washington, D.C. area that outpaces inflation.

blocks in the LHOB represent the newly constructed office space. The new office space is assumed to be permanent, aesthetically attractive, and integrated well into the existing LHOB structure. Roughly one-fourth of the RHOB would be vacated during each of four consecutive two-year phases. After completion of renovation of the RHOB, the LHOB renovation would occur in three two-year phases.

Figure 6. "Longworth courtyard infill option"



Assuming that preparations will be complete to allow start of construction in 2030, the project would be completed in 2046 (17 years). Figure 7 lists the number of Committee hearing rooms and Member suites that would have to be relocated to swing space during each phase.

Figure 7. Projected schedule to complete the Longworth courtyard infill option

Phase #	Start of Phase	Building	Relocation per Phase	
			Hearing rooms	Member suites
0	2030 <sup>5</sup>		1	6
1	2033	RHOB	6	43
2	2035		9	52
3	2037		6	52
4	2039		9	48
5	2041	LHOB	2	52

<sup>5</sup> The first phase (Phase 0) would be the construction of new swing space in the LHOB courtyard.

6	2043		3	51
7	2045		2	44

Cost estimates at this stage in the process are “rough order of magnitude,” based on a set of general assumptions about existing conditions in the buildings. Even though the AOC has extensive experience with maintaining the buildings and knows the construction practices that were standard when the RHOB and LHOB were built, more precise cost estimates are not available due to the possibilities of unforeseen conditions and concealed construction. As planning and site studies become available, the level of uncertainty will decrease and the precision of the cost estimates will improve.

At this very early stage of the process, the rough order of magnitude cost of this option is \$5.1 billion, including escalation. To finance this option through a steady level of funding for the duration of the project, Congress would have to appropriate \$222 million per year starting in 2023 for start of construction in 2030 and continuing through expected completion of the project in 2047. The total cost and the estimated annual appropriations needed would increase with any delay in approval of the project or funding.

➤ **Advantages of the Longworth courtyard infill option arise from the relatively limited scope**

Lower Cost and Comparable Duration

Among the two principal options considered by the Panel (after narrowing down from 13 and then four options), the Longworth courtyard infill option included construction of the least feasible amount of swing space. Accordingly, the rough order of magnitude estimated costs are lower than the next-best option (new construction) by approximately \$1 billion. The expected duration of the project is only slightly longer than the next-best option (17 years, compared to 15 years for new construction),

Minimum Area of Disruption

Renewal of the RHOB and LHOB will cause disruption but the phases are designed to concentrate it to the extent practicable. The first phase of renewal will entail the construction of swing space in the LHOB courtyard. Although the AOC will take steps to mitigate the impact, Members and staff can expect to experience intermittent noise, dust, vibration, access limitations, and views of construction activities. As each phase of renewal proceeds, Members and staff in the affected areas will have to relocate. Suites and hearing rooms adjacent to

construction activities may experience some impact. Aside from staging areas for storage of equipment and supplies, deliveries, and other construction-related activities, Members and staff elsewhere on campus will have minimal impact.

The relatively small footprint of the new construction also minimizes alteration of the overall campus. Constructing new swing space in the courtyard of the LHOB leaves largely intact existing heritage assets, views, parking areas, and access. Also, by adding the least practical amount of swing space, the additional load for the Capitol Power Plant will be minimized.

➤ **The Longworth courtyard infill option comes with substantial risks and drawbacks**

The Panel notes that the Longworth courtyard infill option comes with substantial risks associated with space limitations, proximity of construction to occupied space, and uncertainty of conditions within the buildings. This option also misses an opportunity to pursue other objectives, such as accommodating the future needs of Members and consolidating AOC operations. The AOC should consider revisiting these values.

Risks of the Longworth courtyard infill option

The Panel noted risks that the project could miss its targets for such reasons as construction fatigue, schedule and budget slippage, and delay of appropriations.

**Construction fatigue:** House Members and staff have had to work with the disruption of the CHOB Renewal since 2014. The AOC has learned from this experience and made some adjustments that should smooth future renewal efforts. However, users closest to construction activity would likely have little to no buffer from the noise, vibration, dust, and changes in access. Additionally, unanticipated disruptions are certain to emerge as construction activity moves into parts of the buildings that are not well documented. The new construction option has a shorter project duration and keeps a physical distance between active construction and occupied space, lessening overall disruption.

**Schedule and Budget Slippage:** Schedule slippage can result from planning too much activity in a single 18-month phase or encountering unforeseen issues. Unforeseen issues can raise costs if they lead to change orders. Unexpected delays or problems could drive up costs if the AOC is forced to authorize a third shift of workers, as is the case with the CHOB Renewal. Schedule slippage could mean that Members moving into newly opened suites would have to accommodate additional work while crews address final punch-list items. Further study, planning, and communication can reduce these risks, but not eliminate them. The new

construction option allows more time to reach fewer milestones, potentially reducing pressure on the schedule.

**Delay of appropriations:** Delay in appropriations could delay the start or continuation of the project. Every two-year delay means an additional two years of investing in old, inefficient and failing systems, an increase in the project price tag due to inflation and escalation, and loss of continuity of the construction management team. A funding plan that asks Congress to appropriate funds annually creates many funding decision points, any of which could slip. The next section of this report discusses financing options that could reduce this risk.

Missed opportunities of the Longworth courtyard infill option

The Panel viewed its charge as identifying renewal strategies for the RHOB and LHOB buildings. However, they note that a larger scope could make the new construction option more viable.

**Flexibility:** The small footprint of the infill means that the project will provide little flexibility to accommodate the evolving needs of the House in the future. The Panel noted that, excluding the O'Neill House Office Building (which is beyond the immediate campus) the last new construction on the House side took place more than 50 years ago, when the RHOB was built. Allowing time for detailed planning and site studies, the RHOB and LHOB Renewals could take 20 years to complete, effectively locking in the campus configuration through 2050 or later.

**Optimization of use of space across the AOC campus:** This option foregoes the opportunity for cost savings through studying space needs across the AOC campus. Various House Committee staff, the Architect of the Capitol, Congressional Budget Office, and other tenants currently occupy office space in the Ford and O'Neill House Office Buildings (FHOB and OHOB). FHOB is expected to need renovation in the near future.

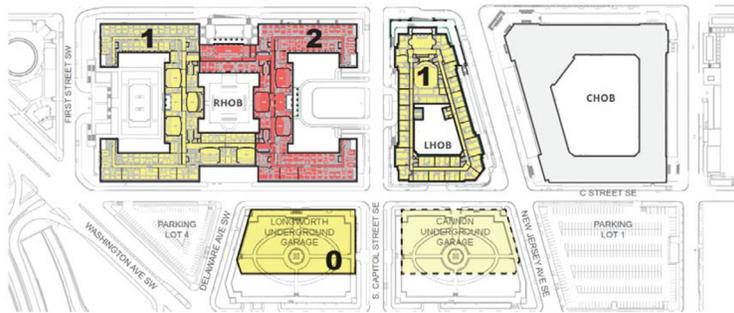
➤ **The new construction option overcomes some of the drawbacks of the Longworth courtyard infill option, but has its own shortcomings**

Construction of a new building to the south of the RHOB shares many of the risks of the Longworth courtyard infill option, but would allow the AOC to accommodate future needs.

The primary reason that the Panel did not select the new construction option is because the rough order of magnitude cost (before considering any offsets from the value of the new facility) is more than \$1 billion higher than the Longworth courtyard infill option. It would also result in substantially more disruption during construction and greater alteration of the campus.

Construction of a new building to the south of the RHOB would occur over a period of two years. Two phases across almost nine years would then renew the RHOB, followed by a single four-year phase to renew all of the LHOB.

Figure 8. "New construction option"



Assuming that preparations would be complete to allow start of construction in 2030, the project would be completed in 2045 (15 years). The table below lists the number of Committee hearing rooms and Member suites that would have to be relocated to swing space during each phase:

Figure 9. Projected schedule to complete the new construction option

Start of Phase	Building	Required Swing Space	
		Hearing Rooms	Member Suites
2030		0	0
2032	RHOB	16	105
2037		14	90
2041	LHOB	7	133

The rough order of magnitude cost of this option is \$6.2 billion, including escalation. To finance this option through a steady level of funding for the duration of the project, Congress would have to appropriate \$328 million per year starting in 2023 for a 2030 construction start and continuing through expected completion of the project in 2044.

The advantages of the new construction option include:

- With substantially more swing space, construction of a new building would allow larger and longer phases, eliminating several move cycles (and associated down time).
- Physical separation of construction from occupied suites would reduce noise, vibration, dust, and other disruptions to Member, Committee and staff operations.
- At the end of the project, the campus would have additional office space that could be used to accommodate the future needs of the House and/or consolidate AOC functions currently housed in the Ford and O'Neill House Office Buildings and the Fairchild Building, potentially resulting in substantial operational or lease savings to the government.

The new-building option is not without its own shortcomings, related to risks and missed opportunities.

- Even with the shorter project duration and less construction activity in proximity to used spaces, construction fatigue is likely to be an issue.
- Unforeseen conditions can delay, complicate, or raise the cost of new construction.
- Delay in appropriations could delay the start or continuation of the project. A funding plan that asks Congress to appropriate funds annually creates many funding decision points, any of which could slip.
- Construction of a new building over one of the House Underground Garages (HUGs) would disrupt on-site parking for four years and result in the loss of the garage and plaza at roof level, an AOC heritage asset.
- Recent improvements to the HUGs, designed to extend facility life by several years, would effectively be lost.
- The Capitol Power Plant may not have enough capacity to serve the additional space, requiring further investment. Additional studies for heating and cooling capacity are required to confirm this.
- Proposed construction within the House Underground Garage footprints may require modifications or extension to the existing secure perimeter. Additionally, this could impact traffic patterns and below-ground features such as transportation tunnels and Tiber Creek.

➤ **Summary of options**

Figure 10 below summarizes the Longworth courtyard infill (recommended) option and the new construction (alternative) option.<sup>6</sup>

*Figure 10. Comparison of the Longworth courtyard infill and new construction options*

	Longworth courtyard infill	New construction
Program duration	17 years	15 years
Rough order of magnitude cost (escalated)	\$5.1 billion	\$6.2 billion
Estimated annual appropriation needed	\$222 million	\$328 million
Additional space created	13 suites	146 suites, 16 hearing rooms
Strengths	<ul style="list-style-type: none"> <li>❖ Less costly, lower annual appropriations</li> <li>❖ Less alteration to the overall campus</li> </ul>	<ul style="list-style-type: none"> <li>❖ More flexibility for future use</li> <li>❖ Less construction adjacent to current operations</li> </ul>
Weaknesses	<ul style="list-style-type: none"> <li>❖ Little new space</li> <li>❖ Longer periods of construction in occupied buildings</li> <li>❖ Greater risks of schedule slippage, construction fatigue</li> </ul>	<ul style="list-style-type: none"> <li>❖ Costlier, higher annual appropriations</li> <li>❖ Loss of a heritage asset (one of the House Underground Garages and the plaza over it)</li> </ul>

Three other options were considered during the review process. The Panel eliminated an option to create swing space in a temporary building because it would create substandard facilities for Members throughout the period of construction and tearing it down at the end of the project would be a questionable use of taxpayer money. The option of following the model of the CHOB Renewal, to conduct the renewals without any new swing space, was eliminated because of the

<sup>6</sup> Cost estimates at this stage in the process are “rough order of magnitude,” based on a set of general assumptions about existing conditions in the buildings. Costs will be further refined in subsequent studies and designs. Furthermore, the overall cost and anticipated annual appropriations will be adjusted based on the refined information.

configuration and condition of building systems in the RHOB. Larger sections of the building will have to be taken off line at once than could be accommodated with the existing inventory of swing space. The concentration of Committee hearing rooms in the RHOB created a further obstacle because all hearing rooms on campus are occupied; available swing space is not sufficient to provide temporary Committee hearing rooms. Finally, an option to add new space by enclosing the west courtyard of the RHOB was eliminated because it would unnecessarily alter a heritage asset. A more detailed discussion of the Panel's deliberations is included in Appendix B.

### **Financing Options**

The AOC asked the Blue Ribbon Panel to advise on financing options for the RHOB and LHOB Renewals, recognizing the potential difficulty in securing appropriations for the full project. Panel deliberations did not focus on the relative merits at length; however, individual Panel members have experience both inside and outside of the Federal Government with advanced project delivery methods and private sector financing. These approaches require either new uses of existing authority or the authorization of additional authorities for the AOC.

The research phase of this part of the study focused on review of documents and authorizing legislation and interviews with knowledgeable officials within the AOC.

➤ **FINDING 1: Direct appropriation offers the lowest total cost to finance the project, but may be difficult to attain**

Several options to finance the project through direct appropriations are available.

The most straightforward and lowest cost approach to financing the RHOB and LHOB Renewals would be a full upfront appropriation to approve the multi-billion-dollar project during a single budget process. This option offers a high level of transparency, as the full estimated cost of the project would be reflected in the budget when Congress decides to move forward. In addition, the AOC would be able to plan for and execute the project with certainty of funding. However, budget caps and 302(B) limits may make this approach impractical.

Another option would be to fund the RHOB and LHOB Renewals incrementally, distributing the fiscal impact over the lifespan of the project. Congress would supply either a steady or varying level of funding that the AOC could draw upon as work progresses on the renewals of the RHOB and LHOB. This approach is in use with the CHOB Renewal. A risk of this approach is that funding could stall midway through a renewal phase or building, leaving a building only partially renovated or, in a worst case, with a significant system or amount of square footage unusable. The element of uncertainty could easily reduce the efficiency of the project. Multiple decision points for funding introduce an equal number of opportunities for delay, which in turn would extend the period of disruption. Furthermore, the current Congress would be effectively committing future Congresses to fund the project.

The utility upgrade components of the RHOB and LHOB Renewals could be eligible for financing through a Utility Energy Service Contract (UESC). A UESC is a limited-source contract between a federal agency and a utility for energy- and water-efficiency improvements and

demand-reduction services. Eligible activities include initial assessment, design, project financing, installation, and performance assurance. The AOC entered into a UESC for upgrades to the Capitol Power Plant.

➤ **FINDING 2: As part of a public-private partnership (P3), private sector financing could reduce project costs and reduce annual expenditures, but the cost of borrowing would be greater**

The AOC could finance the RHOB and LHOB Renewals with private funds as part of a public-private partnership (P3). Rather than borrowing directly from the private sector, the AOC would enter into an arrangement where the contractor provides the capital to design and develop a project. The contractor then recoups the investment by way of payments received over a period of decades, on terms laid out in the contract. P3s can take many forms, but the common concept is to transfer some of the management, decision-making and risk to the private-sector partner.

P3s offer several potential benefits. Private-sector financing could reduce the cost of the project to the government through the use of advanced project delivery methods. These methods would streamline the contracting process and provide an incentive to the contractor to find the most cost-effective means to reach design objectives. Advanced project delivery methods can effectively manage schedule and cost over-runs by allowing for greater communication, collaboration, and accountability among the key players throughout the project. Additionally, use of a P3 would allow Congress to extend the repayment period beyond the construction period, potentially resulting in lower annual appropriations. The risk of delay or loss of appropriations would diminish as annual expenditures become part of a contractual obligation.

The AOC should also weigh the drawbacks of a P3. Total borrowing costs would be higher because agency financing from the private sector would come at an interest rate that is higher than the Treasury's cost to borrow money directly, i.e., the U.S. Treasury rate. The higher cost of borrowing could be offset with lower overall project costs through advanced project delivery methods that reduce cost, transfer risk, and speed delivery. The net effect would be unknown until the AOC entered into a contract negotiation process. Another potential drawback of a P3 is the reduced control over the project that comes with giving the contractor flexibility. The AOC should balance this condition against the promise of cost savings.

While the federal government has limited experience with P3s, these experiences suggest options for the AOC.

A P3 mechanism available to the AOC could be a land swap or swap exchange, if the agency determined that the Ford and/or O'Neill House Office Building could be traded. GSA was able to execute a land swap in Cambridge, Massachusetts for the U.S. Department of Transportation. MIT will construct a new building on federally-owned land in exchange for land that DOT's building currently occupies. However, GAO has noted that GSA has limited experience with swap exchanges (GAO-17-783T Federal Real Property). Prior to 2016, the agency had only completed two relatively small exchanges, in San Antonio and Atlanta. The most common obstacles noted in the GAO study are failure by the government to disclose the condition of the building and property appraisals for the federal facility to be swapped that have come in well below GSA estimates. A low appraisal for a property that can only be used by the government can impede the developer's effort to find financing.

In 1992, Congress authorized a lease-leaseback for construction of the Thurgood Marshall Federal Judiciary Building, which is under the jurisdiction of the AOC. The developer leased the right to construct a building on federal property and then leased space in the building back to the government. Annual payments for 30 years have covered the cost of development plus operation and maintenance. Current budget rules effectively make this mechanism unattractive to federal agencies because it is deemed to be a "capital lease." The cost of a capital lease is calculated as the full cost of the project, including interest. In 2018, GSA proposed to lease land to a developer for the purpose of building a new FBI building which the developer would then have leased back to the government for a period of time. The building would have become federal property after the end of the lease. Budget rules and a lack of funding prevented the project from moving forward.<sup>7</sup>

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<sup>7</sup> The executive and legislative branches have agreed on the budget treatment (scoring) of long-term "capital lease" contracts. As described in OMB Circular A-11 Appendix B, Federal agencies that engage in transactions such as capital leases or lease-purchase agreements that have the effect of transferring ownership or risk to the Federal Government must obtain budget authority for the full cost of such transactions before they enter into these obligations. The cost is the estimated net present value of the government's expected payments over the full term of the lease. (In contrast, the annual cost of a shorter term "operating lease" is only the cost of lease payments, plus interest, for that year.) The Panel, importantly, fully concurs that the true long-run cost of any investment is best reflected through discounted present value analysis. This is consistent with the policies of both the Executive Branch (OMB Circulars A-11 and A-94) and the Government Accountability Office (GAO).

➤ **FINDING 3: The AOC can use advanced project delivery methods even if it does not use private-sector financing**

Whether or not private-sector financing method is used, the AOC could use advanced project delivery methods to potentially reduce cost, transfer risk and speed delivery. Two methods are discussed below.

**Design/Build:** Design-build combines the design contract with the construction contract to speed award, align interest, reduce risk and speed delivery. Combining contracting actions into a single procurement and hiring one overall manager of the project throughout its construction lifecycle places more of the risk on the contractor and reduces the ability of builders and designers to point fingers at each other. Adding responsibilities such as operations and maintenance (Design-Build-Operate-Maintain or DBOM) is a means of creating a long-term fixed price agreement for continuing operations and investments in an asset. Allowing the contractor flexibility to reach design objectives could lead to cost savings, but the AOC may have to cede some direct control of the project in order to realize those cost savings.

**Construction Manager at Risk (CMAR):** This approach maintains a contractual separation between the designer and the builder. However, the builder – or construction manager – is brought on board before design is completed. During the completion of the design, the construction manager agrees to a Guaranteed Maximum Price (GMP) at or below which they are financially liable to deliver the project. GMP compresses the contracting time for the design and construction phase and aligns the interest of the builder and the owner, reducing risk.

➤ **The Panel recommends that the AOC further explore the feasibility of advanced contracting arrangements, including private financing**

Direct appropriation offers the lowest total cost to finance the project, but may be difficult to attain. The AOC might be able to realize some construction efficiencies and reduce project duration by using private sector financing with advanced project delivery mechanisms. Based on its high-level analysis, the Panel concludes that these options are worth further exploration and consideration by the AOC. The Panel does not have enough information to be able to advise on the expected effect on total cost; however, the possibility of construction efficiencies, coupled with reduced risk, make this a viable option.

### **Conclusion**

The National Academy of Public Administration convened a Blue Ribbon Panel of subject-matter experts in the fields of engineering, architecture, and federal finance and real estate development to study options to renew the Rayburn House Office Building (RHOB) and Longworth House Office Building (LHOB). The Panel concluded that the AOC should move forward with renewals of the RHOB and LHOB, starting with the RHOB. Based on detailed study of existing conditions and consideration of numerous scenarios, the Panel recommends construction of new swing space in the LHOB courtyard (“Longworth courtyard infill option”). The Panel concluded that this option best meets the primary criteria to minimize total project cost and project duration while maintaining current operations to the extent feasible. However, the Panel urges the AOC to consider whether the risks and missed opportunities of the Longworth courtyard infill option outweigh the strengths. The most straightforward approach to funding the Longworth courtyard infill option would be the annual appropriations process, but the AOC should explore the viability of advanced project delivery methods.

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## **Appendix A: Blue Ribbon Panel, National Academy of Public Administration**

**Harold Adams** – Harold Adams is a Fellow of the American Institute of Architects (AIA) as well as a member of the National Academy of Construction (NAC) and has designed many prominent government projects. He served as executive architect for design of the U.S. Capitol Visitor Center. He also assisted with rebuilding of the Pentagon after September 11 and renovation of Bancroft Hall at the US Naval Academy, the largest dormitory in the world. He also helped design Lafayette Square and the John F. Kennedy gravesite at Arlington National Cemetery.

**Michelle Addington** – Michelle Addington is Dean of the School of Architecture at the University of Texas. She is expert in building sustainability issues and was called upon to assist with renovation of the Sistine Chapel. She was a member of the jury that recently awarded the Renwick Gallery renovation an AIA Committee on the Environment Award.

**Norman Dong (chair)\***– Norm Dong is an Academy Fellow and recent Director of the General Services Administration's (GSA) Public Building Service. He is currently Managing Director of FD Stonewater, a real estate development firm. Previously, he served as Deputy Controller OMB, Chief Financial Officer (CFO) of the Federal Emergency Management Agency (FEMA), and Deputy Mayor of Washington, DC.

**Janet Hale\*** – Janet Hale is an Academy Fellow. She recently retired from Deloitte, where she was a Director. She is a former Under Secretary for Management at the Department of Homeland Security; Assistant Secretary for Budget, Finance and Technology, at the Department of Health and Human Services; Associate Administrator for Finance/Chief Financial Officer (CFO), U.S. House of Representatives; Executive Vice President, University of Pennsylvania; and Associate Director for Economics and Government at OMB, where she was responsible for the Department of Transportation (DOT) and GSA, among other agencies.

**Gerald Galloway\*** – Gerald Galloway is an Academy Fellow and a member of NAC. He is a Glenn L. Martin Institute Professor of Engineering at the University of Maryland, a Faculty Fellow of the Hagler Institute for Advanced Study at Texas A&M University, and a visiting professor at the A&M Galveston Campus. He is a thirty-eight-year veteran of the U.S. Army, who retired as a Brigadier General and Dean at the U.S. Military Academy at West Point.

**David Nash** – Dave Nash is a Fellow of the National Academy of Engineering and a member of NAC. He is a retired Admiral and past Commander and Chief of Civil Engineers of the Naval Facilities Engineering Command. He is also a past President of the Parsons Brinckerhoff PB Buildings subsidiary and was Director of the Program Management Office for reconstruction in Iraq. Mr. Nash is expert in program and facilities management and was the program manager for a \$1 billion renovation of General Motors' 700-acre Warren Technical Center campus, a project that included significant staff relocations to enable construction.

**Dan Tangherlini\*** – Dan Tangherlini is an Academy Fellow currently serving as CFO of the Emerson Collective. He is a past Chief Operating Officer of Artemis Real Estate Partners, Administrator of GSA, CFO of the Department of the Treasury, City Administrator and Deputy Mayor of Washington, DC, and Interim General Manager of the Washington Metropolitan Area Transit Authority.

***\*Academy Fellow***

## Appendix B: Academy Study Team

**Brenna Isman**, *Director of Academy Studies* — Ms. Isman oversees the Academy’s studies and provides strategic leadership, project oversight, and subject matter expertise to all of the project study teams. In coordination with the Academy Panels of Fellows, she guides the teams in developing work plans, research methodology, and comprehensive analysis and recommendations. Ms. Isman has led Academy projects assisting a national regulatory and oversight board in development and implementation of its strategic plan, as well as a statutorily required assessment of the National Aeronautics and Space Administration’s use of its Advisory Council and a study of regulatory affordability for the Environmental Protection Agency. Her expertise includes directing organizational studies of the U.S. State Department’s Office of Inspector General and strategic plan development for the Postal Regulatory Commission and the Social Security Administration, as well as organizational change consulting support for the U.S. Coast Guard. Ms. Isman also led the Academy’s work on the Collaborative Forum, which investigated best practices for states’ management of federally funded programs. She holds an MBA from American University and a Bachelor of Science in Human Resource Management from the University of Delaware.

**Nancy Augustine**, *Project Director* — Dr. Augustine joined the Academy as a Project Director in 2019. She has taught at the Trachtenberg School of Public Policy and Public Administration (George Washington University) since 2006. Following an early career in local urban planning, she has conducted research on management, performance, finance, and urban and social policy for federal agencies, local governments, and non-profit organizations. She holds a Ph.D. in Public Policy and Public Administration from the George Washington University, a M.A. in Economics from Georgetown University and a Master of Urban and Environmental Planning from the University of Virginia.

**Joe Mitchell**, *Senior Advisor* — Dr. Mitchell is the Director of Strategic Initiatives at the National Academy of Public Administration and is serving as a senior advisor on this project. He has worked with a wide range of federal cabinet departments and agencies to develop higher-performing organizations, implement organizational change, and strengthen human capital and teams. He currently leads the Academy’s thought leadership activities, including its Grand Challenges in Public Administration campaign. Most recently, he served at the General Services Administration to stand up its new Office of Shared Solutions and Performance Improvement within the Office of Government-wide Policy, where he led a team to manage multi-functional and cross-agency projects and initiatives in support of the President’s Management Agenda. Previously, he led and managed the Academy’s organizational studies program, providing

oversight to all of its congressionally-directed and agency-requested reviews and consulting engagements. He holds a Ph.D. from the Virginia Polytechnic Institute and State University, a Master of International Public Policy from the Johns Hopkins University School of Advanced International Studies, a Master of Public Administration from the University of North Carolina at Charlotte, and a B.A. in History from the University of North Carolina at Wilmington.

**Randolph Lyon\***, *Senior Advisor* – Mr. Lyon is an Academy Fellow and serves at the Academy’s Chief Financial Officer (CFO). He was a senior executive at the Office of Management and Budget (OMB) for 15 years, leading the Commerce Branch, which is responsible for budget, policy and management issues facing the Department of Commerce, Small Business Administration, Federal Communications Commission, National Archives, and several smaller agencies. Earlier, he served as a senior economist at OMB and an Assistant Director at the Government Accountability Office (GAO). He taught public finance and was responsible for supervising the quantitative research projects required for Master’s degrees in Georgetown University’s Public Policy Program for over a decade. He is a past recipient of a Presidential Rank Award and OMB’s Distinguished Service Award.

**Richard Pezzella**, *Senior Research Associate* – Mr. Pezzella joined the Academy in June 2018 after completing a series of internships around Washington, D.C. Previously, during the summer of 2016, he worked in Washington, as a grassroots organizer with Mayday America, a campaign finance reform group. After college graduation, in May 2017, Mr. Pezzella returned to Washington to intern in the office of Congressman Eliot L. Engel, and for the government relations and communications firm, Signal Group. His areas of interest and experience include infrastructure, public health, international relations, technology, and space policy. Mr. Pezzella graduated in May 2017 from SUNY New Paltz with a Bachelor of Arts in Anthropology and International Relations.

### Appendix C: The Panel’s Decision-Making Process

The National Academy of Public Administration’s Blue Ribbon Panel studied options for Rolling Renewal over a period of 14 months, beginning in January 2019. The process included extensive document review, discussions of criteria, review of potential development scenarios, and consensus on a final recommendation.

The analysis started with four broad scenarios.

- S.1 Renovate the LHOB and renovate the RHOB, no additional swing space
- S.2 Renovate the LHOB and renovate the RHOB, adding swing space as needed
- S.3 Renovate the LHOB and reconstruct the RHOB, no additional swing space
- S.4 Renovate the LHOB and reconstruct the RHOB, adding swing space as needed

Working with AECOM, the Panel developed and assessed multiple options to illustrate how each of these broad scenarios could be implemented.

The study’s first charrette, on March 18, 2019, brought together the Panel, AOC staff from across the organization, and the study team (consisting of staffs of the National Academy of Public Administration and AECOM). Based on discussion of research and analysis findings and review of the scenarios, the Panel identified the following primary criteria for considering the viability of each scenario:

- **Minimize total cost:** Taxpayer dollars are at stake, so investments should be made wisely. A related concern is that spending on the renewal of the RHOB and LHOB could delay or preclude other AOC activities.
- **Minimize project duration:** Maintaining operations within a construction zone is disruptive and can erode the level of service provided to the American people. A shorter timeframe would minimize this impact. A secondary benefit of a shorter schedule is reducing cost escalation – the normal growth in costs that occur over time.<sup>8</sup>

The Panel found that other important considerations—including impact on Members, security, historic preservation, and environmental impacts—were, with only a few exceptions, relatively similar across the principal options.

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<sup>8</sup> Two factors drive the growth in cost estimates over time. First, inflation raises the nominal value of all costs. Second, experience of the last few years points to a rise in construction costs in the Washington, D.C. area that outpaces inflation.

The Panel concluded that substantial investment will be necessary to ensure that buildings will be able to continue to support the business of government into the future.

At the end of the first charrette, the Panel identified several options to advance to the next phase of the study. The Panel included the “Cannon model” to serve as a baseline to evaluate the incremental costs and schedule impacts of the other options. In the Cannon model, renewal would occur with the construction of no additional swing space. The other options selected for additional study added varying amounts of swing space, either by permanently adding onto either the RHOB or LHOB, constructing temporary space, or by constructing a new building on an adjacent site. The Panel eliminated options that entailed the complete demolition and reconstruction of the RHOB because it would have resulted in the unnecessary loss of a heritage asset without the benefit of shortening the schedule or reducing the cost.

A second charrette was held on May 22, 2019. AECOM presented the results of further study and design work related to the scenarios chosen at the first charrette, as well as more detailed cost estimates and phasing plans.

The Panel eliminated the option to plan for a temporary building because it would create substandard space for Members throughout the period of construction. Tearing it down at the end of the project would be an inefficient use of taxpayer money.

The Cannon model proved to be infeasible because of the configuration and condition of building systems in the RHOB. Larger sections of the building will have to be taken off line at once than could be accommodated with the existing inventory of swing space. The concentration of Committee hearing rooms in the RHOB created a further obstacle because all hearing rooms on campus are occupied; available swing space is not sufficient to provide temporary Committee hearing rooms.

The Panel selected the option to construct the minimum number of swing suites necessary rather than the option to construct a new building because although the schedule is two years longer than the “new construction” schedule (17 years compared to 15 years), the rough order of magnitude cost is almost 20 percent lower. The Panel considered an option to locate additional swing space in a new wing of the RHOB but determined that it would result in unnecessary loss of views and alteration of a heritage asset. This option also would have created more than the minimum amount of required swing space. The Panel determined that the better location for the additional swing suites would be in the courtyard of LHOB. However, the Panel noted that this option comes with risks and misses the opportunity to pursue other objectives. They also noted that relaxing some of the assumptions and broadening the scope of study could make new construction a better choice.



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Committee on House Administration

**“The Looking Ahead Series: The Architect of the Capitol’s Strategic Plan for the 118th Congress”**

**February 9, 2023**

**Responses to Questions for the Record**

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**Majority Questions for the Record**

The Committee on House Administration thanks Mrs. Chere Rexroat for her service as Acting Architect of the Capitol following Brett Blanton’s removal on February 13, 2023, and recognize that the questions below will be answered to the best of her ability.

**Asset Management**

1) The Inspector General for the Architect of the Capitol (AOC IG) has identified numerous instances of insufficient asset mismanagement practices throughout the organization.<sup>1</sup> In Brett Blanton’s testimony on February 9 before the Committee, he stated that the AOC is working to adopt Enterprise Asset Management standards to unify maintenance standards.

a) Does the AOC have a roadmap of adoption of Enterprise Asset Management standards?

i) If yes, will the AOC please provide this roadmap to the Committee?

**Answer** – Yes. For background, Enterprise Asset Management (EAM) is focused on the management of real property assets including land and anything permanently attached to the land such as buildings, structures, infrastructure systems, improvements and appurtenances. This includes real property installed equipment attached to and made part of buildings and structures (such as heating systems) but not movable equipment (such as plant equipment). The AOC IG is currently performing a follow-up review of a 2019 audit, and the AOC is working collaboratively with the AOC IG staff. The AOC understands the follow-up review will conclude in June 2023.

EAM will aid resource decision-making and funding allocation for operations, maintenance and modernization of AOC-managed real property. The AOC’s approach to EAM is being developed in a manner that achieves industry standards and best business practices by following the International Standards Organization (ISO) 55000 Asset Management family of standards. These ISO standards provide a structured approach to the development, coordination and control of asset-related activities across their life cycle.

The AOC has a foundation plan and roadmap that aligns with the Agency Strategic Performance Plan (ASPP) to develop an Asset Management System (AMS) that is

compliant with ISO 55001 standards. Within the ASPP for EAM, there are both short-term and long-term goals. The following is a high-level update on the status of EAM:

In 2022, the AOC developed core EAM policies, processes, and procedures, such as the AOC EAM Policy Memorandum, the AOC Strategic Asset Management Plan (SAMP), the initial Asset Management Plan (AMP) template and the AMS Manual. The agency also completed the ISO 55001 certification pre-audit (August 2022) and identified and implemented an agencywide plan to close gaps to position the AOC for a successful initial audit in 2023. In 2023, the AOC's EAM work will establish an ISO-compliant AMS and gain ISO 55001 certification of a limited-scope AMS.

By the end of 2023, the AOC will have made significant progress in identifying and implementing EAM software tools. The AOC will document its requirements and demonstrate software solutions to stakeholder groups. Furthermore, the AOC will begin acquiring, testing, training and deploying the EAM software tool solution for all buildings and jurisdictions under AOC management control in 2024 and 2025. Finally, in 2024 and beyond, the EAM policy developed for the initial ISO 55001 certification will be expanded to allow certification for all AOC-managed buildings and jurisdictions.

- ii) If no, will the AOC please provide documentation regarding the path forward to adopt standards and a detailed timeline of the implementation plan for these standards?

**Answer** – Not applicable.

- 2) Will the Enterprise Asset Management standards apply to vehicle fleet management?

**Answer** – EAM will implement consistent business processes and software tools across the agency to aid decision-making about building and infrastructure real property<sup>1</sup> assets such as buildings and the equipment contained within. The vehicle fleet is not considered real property under EAM standards.

- 3) The Committee would like a bipartisan briefing on the AOC's Asset Management initiative that includes the short- and long-term goals of the AOC for improving asset management across the organization.

**Answer** – The AOC will gladly provide a briefing to your staff. We will work with Committee staff to arrange the briefing.

### **Personnel**

<sup>1</sup> Real property assets including land and anything permanently attached to the land such as buildings, structures, infrastructure systems, improvements, and appurtenances. This includes real property installed equipment attached to and made part of buildings and structures (such as heating systems) but not movable equipment (such as plant equipment).

- 1) The Capitol Visitor Center (CVC) is experiencing a concerning trend of turnover in its management and program director level staff. What is the AOC doing to ensure adequate continuity of operations at the CVC and that the Center continues to provide top levels of service and visitor experience to all who visit the Capitol?

**Answer** – We are working diligently to fill management vacancies at the CVC. Fay Ott, the CVC’s Director of Planning, Operations and Evaluations has been placed on detail as the acting Deputy Chief Executive Officer. Fay brings 14 years of experience at the CVC to this assignment. We believe these interim assignments will provide the necessary operational support that the CVC’s needs to achieve its mission of informing, involving and inspiring every visitor to the U.S. Capitol.

Additionally, a new Deputy Director of Visitor Services started work on March 13, 2023, and interviews are being scheduled for the Director of Visitor Services position. The AOC is pressing forward with care and diligence to fill CVC vacancies.

- 2) The Cannon Renovation Project’s Phase 0 began in 2015. From Phase 0 to Phase 4, has the AOC compiled data on the workforce turnover of both the AOC managers of this project and the contractor?

- a) How much change has the AOC and the contractor had in staff working on the Project?

**Answer** – The Cannon Renewal Project (CHOBr) has had 30 people in 11 key positions since the beginning of the project in Fiscal Year (FY) 2013. Key personnel have remained on the CHOBr project ranging from 1 to 9 years with the average duration of 3.4 years. Turnover on the CHOBr project has been the result of promotions, transfers, retirement and movement to employment outside of the AOC.

Clark Christman Joint Venture (CCJV) has been a contractor from the onset of Phase 0 in 2015 through the current staffing plan for Phase 4. During that time, CCJV has experienced 31 transitions across 10 key personnel positions. The causes of turnover on the project are widespread and include retirement, promotion, resignation, termination and rotation of individuals for career development. When the transition of these team members was foreseen, the team ensured an appropriate amount of overlap between individuals to ensure continuity of information throughout the project. The average tenure of the team’s key personnel is approximately 2 years, which is greater than across the construction industry.

Shalom Baranes and Associates (Architect and Design) has served as the architecture and engineering (A/E) team on the CHOBr project. Their staffing has been consistent throughout the project with very little turnover since Phase 0.

MBP-AECOM (Support services) is the Construction Managers and Advisors (CMA) team. They have experienced little turnover in key positions since the beginning of the project. These positions have transitioned with an overlap for on-site training and passing of institutional and project specific knowledge.

- b) Has turnover impacted the project in any way?

**Answer** – On a multiphase, multiyear project with the magnitude, complexity, and intensity of the CHOBr, turnover can and should be expected. When a key resource transitions off the project there are contractual mechanisms in place to mitigate the impact to the project. Overall, the project has not experienced widespread high-volume turnover of leadership. This continuity has allowed for the transfer and sharing of institutional knowledge and project understanding. Additionally, the project has accumulated a large database of historic information available to individuals transitioning onto the project.

- c) How has the AOC ensured uniformed quality delivery across the multiple phases when combatting workforce turnover?

**Answer** – The construction contract is the primary tool for ensuring a uniform delivery across a multiyear, multiphase contract. The contract specifically outlines industry standards and code requirements which are utilized as the benchmarks for quality. Industry standards include (but are not limited to): American Institute of Steel Construction (AISC), American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE), Architectural Woodwork Institute (AWI), National Fire Protection Association (NFPA), and Window & Door Manufacturers Association (WDMA). The standards are coupled with a defined quality control plan (a contractually required submission, updated for each phase) which reinforces expectations for project-wide processes and standards.

The three-phases of quality control used on this project are defined by the U.S. Army Corps of Engineers (USACE). Additionally, there are mock-up requirements within each phase that help further ensure a continuity of quality and that the benchmark is clearly communicated within and between each phase.

As noted previously, on a multiphase, multiyear project with the magnitude, complexity, and intensity of the CHOBr project, turnover can and should be expected. The workforce turnover has been incremental; there has not been a time in which a large, high-volume of turnover has led to a widespread loss of institutional knowledge. Adherence to standards and continuity of institutional knowledge maintains uniform quality levels throughout the program.

- 3) What improvements is the AOC undertaking to improve campus security by addressing the issues outlined by the AOC IG in Evaluation Report 2022-0001-IE-P related to the employee security badging process and protection of Personally Identifiable Information (PII)?

**Answer** – In coordination with the AOC Human Capital Management Division and the Office of General Counsel, the AOC drafted a policy for employee suitability that addresses the security badging process and the protection of PII. The policy is currently under review and coordination.

### **Hearing Room Renovations**

- 1) The management of the Veteran Affairs Hearing Room Renovation has been unacceptable and to date, the delivery of the hearing room back to the Veteran Affairs Committee continues to be delayed. What are the lessons learned from the management of this project and what assurances can the AOC give that:
- a) the delivery of the Veteran Affairs committee room will not be further delayed

**Answer** – The historic committee rooms in the Cannon Building posed unique challenges with high ceilings, specialized decorative painting, maintaining historic integrity, and hazardous material abatement. Scope changes to add upgraded camera lighting in the Homeland Security Hearing Room and the Veterans’ Affairs Hearing Room (VAHR) resulted in design changes. Notably, asbestos abatement and containment on the walls and plaster delamination work required much of the work to be completed during the Phase 3 timeframe. Safe completion of abatement, addressing requested changes, delays associated with January 6, 2021, and the COVID-19 pandemic were unmitigable factors in the delay. The hearing room had a soft opening on December 13, 2022. Due to material delays for the House Recording Studio to complete their work on audio, visual, and lighting commissioning, final delivery will occur in spring 2023.

- b) similar project management failures will not occur with the other hearing rooms slated to be renovated over the next decade?

**Answer** – As previously mentioned, asbestos abatement and containment on the walls and plaster delamination work required much of the work to be completed during the Phase 3 timeframe. Safe completion of abatement, addressing requested changes, delays associated with January 6, 2021, and the COVID-19 pandemic were unmitigable factors in delay.

Regarding changes in scope during a project, additional lighting upgrades and standards were determined to be necessary for both VAHR and the Homeland Security Hearing Room. This lesson will now benefit the larger Hearing Room Modernization Program. Additionally, the dedicated Hearing Room Modernization Program team will require early planning, dedicated stakeholder engagement, expectation management, and controlled management of the design and construction effort to mitigate delays for future projects.

#### **Cannon Renovation**

- 1) What are the AOC’s greatest concerns as it and the contractor complete Phase 4?

**Answer** – Unforeseen or catastrophic events have the potential to prevent the AOC and the contractor from delivering the project on time. Although the project team and stakeholders were able to overcome the significant COVID-19 impacts to successfully accomplish Member move-in for the conclusion of both Phases 2 and 3 in time for the 117th and 118th Congresses, the unavailability of certain materials due to COVID-19 and related labor impacts contributed to the CHOB team’s scheduling challenges. Additionally, work shutdowns, as well as the occupation of the National Guard for part of Phase 3 from January into March 2021, and associated U.S. Capitol Police (USCP) restrictions posed challenges for the project team to

mitigate other schedule impacts resulting in the cumulative effect to the project's schedule.

Unlike Phase 4, previous phases were dependent on limited space (swing space for displaced Member offices). With this being the final phase, the AOC has enough space to accommodate the space needs of Congress.

- 2) Does the AOC foresee the necessity of work past Phase 4? What will likely be part of this post-Phase 4 work?

**Answer** – None is planned. The ultimate project completion includes delivery of Member offices, the demobilization of the Cannon Courtyard, the scheduled renovation of that space and removal of exterior construction walls. The scheduled completion date is winter 2025. While the AOC does not anticipate the need for work past Phase 4, unforeseen or new owner requested changes that cannot be incorporated into the Phase 4 timeline could necessitate either an extension of Phase 4 or an additional project or phase.

### **General**

- 1) What efforts have been made by the AOC to explore the better utilization of outdoor space across campus for meetings, gatherings, and other business? The scope of this question includes the use of outdoor space around the Capitol, in the Spirit of Justice Park and Sharon Armesto Memorial Park, and in courtyards surrounding the House Office Buildings.

**Answer** – The AOC is conducting a comprehensive study of the Capitol campus's outdoor amenities to propose master-planned solutions that balance historic preservation, security, accessibility, landscaping, and usefulness, among other considerations. The House Office Buildings (HOB) jurisdiction has recently renovated the Rayburn Courtyard focusing on the most secure of spaces with the renovation project to waterproof this roof area for the floors below. In FY 2024 we will complete the design to waterproof the West Plaza roof, similar to the Rayburn Courtyard, and we are looking to secure the West Plaza to make it accessible from within the Rayburn office building. The CHOB will culminate in a secure courtyard as well. The AOC is also processing a revolving renewal study in the near future to evaluate the Rayburn Building's west courtyard a more useful, accessible and secure gathering space for building occupants.

- 2) What efforts is the AOC undertaking to improve customer service across the organization? This includes efforts to increase communication to customers, approaching inquires or requests with a can-do attitude, and improving the response time to inquiries and requests.

**Answer** – The AOC is working to strengthen its customer service focus through a number of strategies. The next phase will focus on improving the AOC's ability to measure and analyze Customer Experience (CX) metrics for each step of the Tenant/Public/Internal customer journey. Having customer service performance metrics will serve as key performance indicators used to monitor, measure and improve the First Contact Resolution (FCR), Average Resolution Time (ART) and Customer Satisfaction Scores (CSAT).

Findings of the September 2022 AOC tenant Satisfaction Survey responses are being analyzed in order to better understand our tenant customer needs. Standardized service request work order initiation and completion notifications are being improved.

The AOC implemented Service Excellence training in 2022. Training participants included 100 AOC employees who engage with tenant customers, members of the Customer Experience Champions and Service Center Excellence cross-agency teams. Additional training is planned to occur before the end of calendar year 2023 and will incorporate the AOC RISE core values of Respect, Integrity, Safety and Empowerment. The training will be specific to each employee role. Empathy, active listening, proactive communications, understanding and managing customer expectations for internal and external customers are examples of the subject matter and role playing that will support an agency culture of customer service.

- 3) What is the status of the EV charging station program?

**Answer** – The Senate currently has 25 Electric Vehicle (EV) charging stations. There are 21 Level 1<sup>2</sup> EV charging stations across parking areas on campus and four Level 2 stations in the Hart Senate Office Building Garage. These Level 2 stations use older technology. The House has 45 EV charging stations. In October 2022, the Committee on House Administration approved the installation of two EV Level 2 charging stations for the AOC fleet use. The Library of Congress has two Level 1 stations. The AOC is establishing a comprehensive campuswide approach to standardize station type, rates and payment collection.

- a) What additional guidance does the AOC need for a timely, effective launch of an EV charging program?

**Answer** – The AOC will gladly provide a briefing to your staff. We will work with Committee staff to arrange the briefing.

#### **Minority Questions for the Record**

##### **Architect of the Capitol Emergency Preparedness**

- 1) Following the January 6, 2021 attack on the Capitol, the Architect of the Capitol Office of Inspector General (AOC IG) released a flash report evaluating the Architect of the Capitol's (AOC) emergency preparedness in advance of the attack. In the report, the AOC IG made the following recommendations—
- The AOC's Chief Security Officer, in coordination with AOC Organizational leaders, review the AOC's emergency management policies and develop and implement standardized emergency incident procedures to address active shooter, workplace violence, protestors and civil disturbances.

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<sup>2</sup> Level 1 charging stations use a standard electrical outlet (120v) and provide a slow re-charge. Level 2 stations provide faster charging through a higher voltage connection (240v). Many EV owners install Level 2 outlets at home. Level 2 outlets are similar to an electric clothes dryer outlet in terms of power draw.

- The Chief Security Officer, in coordination with the U.S. Capitol Police Board, review AOC protective actions to determine if current protective action definitions and categories are sufficient for emergency incident responses.
- The Chief Security Officer in coordination with AOC Training and Employee Development, review the AOC Emergency Management training and exercise program, develop and implement AOC training and exercise curriculum to address active shooter, workplace violence, protestors and civil disturbances.
- The Chief Security Officer, in coordination with the Emergency Management Task Force, develop a quarterly, integrated training and exercise program to address active shooter, workplace violence, protestors and civil disturbances for the AOC, and all other legislative branch organizations that work and serve inside the Capitol complex.

- a) What is the status of the AOC's implementation of these emergency preparedness recommendations? Please provide any relevant documentation.

**Answer** – The AOC addressed all of the AOC OIG's recommendations. For the near-term, the AOC published an updated Office Emergency Coordinator (OEC) Manual and training video; hosted an agencywide security awareness session with the USCP; updated the active shooter response training video; and provided targeted training to Capitol Visitor Center staff. The AOC also currently participates in quarterly joint life-safety exercises with USCP, the House Sergeant at Arms (HSAA) and the Senate Sergeant at Arms (SSAA).

For the longer-term, the AOC is pursuing accreditation of its Emergency Management program through the Emergency Management Accreditation Program (EMAP). The AOC is using the EMAP standards to create and provide policy frameworks, structure and standardized guidance to agency offices, jurisdictions and staff. The AOC is also leading an integrated, campuswide initiative with USCP, SSAA and HSAA Emergency Management Teams for formal National Incident Management System Incident Command System "Train-the-Trainer" level training that will enhance how we train and respond to incidents on campus.

- b) For any recommendation that has not been implemented, please outline reasons for the delay. Please provide any relevant documentation.

**Answer** – The AOC has taken steps to implement all recommendations.

- 1) During the January 6 attack, the Capitol Complex sustained extensive damage. Has this damage been repaired? If so, at what cost? Please provide any relevant documentation.

**Answer** – The damage to the Capitol Building has been repaired. The Capitol campus sustained \$1.2 million dollars in damage to facilities and items under the care of the AOC. Due to the ongoing legal cases, we cannot provide more detailed documentation.

- 2) The Army Corp of Engineers was contracted to review the campus and make recommendations to better secure the Capitol complex.

- a) Which of these recommendations have already been implemented?

**Answer** – The AOC, in coordination with the Capitol Police Board, can provide information in a secure setting.

- b) Which of these recommendations does the agency plan to implement?

**Answer** – The AOC, in coordination with the Capitol Police Board, can provide information in a secure setting.

- c) Which of these recommendations does the agency plan not to implement and why?

**Answer** – The AOC, in coordination with the Capitol Police Board, can provide information in a secure setting.

- 3) As you assume the role of Acting Architect, what is your plan to ensure the safety of those who visit and those who work day in and day out to make this legislative body operate?

**Answer** – We will continue improving emergency management and physical security for the greater protection of all who work on and visit the Capitol campus. We are committed to building an accredited Emergency Management program and to closely working with emergency management and security partners here on campus and throughout the National Capital Region.

- 4) In your view, how do the Architect of the Capitol and the Capitol Police work together to secure the Capitol complex? Specifically, what can the Architect of the Capitol and the Capitol Police do to improve security mechanisms and collaborative efforts to succeed in that mission?

**Answer** – The AOC will continue to partner with the Capitol Police to implement the recommendations from security assessments, to maintain existing physical security measures, and to identify and implement new measures when needed. The AOC is an active participant in the Capitol Police Board's Security Working Group, which reviews and assesses the potential of new security threats to the campus.

The AOC appreciates the funding we have received to implement physical security enhancements across the campus and are working with the Capitol Police and the Board members to execute funding on the identified priorities. In addition, the AOC and USCP are restarting the monthly coordination meetings at the leadership level in order to further collaboration and alignment of requirements and plans.

#### **Cannon House Office Building Renewal Project**

- 1) In their review of the Cannon Renewal Project Phases 1 and 2, the AOC IG found that approximately \$600,000.00 had been paid in unallowable costs, unallowable legal fees, and fees with none or insufficient documentation justifying the expense.

- a) Did the agency ever respond, in writing or in person, to this finding by the AOC IG?

**Answer** – The AOC responded in writing on May 10, 2021, and that letter is included with the final OIG report.

b) Why were these expenses not caught before being inappropriately paid?

**Answer** – CHOBr’s payment controls are consistent with long-standing public and private sector standards and principles that apply to providing reasonable, not absolute, assurance and consideration of materiality and cost effectiveness in designing and implementing payment controls. The OIG Report does not recognize relevant criteria, such as the Government Accountability Office (GAO)’s Standards for Internal Control in the Federal Government or Federal Acquisition Regulation provisions that recognize the principles of materiality and cost effectiveness in addressing unallowable costs.

c) Has the AOC been able to recover the unallowable costs found by the AOC IG?

**Answer** –

OIG Recommendation	AOC Resolution
2. Recover \$54,246 in unallowable costs to extent feasible	\$21,490 was determined unallowable and recovered by the AOC. Documentation was received supporting \$1,599 which the AOC determined to be allowable. \$31,157 of Phase 1 costs will not be recovered because those costs were part of the negotiated settlement with CCJV (the Contractor) Phase 1 Request for Equitable Adjustment (REA).
4. Determine if \$234,383 in legal fees is allowable and if not, recover unallowable costs if feasible	The AOC determined \$24,383 plus markups was unallowable and this amount was recovered. The remaining \$210,000 was re-submitted by CCJV on a change order and was determined to be allowable by the AOC.
6. Determine if \$286,933 is allowable, if not recover if feasible	\$71,670 was determined to be unallowable by the AOC and was recovered. CCJV provided documentation to support \$215,263 of costs, which the AOC determined to be allowable.

d) What processes or controls, if any, has the AOC put in place to prevent the reimbursement of unallowable costs and reimbursement for expenses without sufficient documentation?

**Answer** – The scope of OIG’s independent assessment (Report 2: Independent Assessment of Unallowable Costs) was for all reimbursable transactions included in the CMC’s pay applications for CHOBr Project’s Phases 1, 2 and 3 that were not previously reviewed during the Audit of the Project’s Reimbursable Costs discussed above. There were three recommendations related to this report (two financially related). All recommendations have been closed by OIG.

e) Did the agency ever respond, in writing or in person, to this finding by the AOC IG?

**Answer** – The AOC responded in writing on March 21, 2022, and that letter is included with the final OIG report.

f) Why were these expenses not caught before being inappropriately paid?

**Answer** – See response to item “d.”

Additionally, the dollar amounts of unallowable costs identified by the OIG are below thresholds for determining if internal controls programs provide reasonable assurance that improper payments do not exceed “acceptable” levels. Unallowable costs (\$38,529) were 0.3 percent or less of their respective universes (an estimated 50,000 transactions and \$50 million in total reimbursable costs over a 4.5 year period). The Government Accountability Office (GAO) and Council of the Inspectors General on Integrity and Efficiency (CIGIE) generally suggest setting an acceptability threshold of between 1-3% of total cost and 5% of total transactions for materiality. Total construction cost was \$332.7 million for the period.

g) Has the AOC been able to recover the unallowable costs found by the AOC IG?

**Answer** –

OIG Recommendation	AOC Resolution
1.Recover \$38,529 of unallowable costs	Full credit received from the Contractor.
2.Review \$55,235 in questioned costs and recover unallowable costs as feasible	<p>\$29,735 in costs are neither legally nor administratively recoverable as they are Phase 0 and Phase 1 costs. These costs were part of the negotiated settlement with CCJV (the Contractor) Phase 1 Request for Equitable Adjustment (REA</p> <p>\$18,300 in Safety Incentives were deemed allowable by the AOC per their alignment with the CHOBr Safety Plan.</p> <p>CCJV submitted supporting documentation for \$7,200 in questioned punch lists costs which were reviewed and deemed allowable by the AOC.</p>

h) What processes or controls, if any, has the AOC put in place to prevent the reimbursement of unallowable costs and reimbursement for expenses without sufficient documentation?

**Answer** – As noted in our response to OIG’s Independent Assessment of Unallowable Costs, the AOC applied lessons learned from these audits and assessments and re-evaluated the actions it previously took in response to the OIG’s June 2021 audit of Reimbursable Costs. The CHOBr team: Reduced the threshold for requiring documentation from \$25,000 to \$10,000 and continues to review all billings for legal and consulting costs and any cost submitted as an “allocation” in its monthly pay application review process. The AOC reviews Construction Manager and Contractor (CCJV, or CMc) documentation for a random sample of 10 transactions under \$10,000 from the CMc’s Cost Accounting System Actual Costs report on a monthly basis. We periodically deliberate the pay application submission and review processes, including unallowable costs and costs requiring prior CHOBr approval, with the CMc. Lastly, the CMc added a step to its pay

application process to prevent employees from directly inputting their expense reports into the reimbursable account. Its employees must now use the "non-reimbursable" project code for all expense reports. This account is screened for unallowable costs before the pay application goes to the AOC.

- 2) The Cannon Project was priced in 2008 and revisited in 2014, finding it to still be accurate for the full renovation cost for all five phases. As the project starts its final phase, there have been millions added to the projected final cost. If in 2008, there was a 20% contingency for historic preservation and a 25% contingency for escalation of material, labor, and inflation, what do you estimate the final cost will be?

**Answer** – The original CHOBudget of \$752.7 million was an estimate based on a planning study conducted by The URS Corporation. This estimate was conceptual as the design had not yet been started. GAO testified in 2009 (GAO-09-673T, May 6, 2009) that the cost estimate at that stage of the project is likely to be off by plus or minus 40 percent. The budget was set without inclusion of the caution for the potential 40 percent variance noted by GAO.

In August 2022, the Phase 4 Guaranteed Maximum Price (GMP) was awarded for a negotiated value of \$41 million over the budgeted amount. The Phase 4 construction contract was awarded in August 2022 at a cost of \$175 million. The final phase extends beyond the typical two-year cycle into a third year to allow for the demobilization of the project and completion of a usable space in the courtyard. The Phase 4 price reflects the current state of the construction industry and mirrors the unanticipated inflation experienced nationwide. The cumulative effect of these factors results in an increase to the total CHOBudget estimate to \$972 million. The revised estimate of \$972 million is a 30 percent increase from the original \$752.7 million, below the potential margin of 40 percent noted by GAO.

- 3) The Cannon Project is entering its last phase. What is the projected final completion date of the Project given all of the punch-list and warranty items from all phases?

**Answer** – The anticipated final completion date is December 31, 2025.

- 4) The Cannon Rotunda roof has been consistently delayed throughout this construction project. Please provide the Committee with reasons for this delay and submit any supporting documentation.

**Answer** – OIG is currently performing an audit of the Caucus Room that includes a significant investigation into the leaks and corresponding damage. The AOC is working collaboratively with OIG in their audit and the report is due to be issued in June 2023. Simultaneously, the AOC is preparing a formal contractual action related to the leaks and until finalized, we are unable to publish for the record. The AOC will provide the Committee with details once finalized.

- 5) The Rotunda roof continues to leak rainwater into newly finished spaces and sometimes into the technology room that controls the lights and audio of the Caucus room. What is the estimate of the overall damage caused by this leakage?

- a) Who is responsible for these repairs?

**Answer** – The overall damage caused by the leakage is unknown at this time. The AOC’s Construction Division repaired minor damage located in Cannon 590 in and around the technology room. The AOC has a current change order for \$136 thousand to support plaster repairs that was estimated in July 2022. The price is expected to increase due to more recent damage from water leaks. CCJV should be responsible for all roof repairs. The repairs located on the ceiling of the Cannon Caucus Room in 390 will be addressed by both the AOC Construction Division and in-house paint/plaster shop after the final roof replacement has been completed.

As part of the AOC’s drafting of the formal contractual action, associated responsibility of any related party will be determined.

- b) Who is responsible for bearing the cost of these repairs?

**Answer** – CCJV is responsible for the cost of the roof repairs and the AOC is responsible for bearing the repair of the ceiling in Cannon 390.

#### **Maintenance**

- 1) Please provide the number of member offices that requested work after the 2023 move.

**Answer** – The AOC tracks requests by work order submitted rather than by individual office as offices may submit multiple requests and each one needs to be addressed individually. There have been 3,341 work orders for member offices between January 3, 2023 and March 6, 2023. Of those work orders, 646 are considered maintenance and 2,695 are considered service requests. Note this information is only for member offices, not committees or other occupants of the building.

- a) How many of these requests have been completed?

**Answer** – As of March 29, 3,306 work orders have been completed, 634 maintenance work orders have been completed, and 2,672 service requests have been completed.

- b) How many of these requests are still pending?

**Answer** – As of March 29, 35 work orders, 12 maintenance and 23 service requests are pending.

- c) What is the estimated completion date for all of these requests?

**Answer** – As of March 29, maintenance work is estimated to be completed prior to the end of April 2023. The service requests require significant work and are estimated to be completed by the end of August 2023 as they are larger efforts requiring fabrication and coordination with member offices for renovation efforts.

- 2) On average, how many member offices request significant work, not including maintenance or emergency repairs, annually?

**Answer** – The AOC received 33 significant member letter requests in 2022. The AOC has received 25 significant member letter requests in 2023. This does not capture all significant requests that occurred during the 118th Transition member moves which were incorporated during transition meetings without the submission of a separate letter request. Note this information is only for member offices, not committees or other occupants of the building.

- 3) How are requests from member offices prioritized?

**Answer** – Requests are prioritized by date received and work type priority (routine: move a TV; high: too hot/too cold call; critical: water leak). Significant requests are completed by date received, level of effort and member seniority.

- 4) Deferred maintenance continues to be an issue. What is the current cost estimate of the deferred maintenance across the Capitol complex?

**Answer** – Deferred maintenance is calculated at the end of each fiscal year. As of September 30, 2022, the AOC's total deferred maintenance across the Capital campus is \$1,431,917,000. Deferred maintenance plus five future years of capital renewal is used to calculate the AOC's total backlog of \$2,056,142,000.

- a) How does your agency prioritize these deferred maintenance requests and at what cost?

**Answer** – Deferred maintenance work is addressed through Facility Maintenance (FM), Minor Construction (MC), and Capital Improvement Plan (CIP) work enactment. Prioritization of deferred maintenance work is based on planning scenarios developed by analyzing the need of the work identified and applying considerations such as facility criticality, workload balance, cost, security factors, mission criticality, and risks to operations. Cost analysis for deferred maintenance work is based on the method of completion, with more complex work requiring more complex cost estimates.

- 5) Rodent control continues to be an issue across the Capitol complex. What is being done to manage this issue?

**Answer** – HOB is utilizing the Office of the Attending Physician (OAP) contract to complete inspections three times per week (Monday, Tuesday and Thursday) in the interior and exterior of all five House office buildings. The weekly inspections consist of response to service requests received daily through the House Service Center for Congressional Offices in addition to common areas (i.e., members' storerooms, mechanical rooms and trade shops storerooms) in the sub-basement and loading dock of each building. These responses can include placing traps, investigating signs of rodent activity, and making recommendations to close entry points. The House Service Center building coordinators communicate the pest contractor's recommendations to offices when the solution consists of placing food items in sealed containers or cleaning containers with beverages that have leaked onto adjacent items.

Additionally, we are also including a copy of the attached pest management report which was transmitted to Congress on 03/29/2023.

a) What, if any, plans are being put in place to get ahead of this issue?

**Answer** – HOB is working with the Office of Safety and Code Compliance (SCC) to develop service levels to properly articulate funding needs in correlation with services provided to customers for pest control. This plan will assist with allocating funds necessary to improve pest control response. HOB is also reviewing potential entry points for pests throughout the facilities and preparing remediation efforts, adding service calls with the contractor, and inspecting/removing harborage areas.

**Diversity in the AOC**

1) According to a 2020 report by the AOC IG, the AOC, at the time, had a staff composition that was approximately 48% White and 43% Black, with the remaining workforce comprised of significantly smaller populations of other ethnic groups.

a) How does the racial composition of the AOC as a whole compare to the racial composition of the AOC C-suite and senior leadership?

**Answer** – The agency has worked hard for many years to employ the most talented and diverse individuals at all levels of the organization. Workforce demographics are benchmarked against the National Civilian Labor Force (CLF) and Office of Personnel Management (OPM). The agency surpasses the national benchmark for representation of Black or African American employees in both the workforce as a whole and in senior-rated (SR) positions. The table below provides a snapshot of the current agency workforce demographics and SR demographics compared to the CLF and OPM for Black or African American and white employees.

Demographic	National CLF (NCLF)	OPM Senior Executives	AOC Workforce	AOC C-Suite	AOC Senior Leaders (SRs)	AOC GS-15s
Black or African American	12.02%	10.43%	44.54%	33.33%	22.22%	22.67%
White	72.36%	79.26%	43.37%	55.56%	72.22%	68.00%

b) What efforts are you undertaking to ensure that AOC leadership is as diverse as the rest of the AOC workforce?

**Answer** – The AOC is intentional in ensuring it has a diverse pool of candidates for leadership position vacancies through extensive outreach and recruitment. The agency shares its executive career opportunities with organizations such as the National

Association of Minority Landscape Architects, the National Organization of Minority Architects, the Hispanic/Latino Professionals Association, the National Association of Minority Contractors, Women in Technology and the National Association of Women in Construction. In addition, the AOC participates in the Society of American Military Engineers (SAME) workshop and conference to engage senior level engineers and build awareness for the AOC's career opportunities.

The AOC also uses an executive search firm to recruit highly qualified, diverse prospective candidates for some of its senior level executive positions. The firm is able to identify a large a pool of highly qualified, diverse candidates.

Additionally, the AOC also has a robust interview/hiring process. We continue to make a deliberate attempt to convene diverse interview panels that represent the demographic composition of our workforce and includes the expertise needed.

- 2) In recent years, several AOC employees have filed lawsuits against the agency alleging racial discrimination. For example, last year, a Black mechanic claimed they were referred to as a racial slur, subjected to different working conditions than white coworkers, and accused of being "lazy." And in 2021, the AOC settled a lawsuit with an employee who alleged he found a noose hanging from equipment he was assigned to inspect. What is the agency doing to ensure the workplace is free of discrimination?

**Answer** – It is important to note that the aforementioned lawsuits include allegations which are not determined facts. More importantly, such allegations are not reflective of the work environment at the agency. The agency's efforts to ensure the workplace is free of discrimination include the following:

- Implementation of AOC Order 24-2 "Workplace Anti-Harassment Policy" which is buttressed by annual policy memorandums, annual workforce training, and materials that are distributed and posted throughout the Capitol campus.
- Accessible complaint procedures, including a complaint hotline for those who wish to remain anonymous. Employees who believe they have been subjected to discrimination or harassment are encouraged to contact the agency's Diversity, Inclusion, and Dispute Resolution office (DI/DR), and they are also provided with information about other resources such as the Office of Congressional Workplace Rights.
- DI/DR responds to internal claims of discrimination by conducting investigations, making determinations of policy violations, and working with agency partners who are responsible for handling any appropriate responsive personnel actions.
- Performance evaluations of management and supervisory personnel that require compliance with the agency's commitment to equal employment opportunity and diversity (EEO).

### **Modernization**

- 1) Can you provide a detailed status update on the following recommendations made by the Select Committee on Modernization?

- a) Recommendation 30: Create a bipartisan members-only space in the Capitol to encourage more collaboration across party lines.

**Answer** – HOB is collaborating with CHA to develop flexible, agile spaces in the recently vacated space in the O’Neill House Office Building. A design is pending award that will incorporate some of the Select Committee on Modernization recommendations. The entire building will be assessed for spaces that provide the opportunity to incorporate concepts already in place at General Service Administration and the Thurgood Marshall building occupied by the Administrative Office of the U.S. Courts.

- b) Recommendation 130: Create a similar bipartisan space for staff.

**Answer** – The HOB is collaborating with CHA and Chief Administrative Officer (CAO) to develop flexible, agile spaces in the Longworth basement in partnership with CHA, the Select Committee on Modernization and the House CAO to make a “Mainstreet” concept a reality. The spaces being evaluated currently include Huddle Rooms, Meeting Rooms, Phone Booths and Hotel Desks.

- c) Recommendation 157: To improve wayfinding, the House should consult with internal and external experts to assess and implement navigation improvements necessary to make it easier for visitors to find their way through the Capitol complex.

**Answer** – HOB is coordinating with CAO, the House Sergeant at Arms (HSAA), and potential wayfinding contractors that will be able to provide kiosks and mapping to better guide visitors. The Senate Sergeant at Arms is currently developing a similar product that we will utilize to develop the House options.

- d) Recommendation 161: The House should establish and designate shared meeting spaces that will allow for members and staff to use on a drop-in basis and do not require reservation, and Recommendation 162: The House should develop an app and expand the current web portal to include all reservable space in the Capitol and House Office buildings.

**Answer** – Twenty-two meeting and event rooms are interspersed between all House office buildings. HOB is also collaborating with CHA and CAO to develop additional flexible, agile spaces in the Longworth basement which would include Huddle Rooms, Meeting Rooms, Phone Booths, Hotel Desks and open area soft seating. HOB has begun initial outreach with HSAA and CAO to develop both phone and web-based applications or Apps that can integrate with event management software seamlessly to advertise events.

- e) Recommendation 166: The House should identify and develop a space that can be used to hold hearings with alternative seating formats, such as roundtable style.

**Answer** – The Cannon Caucus Room offers flexibility for various event setups as well as audio/video capabilities. In future large-scale projects, a potential solution to develop a “Hearing Room Hall” that can be designed to be flexible and host a variety of hearing

room sizes and configurations would be the first priority in a multiphased approach to identifying swing space needed to enable minimal disruption to congressional operations.

- f) Recommendation 180: Future upgrades to the Capitol Visitor Center should allow for a more personalized and interactive tour that allows constituents to better understand who their representatives are and how their opinions are reflected in House votes.

**Answer** – Congressional Leadership and Oversight Committees have guided the CVC in creating opportunities to help visitors understand the importance of the legislative branch in their daily lives, rather than focusing on individual members and their policy positions. We are confident that the new opportunities for engagement in learning about the functions of Congress provided by the redesigned Exhibition Hall will further enhance understanding of the importance of the work of Congress and the role of citizen participation.

In addition to providing Capitol tours that focus on the history, art and architecture of the building, the most visible means of carrying out the CVC's mission is through Exhibition Hall. The redesigned Exhibition Hall opened in August 2022 with new features for visitors to learn about the work of Congress, including a 40-foot-wide introductory film, manual interactives, large scale graphics, touchable objects, and audio programs.

Three signature digital interactives challenge visitors to pass a bill, invite them on a virtual tour of the Capitol, and prompt them to discover the history of and connections between 12 landmark laws. Additionally, two new spaces present temporary exhibits and provide an exciting new, hands-on educational space, the Democracy Lab. The updated House Theater and Senate Theater films complement the new Exhibition Hall, as well as the updated Orientation Theater film.

Exhibition Hall also includes a representative and senator look-up interactive that allows visitors to view information that can be found on the House and Senate websites. This includes photos, party affiliation, committee assignments and contact information.

#### **The Future of the AOC**

- 1) As you assume the role and responsibilities of the Architect of the Capitol, what succession and continuity planning will you prioritize?

**Answer** – I continue to evaluate the needs of the organization. The AOC needs to realign operational function in order to streamline management for a more collaborative matrixed organization. I ask for your support as we continue to transform and modernize the agency.

- 2) In your opinion, should a Deputy Architect be appointed to better serve the AOC?

**Answer** – I am evaluating the needs of the organization at this time. I appreciate your support as we work toward a more streamlined management approach.

- 3) What is the AOC doing to improve morale among the agency's employees?

**Answer** – The AOC participated in OPM’s Federal Employee Viewpoint Survey (FEVS) in 2022 and had an employee engagement score of 72.8 percent (as compared to government average of 71.0 percent). OPM notes employee engagement relates to employee motivation and in turn organizational performance. The AOC is targeting improvements in select areas based on employee feedback from the FEVS. One example is in the realm of reward and recognition where the agency is reinvigorating the AOC’s annual Honor Awards program. This annual event has not been held since 2019 due to the National Health Emergency. Planning is underway for a 2023 awards program. The AOC participates in the FEVS on a bi-annual basis to review the progress and impact of agency improvement efforts on the employee experience.

- 4) What, if any, opportunities for advancement are available to the agency’s employees?

**Answer** – The AOC is committed to providing opportunities for professional growth and career advancement for its employees and offers many opportunities for which AOC employees may be considered. This commitment is outlined in the agency’s FY 2022-2026 Human Capital Strategic Plan that delineates specific key performance indicators to strengthening our internal talent bench through training, a skilled trades apprenticeship program, detail opportunities and temporary promotions. New position vacancies are posted almost daily for which AOC employees may apply. Employees who apply for and are referred to the hiring official for consideration must be interviewed. Exceptions are made when more than five qualified employees are referred. In FY 2022, 182 employees were promoted in permanent positions. To support employees in their pursuit of advancement opportunities within the agency, the AOC has recently relaunched a Career Development Series that provides instruction and hands-on training in navigating USAJobs, resume writing and interviewing skills to assist employees in preparing for future job opportunities at the AOC.

- a) How are these opportunities promoted or advertised to AOC employees?

**Answer** – The agency advertises its position vacancies on USAJobs, the AOC’s website, as well as via email to all AOC employees. Employees may also receive these notices via their AOC-issued mobile phones.

- 5) What, if any, opportunities for continuing education are available to the agency’s employees?

**Answer** – The agency provides a variety of opportunities for employees to obtain continuing education units (CEUs) to support continuing skill development and enhancement. All employees have access to thousands of Percipio’s training courses through the agency’s partnership with Skillsoft, many of which provide CEUs toward several professional and accreditation programs (including The Project Management Institute, Human Resources Certification Institute, Society for Human Resource Management, CompTIA, International Institute of Business Analysis, and others). These online courses are offered at no cost to employees and are intended to help them gain new knowledge in support of their development.

- a) How are these opportunities promoted or advertised to AOC employees?

**Answer** – The AOC began providing all employees with no cost access to Skillssoft/Percipio in Q1 of FY 2023 (prior to this, the agency had a limited number of licenses). Availability of the new Percipio learning platform was initially shared in a communication from the Architect to all employees, and this announcement was followed by a series of communications messages from the Legislative and Public Affairs (LPA) team to all employees as well as several meeting communications and virtual demonstrations of the platform by the Chief Learning Officer with agency leaders and managers. Employees can access Percipio with one-click from the agency’s homepage, and more information about the resource is featured on the intranet’s training pages. The agency issues a Training Opportunity Announcement to all jurisdictions and offices to share with their employees summarizing the ETS resource, partnership and terms. In addition, these opportunities are highlighted in forums such as new employee orientation, Office Hours events, AOC Supervisory Academy and AOC Leads Academy.

- 6) Does the Acting Architect plan to make any changes to the structure of function of the C-suite as it was established by the former Architect?

**Answer** – I am carefully evaluating the management approach at this time.

- 7) What plans, if any, does the agency have to renovate the Rayburn and Longworth House Office Buildings? Please include any documentation regarding these renovation plans or proposals.

**Answer** – The AOC commissioned a study from the National Academy of Public Administration (NAPA), and the final report was released in February 2020. The panel's final report concluded that both the Rayburn House Office Building and Longworth House Office Building require significant investment to ensure their continued usefulness. The report also outlined that the Rayburn Building is a higher priority due to its condition and that significant swing space is required to accommodate members and committees during construction. The AOC will then commission a detailed swing space study as well as a pre-design Program of Requirements. These two studies are required so that the AOC can begin design and provide detailed budgetary estimates for renovation of the Rayburn Building first, followed by the Longworth Building.

- 8) Please provide the 5-year and 10-year plans for the agency’s funding needs. Please include any supporting documentation.

**Answer** –

AOC Appropriations (\$M)	Appropriated	Request	AOC Future Years Estimate (\$M)									
	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30	FY31	FY32	FY33	FY34
Operating Budget	\$580	\$645	\$668	\$692	\$717	\$744	\$771	\$799	\$829	\$860	\$892	\$925
Multi-Year Projects	\$620	\$395	\$495	\$494	\$546	\$553	\$574	\$565	\$600	\$605	\$634	\$632
No-Year Projects	\$119	\$88	\$38	\$52	\$148	\$158	\$138	\$163	\$145	\$158	\$146	\$166
<b>AOC Total</b>	<b>\$1319</b>	<b>\$1128</b>	<b>\$1201</b>	<b>\$1238</b>	<b>\$1411</b>	<b>\$1454</b>	<b>\$1483</b>	<b>\$1528</b>	<b>\$1574</b>	<b>\$1622</b>	<b>\$1672</b>	<b>\$1723</b>

- AOC Future Years Estimate amounts represent a rough order of magnitude estimate only

and are subject to change.

- The operating budget estimate includes Congressional Budget Office inflation factors.
- The Multi-year and No-year Projects estimates are based on planned future projects and represent a rough order of magnitude and are subject to change.
- Senate Facilities Plan and Rayburn House Office Building Renewal rough estimates are included in these totals.
- This estimate does not significantly reduce campuswide maintenance backlog or deferred maintenance.

- 9) Does the agency have any plans for the Capitol campus to support the growing use of electric vehicles and micro transportation modes?

**Answer** – The AOC notes this response is similarly addressed under the general category response to question 3, found on this document. Current law requires the AOC to fully recover all costs associated with private vehicle electric charging to include infrastructure costs and electricity usage.

The AOC will gladly provide a briefing to your staff. We will work with Committee staff to arrange the briefing.

### 1. Improving Capitol Services Through Enhanced Use Lease Authorities

**Background:** Enhanced use leases (EUL) allow for organizations to operate on government property and offer services that would otherwise be too costly or require expertise the host agency does not have. Such leases enable agencies to provide superior services or opportunities employees or tenants would otherwise not have access to. However, the Architect of the Capitol (AOC) currently does not hold the authority enter in enhanced use leases for properties under its supervision. This proposal, thus, seeks to remedy that in an effort to improve the services available on Capitol properties, including charging stations for electric vehicles (EV).

**Recommended Text:**

“(a) LEASE AUTHORITY.—Notwithstanding any other provision of law, the Architect of the Capitol may lease real property under the jurisdiction of the Architect of the Capitol under the terms set forth in subsection

(b). Any lease under this section may be referred to as an “enhanced-use lease”.

(c) REQUIREMENTS.—The Architect of the Capitol may enter into an enhanced-use lease when the Architect of the Capitol determines that:

- (1) the property, subject to the lease, is under the jurisdiction of the Architect of the Capitol;
- (2) the property, subject to the lease, is not needed to fulfill the mission of the Architect of the Capitol for the proposed lease term;
- (3) the lease will not be inconsistent with and will not adversely affect the mission of the Architect of the Capitol; and
- (4) the lease will enhance the use of the property.

(d) SELECTION OF LESSEE.—If the Architect of the Capitol has determined that a property should be leased to another party through an enhanced-use lease, the Architect of the Capitol shall select the party with whom the lease will be entered into using selection procedures determined to ensure the integrity of the selection process.

(e) TERMS.—A lease under this section:

- (1) may not be for more than ten years, unless the Architect determines that a lease for a longer period will be in the public interest;
- (2) shall permit the Architect to revoke the lease at any time, unless the Architect determines that the omission of such a provision will be in the public interest;
- (3) shall provide for the payment (in cash or in kind) by the lessee of consideration in an amount that is not less than the fair market value of the lease interest, as determined by the Architect; and
- (4) may provide for the alteration, repair, or improvement, by the lessee, of the property leased as the payment of part or all of the consideration for the lease.

(f) IN-KIND CONSIDERATION.—In-kind consideration accepted with respect to a lease under this section may include the following:

- (1) maintenance, protection, alteration, repair, improvement, or restoration (including environmental restoration) of property or facilities;
- (2) construction of new facilities;

- (3) provision of facilities for use by the Architect;
- (4) provision or payment of utility services for the Architect;
- (5) provision of real property maintenance services for the Architect; or
- (6) provision of such other services relating to activities that will occur on the leased property.
- (7) construction, operation, maintenance, and collection of fees or charges associated with electric vehicle battery recharging stations on Capitol Grounds, notwithstanding any other provision of law.

(g) LEASE ACCOUNT.—There is established in the Treasury an “Enhanced-Use Lease Account” for the Architect of the Capitol, subject to the following requirements:

- (1) the Architect of the Capitol shall deposit into the account all proceeds from enhanced-use leases under this section; and
- (2) the proceeds deposited in the account shall be available without fiscal year limitation for the operations of the Architect of the Capitol, upon notification to the Senate Committee on Appropriations and the House Committee on Appropriations.”

**Justification:** This proposal would grant the AOC authority to enter into enhanced use leases to make better use of underutilized property under the jurisdiction of the AOC. For example, EUL authority would allow the AOC to enter into a lease with a third-party to install and maintain charging stations for electric vehicles (EV). This would transfer the utility and infrastructure costs for having this amenity on campus to the private sector, simplify the government’s approach to provision of this service and eliminate the need for legislation related to EV charging stations. Another example that this authority would enable is to allow a developer to construct, own, operate and maintain a photovoltaic solar array on property under AOC jurisdiction (e.g., off-site parking lots or large flat roof buildings) to promote energy resilience, improve agency’s sustainability efforts and reduce energy costs. EUL authority has precedent within the executive branch, including similar authority granted to the Department of Veterans Affairs at 38 U.S.C. § 8162.





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**ORDER 24-2**

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**EFFECTIVE DATE:** October 15, 2020

**SUBJECT:** Architect of the Capitol Workplace Anti-Harassment Policy

**OFFICE OF PRIMARY RESPONSIBILITY:** Diversity, Inclusion and Dispute Resolution (DI/DR)

**SCOPE:** All Architect of the Capitol (AOC) employees, contractors, seasonal employees, interns, volunteers and student volunteers

**DESCRIPTION:** This policy addresses harassment-related issues for the AOC.

**SUMMARY OF CHANGES:** This policy incorporates the following major provisions and requirements:

- Expands the sexual harassment policy memorandum to include harassment of all protected classes.
- Expands the forums to which this policy applies to include electronic communications
- Provides greater clarity on the specific prohibited behaviors and the process for reporting and participating in the investigative process.
- Includes the applicable authorities and references.
- Updates organizational names.

Approved:

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J. Brett Blanton  
Architect of the Capitol

**ARCHITECT OF THE CAPITOL ORDER 24-2**  
Workplace Anti-Harassment Policy

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**1. Purpose**

The Architect of the Capitol (AOC) is committed to creating and maintaining a safe, respectful and inclusive workplace where all employees, including student employees and volunteers, feel that they are valued and able to perform at their best. Every AOC employee has a responsibility to foster a harassment-free workplace. Workplace harassment is prohibited at the AOC and will not be tolerated under any circumstances. This prohibition applies to harassment by anyone including supervisors, co-workers and contractors within an AOC workspace.

**2. Policy**

Workplace harassment in any form is a violation of employee rights. Unlawful sexual or nonsexual harassment and discrimination are strictly prohibited by AOC policy and applicable employment laws. Any employee who engages in any type of harassing conduct, or any supervisor who knowingly allows such conduct to occur, will be subject to disciplinary action, up to and including termination of employment.

**3. Authorities and References**

- 2 U.S.C. §§ 1301-1438, Congressional Accountability Act (CAA)
- AOC Order 24-1, Conciliation Program Guide
- AOC Policy Memorandum 24-3, Workforce Diversity, Inclusion and Equal Employment Opportunity

**4. Harassment Defined**

- 4.1. For the purposes of this policy, harassment (or harassing conduct) is defined as unwelcome conduct, verbal or physical, based on an individual's race, color, gender, national origin, religion, age, disability, sexual orientation, gender identity, genetic information, or retaliation that has one of the following effects:
  - 4.1.1. Quid Pro Quo Harassment: Terms and conditions of employment (e.g., compensation, promotion, continued employment, etc.) are made contingent on the provision of favors, usually by an employer, supervisor or agent of the employer who has the authority to make decisions about employment actions. Quid pro quo harassment can also occur when the rejection of such favors results in a tangible employment detriment, such as the loss of a job or job benefit. Commonly, quid pro quo harassment involves an adverse employment action that occurs after sexual advances are rejected by an employee or when sexual favors are required for an employment benefit, such as a pay raise or job assignment.

- 4.1.2. Hostile Work Environment: When there is unwelcome conduct, such as insults, slurs, or other verbal or physical conduct or activity regarding a protected trait. This conduct creates an intimidating, hostile or offensive work environment that unreasonably interferes with an individual's work performance. Unless it is unusually severe, a single incident on its own generally does not constitute harassment under the law but may nevertheless violate AOC policy.
- 4.2. Unwelcome actions such as the ones listed below provide examples of conduct that may meet the definition of harassment or contribute to a hostile work environment. This is not an exhaustive list, and other actions not listed here may also be deemed harassment.
  - 4.2.1. Threatening that rejection of sexual overtures will affect assignments, promotions, transfers or evaluations.
  - 4.2.2. Sexual advances or propositions.
  - 4.2.3. Sexual comments.
  - 4.2.4. Sexual teasing, jokes or innuendo, in person or via email/text.
  - 4.2.5. Touching or grabbing of a sexual nature.
  - 4.2.6. Displaying sexually suggestive or explicit materials such as calendars, photos or cartoons.
  - 4.2.7. Repeatedly asking a person to socialize during off-duty hours when the person has said "No" or has indicated he or she is not interested (supervisors, in particular, should be careful not to pressure employees to socialize).
  - 4.2.8. Making sexually suggestive gestures and/or using sexually explicit language.
  - 4.2.9. Commenting on a person's body.
  - 4.2.10. Creating pictures, artwork, drawings, etc. that disparage people of a particular race, national origin, religion or other protected category.
  - 4.2.11. Telling racial or ethnic jokes or stories.
  - 4.2.12. Teasing, mimicking or repeatedly commenting on an individual's disability, accent or other characteristics linked to a protected group.
  - 4.2.13. Making offensive comments, jokes or suggestions about an employee's gender, gender identity or sexual orientation.

4.2.14. Continuing prohibited behavior after a co-worker has objected to such behavior.

4.2.15. Ridiculing, ignoring or retaliating against an employee who complains.

## **5. Application**

- 5.1. The above prohibitions apply whether they occur in person or electronically. This includes but is not limited to email messages, text messages, instant messages (IM) or the like, sent via electronic devices.

## **6. Retaliation**

- 6.1. Retaliation against an AOC employee who made a complaint or cooperated with a harassment investigation, or any investigation based on protected categories, is strictly prohibited. Any concerns of retaliation shall be reported directly to Diversity, Inclusion and Dispute Resolution (DI/DR).
- 6.2. The CAA prohibits punishing job applicants or employees for asserting their rights to be free from employment discrimination including harassment.

## **7. Reporting Harassment**

- 7.1. Any employee who believes he or she has been subjected to harassing conduct should report the matter to his or her immediate supervisor (or second line supervisor) and/or any other member of AOC management. Employees may directly contact DI/DR by calling 202.226.1060 or by visiting DI/DR in Room H2-106, Ford House Office Building. Employees may also call the DI/DR hotline (available 24/7) at 202.226.1405 and leave a confidential or anonymous message to report harassment, retaliation, discrimination or other conflict-related concerns.
- 7.2. Formal complaints of harassment may be filed with the Office of Congressional Workplace Rights (OCWR) in Room LA-200, John Adams Building, Library of Congress or by calling 202.724.9250; TTD 202.226.1912; or fax 202.426.1913.
- 7.3. Employees may also speak with an OCWR Confidential Advisor by calling 202.724.9250 or by sending an email to [ConfidentialAdvisor@ocwr.gov](mailto:ConfidentialAdvisor@ocwr.gov). To preserve their rights under the CAA, employees must contact OCWR no later than 180 days after the alleged harassing conduct.

## **8. How the Workplace Anti-Harassment Process Works**

- 8.1. AOC management officials who are notified of harassing conduct are required to immediately assess the situation and contact DI/DR. Upon consultation with DI/DR, appropriate next steps will be determined. Depending on the circumstances, suitable interim relief may be provided and may include separate workstations, transfers or administrative leave. Management officials may be asked to obtain employee and witness statements in writing.
- 8.2. Each case has its own set of unique circumstances. Investigations are individually tailored to meet the requirements demanded of each claim or allegation. DI/DR will determine the appropriate avenue of inquiry on a case-by-case basis. However, the investigation process is standard and has similar elements in every case.
  - 8.2.1. Generally, the first step is to separate the alleged target and the alleged aggressor(s) for the length of the investigation so they do not interact on a daily basis.
  - 8.2.2. Next, an investigator is assigned (either a DI/DR staff member or, under certain circumstances, an outside/contracted investigator).
  - 8.2.3. A list of witnesses is compiled and the investigator contacts each to schedule interviews. Additionally, all parties to the case are notified before being interviewed.
  - 8.2.4. During the interviews, the parties and the witnesses are asked in detail about the alleged incident(s) and shall provide as many specifics as they can recall. It is critical for all parties and witnesses to be truthful and completely forthcoming with what they know or what they saw.
  - 8.2.5. Finally, upon completion of the investigation, an Investigative Memorandum and/or Report of Investigation is generated and provided to the appropriate management officials. DI/DR will determine whether AOC policy was violated and provide recommendations for corrective action, possible training, and support for the designated work environment. Management will meet with the parties to discuss the outcome.

## **9. AOC Workplace Anti-Harassment Procedures and Conciliation Program**

- 9.1. The AOC encourages use of the AOC Conciliation Program, an informal dispute resolution program. The Conciliation Program offers confidential counseling and assistance to employees who are experiencing any type of workplace conflict or who are engaged in employment-related disputes. As a neutral third party, DI/DR promotes cooperation and the early and fair resolution of disputes at all levels of the organization through conciliation and other informal means.

- 9.2. The Conciliation Program enables DI/DR to investigate allegations of discrimination based on race, color, national origin, sex, sexual orientation gender identity, religion, age disability and genetic information and to address potential violations of other employee safeguards including retaliation.
- 9.3. The AOC Conciliation Program provides a means to resolve employment-related disputes in an informal manner as early as possible. This program is intended to work in conjunction with other internal AOC policies and activities that promote the program's objectives. The Director of DI/DR, or their designee, has the ultimate discretion to limit or restrict the use of these procedures to help attain those goals. The AOC Conciliation Program also serves as the primary internal procedure for resolution for matters subject to the CAA.
- 9.4. The Workplace Anti-Harassment Policy provides guidelines for management to address allegations of harassment. Management will take immediate and appropriate corrective action, including the use of disciplinary actions, to eliminate harassing conduct regardless of whether the conduct violated the law. The goal of the Workplace Anti-Harassment Policy is to address harassing conduct at the earliest possible stage before it can become severe or pervasive, as defined by law.

