

ENSURING TRANSPARENCY IN THE FEDERAL GOVERNMENT: AN EXAMINATION OF GSA'S SITE SELECTION FOR THE FBI HEADQUARTERS

(118-37)

HEARING
BEFORE THE
SUBCOMMITTEE ON
ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS, AND
EMERGENCY MANAGEMENT
OF THE
COMMITTEE ON
TRANSPORTATION AND
INFRASTRUCTURE
HOUSE OF REPRESENTATIVES
ONE HUNDRED EIGHTEENTH CONGRESS

FIRST SESSION

DECEMBER 12, 2023

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Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, DC 20515

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DECEMBER 8, 2023

SUMMARY OF SUBJECT MATTER

TO: Members, Subcommittee on Economic Development, Public Buildings, and Emergency Management
FROM: Staff, Subcommittee on Economic Development, Public Buildings, and Emergency Management
RE: Subcommittee Hearing on “*Ensuring Transparency in the Federal Government: An Examination of GSA’s Site Selection for the FBI Headquarters*”

I. PURPOSE

The Subcommittee on Economic Development, Public Buildings, and Emergency Management of the Committee on Transportation and Infrastructure will meet on Tuesday, December 12, 2023, at 10:00 a.m. ET in 2167 of the Rayburn House Office Building to receive testimony at a hearing entitled, “*Ensuring Transparency in the Federal Government: An Examination of GSA’s Site Selection for the FBI Headquarters*.” The purpose of the hearing is to examine the history of the new Federal Bureau of Investigation (FBI) Headquarters, the site selection process, and next steps. Participants will include the General Services Administration (GSA), the FBI, and former GSA Public Buildings Commissioner, Nina Albert.

II. BACKGROUND

The pursuit for a new FBI Headquarters (HQ) building dates back more than 15 years, but the current plan can be traced to 2011 with the Senate Environment and Public Works (EPW) Committee adopting a resolution directing GSA to do a building project survey report on the “feasibility and need to construct or acquire a replacement consolidated headquarters facility to house the FBI in the Washington, D.C. metropolitan region.”¹

The resolution was adopted pursuant to 40 U.S.C. 3315(b), which authorizes Senate EPW and the House Committee on Transportation and Infrastructure (T&I or Committee) to direct GSA to produce a prospectus for consideration, effectively allowing the Committees to initiate specific projects.² The resolution further directed GSA to identify alternative strategies, including strategies to leverage the value of the existing FBI HQ’s building.³ In response, in 2011, both the FBI and GSA sub-

¹ *GSA Capitol Investment Leasing Program Resolution*, S. EPW Comm. (July 13, 2011) (on file with Comm.) [hereinafter *GSA Resolution*].

² 40 U.S.C. § 3315(b).

³ *GSA Resolution*, *supra* note 1.

mitted separate proposals for a new FBI HQ.⁴ GSA recommended traditional Federal construction, which would require access to the full cost of construction upfront.⁵ The FBI, noting the unlikelihood of a large amount of funds becoming available, proposed a lease/lease-back arrangement in which the Federal Government would ground lease land to a private developer who would build the facility and lease back to the Federal Government.⁶

The FBI's justification for a new building included that in 2011, just 52 percent of headquarters staff were housed in the J. Edgar Hoover (JEH) FBI Building with the remainder in 20 leased locations in the National Capital Region, effecting its mission and operations.⁷ In addition, the JEH Building did not meet the Inter-agency Security Committee security standards.⁸ The FBI argued consolidation would improve its operations, shrink overall space, and reduce costs by as much as \$44 million per year.⁹ On December 8, 2011, Senate EPW authorized the FBI's proposal to proceed as a public-private partnership (lease/lease-back) with certain limitations including, to the extent possible, requiring the new FBI HQ be located a certain distance from a Metro rail and 2.5 miles from the Capital Beltway, the site was not to exceed 55 acres, and not exceed 2.1 million square feet.¹⁰ The limitations on locations, effectively excluded most of the District of Columbia from being considered.¹¹

Ultimately, GSA, contrary to the FBI's analysis and recommendation, and Senate EPW's direction, concluded that traditional Federal construction would be the least expensive approach at a 2011 present value cost of \$1.86 billion and asserted that the JEH Building value of \$610 million at that time could be used to offset the costs through an exchange or disposal and proceeded with this option.¹²

GSA and FBI issued a Request for Information (RFI) in December 2012 which resulted in a procurement strategy developed in October 2013.¹³ The developed requirements effectively excluded sites in the District of Columbia from the original procurement.¹⁴ The process involved GSA selecting sites that would meet the FBI requirements completed in 2014 and included sites in Springfield, Virginia; Landover, Maryland; and Greenbelt, Maryland.¹⁵ The procurement process requested developers compete on constructing the FBI HQ on one or more of the three sites.¹⁶ Developers could submit proposals for one or all of the three sites and developers were to provide offers on the JEH Building to offset costs.¹⁷ Essentially, the final site would have been selected based on competition among developers vying to construct the new FBI HQ.

The timeline for the procurement award continued to shift from the target award date of Summer 2015 to April 2017.¹⁸ In 2016, GSA submitted a new prospectus to Senate EPW and House T&I for authorization of \$759 million for a new FBI HQ

⁴ GSA, Report No. BDC-13001, REPORT OF BUILDING PROJECT SURVEY FEDERAL BUREAU OF INVESTIGATION HEADQUARTERS CONSOLIDATION WASHINGTON, DC, METROPOLITAN REGION (Oct. 17, 2011); FBI, FEDERAL BUREAU OF INVESTIGATION HEADQUARTERS CONSOLIDATION PROJECT REPORT (Aug. 2011).

⁵ GSA, Report No. BDC-13001, REPORT OF BUILDING PROJECT SURVEY FEDERAL BUREAU OF INVESTIGATION HEADQUARTERS CONSOLIDATION WASHINGTON, DC, METROPOLITAN REGION (Oct. 17, 2011).

⁶ FBI, FEDERAL BUREAU OF INVESTIGATION HEADQUARTERS CONSOLIDATION PROJECT REPORT (Aug. 2011).

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

¹⁰ GSA Capitol Investment Leasing Program Resolution, *FBI Consolidated Headquarters, National Capitol Region*, S. Comm. on Environ. and Public Works, 112th Cong. (Dec. 8, 2011) (on file with Comm.).

¹¹ CONG. RSCH. SERV., BUFFERS OF CAPITAL BELTWAY AND METRO RAIL STATIONS FOR NEW BUILDING LOCATION, (Feb. 12, 2013).

¹² GSA, Report No. BDC-13001, REPORT OF BUILDING PROJECT SURVEY FEDERAL BUREAU OF INVESTIGATION HEADQUARTERS CONSOLIDATION WASHINGTON, DC, METROPOLITAN REGION (Oct. 17, 2011).

¹³ GSA, REQUEST FOR INFORMATION, FEDERAL BUREAU OF INVESTIGATION HEADQUARTERS CONSOLIDATION WASHINGTON, DC (Dec. 3, 2012).

¹⁴ CONG. RSCH. SERV., BUFFERS OF CAPITAL BELTWAY AND METRO RAIL STATIONS FOR NEW BUILDING LOCATION, (Feb. 12, 2013).

¹⁵ Andrea Noble, *GSA picks 3 sites as finalists for new FBI headquarters*, WASHINGTON TIMES, (July 29, 2014), available at <https://www.washingtontimes.com/news/2014/jul/29/gsa-picks-3-sites-finalists-new-fbi-headquarters/>.

¹⁶ GSA PROSPECTUS, PNCR-FBI-NCR17, FBI Headquarters Consolidation, National Capitol Region, Construction, (Feb. 8, 2016) (on file with Comm.).

¹⁷ *Id.*

¹⁸ Memorandum from GSA to Cong. (Nov. 15, 2013); Memorandum from GSA to Cong. (Mar. 28, 2014); Memorandum from GSA to Cong. (Oct. 14, 2015); Memorandum from GSA to Cong. (Jan. 22, 2016); Memorandum from GSA to Cong. (Oct. 24, 2016). (on file with Comm.)

to be built on one of the three sites to consolidate 13 leased locations and JEH and accommodate 11,000 personnel and parking for 6,000 to 8,000 vehicles.¹⁹ The prospectus only requested authorization for the amount to be funded through GSA's Federal Buildings Fund which would be combined with FBI funding and the value of the JEH exchange.²⁰ The prospectus noted the reduction of the consolidation from 21 sites to 14 was a result of the FBI taking actions to decrease its footprint.²¹

On May 18, 2016, the Senate EPW Committee authorized \$759 million for the FBI headquarters requiring the project to be a full consolidation and not greater than 2.1 million rentable square feet.²² On December 7, 2016, the T&I Committee authorized the project but set more direction and limitations on the project.²³ Specifically, the Committee authorized \$834 million from GSA's Federal Buildings Fund and set an overall project limit of \$2.11 billion to include all funding sources, except the value of JEH, required the project to be a full consolidation, and set an expiration date indicating that the authorization to award would expire two years from the date of the resolution.²⁴ During this same time, both the House and Senate committees on appropriations expressed concern with respect to the timeline and the funding strategy for the FBI HQ project.²⁵

In July 2017, GSA announced the cancellation of the procurement for the new FBI HQ indicating that full funding was needed to award; however, there remained a \$882 million funding gap.²⁶ That same month, the House Committee on Appropriations directed in its report accompanying the Financial Services and General Government Appropriations Bill of 2018 that GSA develop an alternative plan for the consolidation of the FBI HQ within 60 days after enactment of the Act.²⁷

A revised consolidation plan was submitted to Congress in February 2018.²⁸ That plan noted action was needed on a new FBI HQ indicating that JEH is on the path to catastrophic failure and estimating the cost of inaction to be \$84 million per year.²⁹ The revised plan reduced the scope of the FBI HQ requirements from approximately 11,000 personnel to 8,300 personnel with some functions relocating to Alabama, West Virginia, and Idaho.³⁰ The plan would not move the FBI HQ, but rather proposed demolishing the existing building and replacing with new construction at a total cost of \$3.3 billion, including swing space costs.³¹

Ultimately, the revised plan was never executed and in the Consolidated Appropriations Act of 2023, Congress directed GSA to select a site from one of three sites previously identified in Maryland and Virginia for a new consolidated FBI HQ and directed GSA to conduct detailed consultations with individuals representing the sites to further consider "perspectives related to mission requirements, sustainable siting and equity . . ." ³²

¹⁹GSA PROSPECTUS, PNCR-FBI-NCR17, FBI Headquarters Consolidation, National Capitol Region, Construction, (Feb. 8, 2016) (on file with Comm.).

²⁰*Id.*

²¹*Id.*

²²GSA Capitol Investment Leasing Program Resolution, PNCR-FBI-NCR17, Construction, FBI Consolidated Headquarters, National Capitol Region, S. Comm. On Environ. and Public Works (May 18, 2016) (on file with Comm.).

²³GSA Capitol Investment Leasing Program Resolution, PNCR-FBI-NCR17, Construction, FBI Consolidated Headquarters, National Capitol Region, H. Comm. on Transp. and Infrastructure (Dec. 7, 2016) (on file with Comm.).

²⁴*Id.*

²⁵See S. COMM. ON APPROPRIATIONS, REPORT TO ACCOMPANY FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS BILL, 2017, 114th Cong. (2016) (S. Rept. 114-280); H. COMM. ON APPROPRIATIONS, REPORT TO ACCOMPANY FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS BILL, 2017, 114th Cong. (2016) (H. Rept. 114-624).

²⁶Press Release, GSA, *GSA releases statement on FBI Headquarters*, (July 11, 2017), available at <https://www.gsa.gov/about-us/newsroom/news-releases/gsa-releases-statement-on-fbi-headquarters-07112017>.

²⁷H. COMM ON APPROPRIATIONS, REPORT TO ACCOMPANY FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS BILL, 2018, 115th Cong. (2017) (H. Rept. 115-234).

²⁸GSA & FBI, FBI HEADQUARTERS: REVISED NATIONALLY-FOCUSED CONSOLIDATION PLAN (Feb. 12, 2018).

²⁹*Id.*

³⁰*Id.*

³¹*Id.*

³²Consolidated Appropriations Act, 2023, Pub. L. No. 117-328, 136 stat. 4687.

III. SITE SELECTION PROCESS

In September 2022, GSA published the Site Selection Plan for the FBI Suburban Headquarters.³³ Per the Fiscal Year 2022 Consolidated Appropriations Act, the sites GSA considered in this site selection plan included: Greenbelt, Maryland; Landover, Maryland; and Springfield, Virginia.³⁴

The three proposed sites were evaluated by an eleven-person panel which included three voting members—two from GSA and one from the FBI. The remainder of the panel consisted of eight non-voting technical advisors.³⁵ The panel was directed to consider five criteria when making its site recommendations.³⁶ The five criteria were then weighted (out of 100 points) by the predetermined multiplier.³⁷ After assessing the criteria, the panel made a recommendation to the site selection authority (SSA)—the one person empowered to make the final decision. As outlined in the Site Selection Plan, the SSA can reject the panel’s recommendation.³⁸

During the site selection process, GSA amended the Site Selection Plan twice: first in November 2022 and then again in July 2023.³⁹ The July 2023 amendment was significant because it changed the weight given to different criterion. Criteria #1 (FBI Mission Requirements) was decreased from 35 to 25 points and Criteria #2 (Transportation Access) was decreased from 25 to 20 points. Meanwhile, Criteria #4 (Promoting Sustainable Siting and Advancing Equity) was increased from 15 to 20 points and Criteria #5 (Cost) was increased from 10 to 20 points. No changes were made to Criteria #3 (Site Development).⁴⁰

The final criteria and multipliers are as follows:

Criteria #1: FBI Proximity to Mission-Related Locations (25 points)

- The Proximity of the Site to the FBI’s Quantico Facility
- The Proximity of the Site to Non-Consolidating Operationally Significant FBI/NCR Real Estate Assets
- The Proximity of the Site to Downtown Facilities (United States Department of Justice, United States Capitol, and White House)

Criteria #2: Transportation Access (20 points)

- The Walking Distance from the Site to a Station on the Metrorail System Operated by the Washington Metropolitan Area Transit Authority
- The Walking Distance from the Site to Virginia Railway Express (VRE) or the Maryland Area Regional Commuter (MARC)
- Accessibility to Major Bus Line Stop(s)
- The Site’s Proximity to the Nearest Commercial Airport

Criteria #3: Site Development Flexibility and Schedule Risk (15 points)

- Site area and Site Geometry
- Schedule Risk

Criteria #4: Promoting Sustainable Siting and Advancing Equity (20 points)

- Advancing racial equity and support for underserved communities through the Federal Government
- Promoting sustainable locations for Federal facilities and strengthening the vitality and livability of the communities in which Federal facilities are located

Criteria #5: Cost (20 points)

- Cost to Acquire Site + Cost to Prepare Site + Cost of Off-Site Improvements + Relative Cost Difference of Expected Construction Start Dates⁴¹

In August 2023, the Site Selection Panel completed its Recommendation Report which stated that, “the consensus recommendation of the panel was that Springfield

³³ Site Selection Plan Federal Bureau of Investigation Suburban Headquarters, GSA, (Sept. 2022).

³⁴ Consolidated Appropriations Act, 2022, Pub. L. No. 117–103, 136 stat. 276.

³⁵ Site Selection Plan Federal Bureau of Investigation Suburban Headquarters, GSA, (Sept. 2022).

³⁶ *Id.*

³⁷ *Id.*

³⁸ *Id.*

³⁹ Garrett Hatch, *FBI Headquarters Site Selection Process*, CRS (updated Nov. 13, 2023) available at <https://www.crs.gov/Reports/IN12204?source=search>.

⁴⁰ Site Selection Plan (Amendment 2), Federal Bureau of Investigation Suburban Headquarters, GSA, (July 2023).

⁴¹ *Id.*

is the site most advantageous to the Government.”⁴² The Recommendation Report found that the Springfield site best met the needs of criteria #1, #2, and #3 which accounted for 60 percent of the weighted criteria points and the Greenbelt location was found to best meet the needs of criteria #4 and #5.⁴³

However, on November 9, 2023, GSA announced that Greenbelt, Maryland, had been selected as the location for the new FBI HQ, as ultimately determined by the SSA, Ms. Albert, the GSA Public Buildings Commissioner at the time.⁴⁴ The newly published final report found the Greenbelt site best met the needs of criteria #2, #3, #4, and #5, while the Springfield site only best met the needs of criteria #1 and was equally advantageous to the government for criteria #3.⁴⁵

It is important to note that in addition to the announced Greenbelt campus, GSA is also working to identify a downtown Washington, DC, location.⁴⁶ According to the GSA this new location will accommodate 750 to 1,000 FBI employees and “will allow for continued FBI accessibility to the Department of Justice and other key partners, as well as move the FBI out of the JEH Building, which is at the end of its useful life.”⁴⁷ The current plan also seems to include the exchange or disposal of the JEH Building in the arrangement.⁴⁸

FBI CRITICISMS OF SITE SELECTION PROCESS

On September 22, 2023, the FBI submitted a memorandum and follow-up questions to GSA seeking clarification on the site selection process.⁴⁹ The FBI was provided two different draft decision documents and a briefing on the decision, but claims it received different explanations in all three occurrences.⁵⁰

In an October 12, 2023, letter to GSA, the FBI cited additional concerns with Ms. Albert’s involvement as the SSA and former role with the Washington Metropolitan Area Transit Authority (WMATA) and the potential for conflict of interest as WMATA is the landholder of the Greenbelt site.⁵¹ GSA acknowledged the concerns in a November 3, 2023, letter and directed the Office of the General Counsel (OGC) to conduct a review of the site selection process, but ultimately informed the FBI it would continue with the roll-out of the announcement on November 9, 2023.⁵²

IV. CONCLUSION

Pursuant to 40 U.S.C. § 3307, Committee approval for new GSA Capital Investment and Program prospectuses is required when the total cost of a exceeds the current threshold of \$3.613 million per year.⁵³ Since the 2016 Committee resolution expired two years after adoption, GSA must submit a new prospectus for the FBI Headquarters to proceed with the project.⁵⁴

⁴² Site Selection Panel Recommendation Report Federal Bureau of Investigation Headquarters, GSA, (Aug. 2023).

⁴³ *Id.*

⁴⁴ Press Release, GSA, *GSA releases statement on site selection for FBI Headquarters*, (Nov. 9, 2023), available at <https://www.gsa.gov/about-us/newsroom/news-releases/gsa-selects-greenbelt-maryland-for-new-fbi-headquarters-campus-location-11092023>.

⁴⁵ Site Selection Decision Summary Federal Bureau of Investigation Suburban Headquarters, GSA, (Nov. 2023).

⁴⁶ GSA releases statement on site selection for FBI Headquarters, Press Release, General Services Administration, (Nov. 9, 2023), available at <https://www.gsa.gov/about-us/newsroom/news-releases/gsa-selects-greenbelt-maryland-for-new-fbi-headquarters-campus-location-11092023>.

⁴⁷ *Id.*

⁴⁸ GSA, *FBI headquarters Consolidation* (last reviewed Nov. 13, 2023), available at <https://www.gsa.gov/about-us/gsa-regions/region-11-national-capital/buildings-and-facilities/development-projects/fbi-hq-consolidation>.

⁴⁹ Letter from Christopher Wray, Director, FBI, to Robin Carnahan, Administrator, GSA (Oct. 12, 2023) available at <https://www.gsa.gov/system/files/FBI%20New%20HQ%20Letter%2010.12.23.pdf>.

⁵⁰ *Id.*

⁵¹ Letter from Christopher Wray, Director, FBI, to Robin Carnahan, Administrator, GSA (October 12, 2023) available at <https://www.gsa.gov/system/files/FBI%20New%20HQ%20Letter%2010.12.23.pdf>.

⁵² Letter from Robin Carnahan, Administrator, GSA, to Christopher Wray, Director, FBI (Nov. 3, 2023) available at https://www.gsa.gov/system/files/GSA%20Response_11.3.23.pdf.

⁵³ 40 U.S.C. § 3307.

⁵⁴ Committee Resolution, Construction, FBI Headquarters Consolidation, National Capital Region, PNCR-FBI-NCR17, Committee on Transportation and Infrastructure, United States House of Representatives, (Dec. 7, 2016).

V. WITNESSES

PANEL I

- Mr. Elliot Doomes, Commissioner, Public Buildings Service, General Services Administration
- Mr. Nicholas Dimos, Assistant Director, Finance and Facilities Division, Federal Bureau of Investigation

PANEL II

- Ms. Nina Albert, Former Commissioner, Public Buildings Service, General Services Administration

**ENSURING TRANSPARENCY IN THE FEDERAL
GOVERNMENT: AN EXAMINATION OF GSA'S
SITE SELECTION FOR THE FBI HEAD-
QUARTERS**

TUESDAY, DECEMBER 12, 2023

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ECONOMIC DEVELOPMENT, PUBLIC
BUILDINGS, AND EMERGENCY MANAGEMENT,
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC.

The subcommittee met, pursuant to call, at 10:11 a.m., in room 2167 Rayburn House Office Building, Hon. Scott Perry (Chairman of the subcommittee) presiding.

Mr. PERRY. Good morning. The Subcommittee on Economic Development, Public Buildings, and Emergency Management will come to order.

I ask unanimous consent that the chairman be authorized to declare a recess at any time during today's hearing.

Without objection, so ordered.

The Chair also asks unanimous consent that Members not on the subcommittee be permitted to sit with the subcommittee at today's hearing and ask questions.

Without objection, so ordered.

As a reminder, if Members wish to insert a document into the record, please also email it to DocumentsTI@mail.house.gov.

The Chair now recognizes himself for the purposes of an opening statement for 5 minutes.

OPENING STATEMENT OF HON. SCOTT PERRY OF PENNSYLVANIA, CHAIRMAN, SUBCOMMITTEE ON ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS, AND EMERGENCY MANAGEMENT

Mr. PERRY. I want to thank our witnesses for being here today to discuss the site selection process for a new Federal Bureau of Investigation, or FBI, headquarters building.

At some point, this committee is expected to receive an official General Services Administration prospectus requesting our authorization for a new FBI headquarters building. I will say upfront I am not convinced the FBI needs a brandnew building. While the world has become more dangerous, the FBI finds time to investigate parents at school board meetings and uses its resources to try and silence dissent across the country. So, I am not on board

with the idea that the FBI needs a shiny new building at the taxpayers' expense.

But what I may agree with the FBI on are the questions surrounding the current GSA site selection process, a process that this committee specifically oversees. The process to build a new FBI headquarters is probably a textbook example of why big Government and bureaucracy is so bad, inefficient, and generally ineffective at the end of the day. This whole process started more than 15 years ago.

I mean, 15 years ago, you think about it. If you are trying to build a new home for yourself and somebody told you that you were going to probably have to wait 15 years—and I know I am not casting aspersions on you two fine gentlemen—but America looks at that and says, “What the heck is wrong with you folks?” And after 15 years, there hasn't been a shovel in the ground. And of course, the cost has, as you know, ballooned, probably out of sight.

Ironically, if it wasn't for the bureaucratic maze and politics, right now there would already be a new FBI headquarters in Maryland or Virginia, likely.

Going as far back as 2011, neither the FBI nor Congress thought it was realistic to rely on appropriated funds for the project. No one thought Congress would appropriate what grew to billions of dollars for new construction.

The FBI, the Senate Environment and Public Works Committee, and members of this committee all expressed that if this was going to get done, it would need to be done as a public-private partnership, leveraging private financing. But they were all overruled by whom? Unelected bureaucrats in the executive branch who just don't like P3s, or public-private partnerships.

So, it came as no great surprise when the GSA canceled the procurement in 2017 for a lack of funds—more precisely, a shortfall of over \$800 million. But when the Trump administration attempted to propose a more realistic solution, including a P3, the Democrats cried foul again and began investigations into allegations which again halted the project. Ironically, the current Department of Justice inspector general found no evidence—no evidence—of any improper considerations or motives as the Democrats claimed at the time.

So, instead of going back to evaluate the FBI's current needs, language was slipped into an appropriations bill directing GSA to select from among three sites evaluated a decade ago. Again, so efficient, and I am sure right in line with the FBI's mission and needs. The language went further to require GSA to consider not just mission requirements, but also sustainability and equity.

So, here we are today.

To the witnesses, I get what you are doing, what the appropriations language has directed you to do, or I get that that's what you are doing. But now there are questions about the recent site selection process. During the process, GSA adjusted the weighting of the factors considered, including increasing the value given to equity and decreasing the value for mission.

I have got to tell you, as a former member of the U.S. military, the mission is what drove everything I did: what time I woke up, how I dressed, how I prepared myself, what I ate. Every single

thing I did was dependent on the mission; all the other stuff was irrelevant to me, and it should be the same for the FBI. It should be the same. They have got a very important job, and they need to remain focused on that. And it's not their fault in this regard that we have taken their eye off the prize, we have forced them to do that.

GSA increased the value for cost, but it is not clear what costs were considered. Ultimately, the Site Selection Authority selected the Greenbelt, Maryland, site, overruling the panel that was convened, and there appears to be little explanation as to why.

So, we convened a panel to do this, and once they came up with a decision, then it was countermanded, which begs the question, why even have the panel, if you are just going to decide otherwise. I hope today we can get some answers as the committee prepares to review any proposal for the new FBI headquarters.

Finally, I want to note we wanted to hear from Ms. Albert about her role in this process. And despite being invited well in advance, we learned just on Friday she would not appear before the subcommittee today. So, we will no longer have a second panel, but we will be sending her a letter to continue to seek the answers we need and will have to consider other options available to the subcommittee so that we can hear her perspective in the future, which will be very important to getting to the bottom of this issue.

[Mr. Perry's prepared statement follows:]

Prepared Statement of Hon. Scott Perry, a Representative in Congress from the Commonwealth of Pennsylvania, and Chairman, Subcommittee on Economic Development, Public Buildings, and Emergency Management

I want to thank our witnesses for being here today to discuss the site selection process for a new Federal Bureau of Investigation headquarters building.

At some point, this committee is expected to receive an official General Services Administration (GSA) prospectus requesting our authorization for a new FBI headquarters building.

I will say upfront I am not convinced the FBI needs a brand new building. While the world has become more dangerous, the FBI finds time to investigate parents at school board meetings and uses its resources to try and silence dissent. So I am not on board with the idea the FBI needs a shiny new building at the taxpayers' expense.

But what I may agree with the FBI on are the questions surrounding the current GSA site selection process—a process that this committee specifically oversees. The process to build a new FBI headquarters is probably a textbook example of why big government and bureaucracy is so bad. This whole process started more than 15 years ago, but there hasn't even been a shovel in the ground and the cost has ballooned.

Ironically, if it wasn't for the bureaucratic maze and politics, right now there would already be a new FBI headquarters in Maryland or Virginia.

Going as far back as 2011, neither the FBI nor Congress thought it was realistic to rely on appropriated funding for the project. No one thought Congress would appropriate what grew to billions of dollars for new construction.

The FBI, the Senate Environment and Public Works Committee, and members of this committee all expressed that if this was going to get done, it would need to be done as a public-private partnership (P3)—leveraging private financing. But they were all overruled by whom? Unelected bureaucrats in the executive branch who just don't like P3s.

So it came as no great surprise when GSA canceled the procurement in 2017 for lack of funds—more precisely, a shortfall of over \$800 million.

But when the Trump Administration attempted to propose a more realistic solution, including a P3, the Democrats cried foul and began investigations into allega-

tions, which again halted the project. Ironically, the current Department of Justice (DOJ) Inspector General found no evidence of any improper considerations or motives as the Democrats claimed at the time.

So instead of going back to evaluate the FBI's current needs, language was slipped into an appropriations bill directing GSA to select from among three sites evaluated a decade ago. The language went further to require GSA to consider not just mission requirements but also "sustainability, and equity."

So here we are today.

To the witnesses, I get that you are doing what the appropriations language has directed you to do. But now there are questions about the recent site selection process. During the process, GSA adjusted the weighting of the factors considered, including increasing the value given to equity and decreasing the value for mission. GSA increased the value for cost, but it is not clear what costs were considered. Ultimately, the Site Selection Authority selected the Greenbelt, Maryland, site, overruling the panel that was convened, and there appears to be little explanation as to why.

I hope today we can get some answers as the Committee prepares to review any proposal for a new FBI headquarters.

Finally, I want to note we wanted to hear from Ms. Nina Albert about her role in this process, and despite being invited well in advance, we learned on Friday she would not appear before the Subcommittee today. So, we will no longer have a second panel, but we will be sending her a letter to continue to seek the answers we need and will have to consider other options available to the Subcommittee so that we can hear her perspective in the future.

Mr. PERRY. With that I yield. I now recognize the ranking member, Ranking Member Titus, for 5 minutes for her opening statement.

**OPENING STATEMENT OF HON. DINA TITUS OF NEVADA,
RANKING MEMBER, SUBCOMMITTEE ON ECONOMIC DEVELOPMENT,
PUBLIC BUILDINGS, AND EMERGENCY MANAGEMENT**

Ms. TITUS. Thank you, Mr. Chairman, for holding this hearing.

Thank you both for coming to help us understand this process better. I would like to go back over some of the history, too, that has been mentioned by the chairman, but just to put a point on it.

In 2011, both the GSA and FBI developed plans for a new, consolidated, suburban headquarters for the FBI. The plan cited the need for a new building, defined its requirements, and recommended the use of a public-private partnership via a ground-lease leaseback with a private developer. GSA's plan, also called an 11b report, recommended Federal construction which would require upfront full appropriations.

By 2017, however, after years of work by the GSA and the FBI; authorization by this committee and the Senate Committee on the Environment and Public Works; an extensive environmental impact study process; a complex request for information and request for proposal process with the private sector; a shifting program of requirements; funding strategy revisions; changes in the leadership of the FBI, the GSA, and the White House; and multiple requests for funding, all of that, the GSA canceled the procurement, citing insufficient funding.

In 2018, the Senate required GSA to submit a revised plan for the project. That plan was also frustrating. Attempting to justify FBI Director Wray's newfound desire to remain on Pennsylvania Avenue, the plan claimed that tearing down the Hoover Building and rebuilding a new facility on the site could be accomplished for

the same cost as building a new suburban campus, whether that campus was to be in Virginia or in Maryland.

What the 2018 plan did not acknowledge was that GSA determined they could build a new building for the same price because they were going to shrink the workforce, as they planned on moving more than 2,000 FBI staff to other FBI facilities around the country. At the time, GSA also avoided mentioning that a building on Pennsylvania Avenue could not possibly meet the highest level of security required for Federal construction, otherwise known as Interagency Security Committee Level V.

Then the fiscal year 2022 Consolidated Appropriations Act directed GSA to select a site from one of the three that had been included in GSA's 2017 prospectus. There were two in Maryland and one in Virginia. That process and the actions of GSA's site selection officials is what we need to talk about today, and I am confident that some of our questions about the process will be resolved after this discussion.

I don't want to wait, however, to examine the structural weaknesses in the previous FBI headquarters procurement process, so, hopefully, we can avoid those same mistakes in the future.

The last time around, I believe GSA obfuscated and evaded. Questions about funding differences and strategies were never answered. Details about the market value of the Hoover Building were never produced. Shortcomings in the 2018 plan were never acknowledged. And I do believe that some of the GSA staff at the time were less than truthful to Congress.

At this hearing I will be looking, like the chairman, for information about GSA's procurement strategy and funding needs. I want to know how GSA is going to provide the FBI with the secure, modern facility that it needs, one where hunks of concrete aren't falling out of the ceiling onto the desks of employees.

The current Hoover Building is the only Level V Federal facility in the midst of an urban area. It is a counterintelligence disaster just waiting to happen and, as such, is a threat to our national security. We cannot forget our commitment to providing our law enforcement with the tools they need to protect all Americans.

So, again, I thank you, Mr. Chairman, and I want to thank our witnesses for being here, and I look forward to having some of these questions addressed.

I yield back.

[Ms. Titus' prepared statement follows:]

Prepared Statement of Hon. Dina Titus, a Representative in Congress from the State of Nevada, and Ranking Member, Subcommittee on Economic Development, Public Buildings, and Emergency Management

Thank you, Chairman Perry, for holding this hearing.

In 2011 both the GSA and the FBI developed plans for a new, consolidated, suburban headquarters for the FBI. The FBI's plan cited the need for a new building, defined its requirements, and recommended the use of a public-private partnership via a ground-lease lease-back with a private developer. GSA's plan, also called an 11b report, recommended Federal construction which would require full up-front appropriations.

By 2017, however, after years of work by GSA and FBI staff; authorization by this committee and the Senate Committee on the Environment and Public Works; an extensive environmental impact study process; a complex Request for Information and

Request for Proposal process with the private sector; a shifting Program of Requirements; funding strategy revisions; changes in the leadership of the FBI, GSA, and the White House; and multiple requests for funding, GSA canceled the procurement citing insufficient funding.

In 2018, the Senate required GSA to submit a revised plan for the project and that plan was also frustrating. Attempting to justify FBI Director Wray's new-found desire to remain on Pennsylvania Avenue, the plan claimed that tearing down the Hoover Building and rebuilding a new facility on the site could be accomplished for the same cost as building a new suburban campus, whether it be in Virginia or Maryland.

What the 2018 plan did not own up to was that GSA determined they could build a new building for the same price because they were going to shrink the workforce; they planned on moving more than 2,000 FBI staff to other FBI facilities around the country. At the time, GSA also avoided mentioning the fact that a building on Pennsylvania Avenue could not possibly meet the highest level of security required for Federal construction, otherwise known as Interagency Security Committee Level 5.

The FY22 Consolidated Appropriations Act directed GSA to select a site from one of the three that had been included in GSA's 2017 prospectus: two in Maryland and one in Virginia. That process, and the actions of GSA's site selection officials, will be discussed today in detail. I have confidence that questions about the process will be resolved.

I don't want to wait, however, to examine the structural weaknesses in the previous FBI HQ procurement process, so we can ensure that mistakes are not repeated.

The last time around, GSA obfuscated and evaded. Questions about funding differences and strategies were never answered. Details about the market value of the Hoover Building were never produced. Shortcomings in the 2018 plan were never acknowledged, and I do believe GSA staff, at the time, was untruthful to Congress.

At this hearing, I will be looking for information about GSA's procurement strategy and funding needs. I want to know how GSA is going to provide the FBI with the secure, modern facility it needs, one where hunks of concrete will not be falling on the desks of employees.

The current Hoover Building is the only level 5 Federal facility in the middle of an urban area. It is a counter-intelligence disaster waiting to happen and a threat to our national security.

Have we forgotten our commitment to providing our law enforcement with the tools they need to protect all Americans?

I want to thank our witnesses again for being here and I look forward to today's discussion.

Mr. PERRY. The Chair thanks the gentlewoman. The Chair now recognizes the ranking member of the full committee, Mr. Larsen, for 5 minutes.

OPENING STATEMENT OF HON. RICK LARSEN OF WASHINGTON, RANKING MEMBER, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

Mr. LARSEN OF WASHINGTON. Thank you, Chair. And thank you for calling today's hearing to examine the site selection process for the FBI headquarters, and thanks to our witnesses for participating.

Commissioner Doomes, let me officially welcome you back to the subcommittee. I am sure you would be more comfortable over here than where you are sitting today, but it is always a pleasure to have former staff testify before us.

GSA, the FBI, and Congress worked together from 2011 through 2018 to put the FBI in a new building that would meet the FBI's current and future security, space, and operational requirements. Those efforts to date have failed.

In 2022, Congress directed the GSA to start the process again by picking one of the three sites identified in the first procurement.

Last month, as we know, GSA selected the site in Greenbelt, Maryland, but multiple parties have expressed concern about that decision.

While those concerns are being examined by GSA's inspector general, it is useful for this committee to understand how and why the first procurement failed so we can help GSA and the FBI avoid repeating the same mistakes in the future.

I want to hear from GSA what the agency learned from the previous failure and what steps are being taken to ensure success this time around. For instance, is the GSA prepared to carry out a project of this magnitude?

I also want to hear from GSA and the FBI about their plans to secure the funding needed to complete the project.

Finally, I would like to know the effect on the FBI's staff and operational capabilities if a new headquarters building is not built in the near future. The FBI has an important mission, and its employees deserve a safe, secure, and functional workspace.

So, I look forward to discussing how this committee can help ensure the FBI has the headquarters it needs today and in the future.

And with that, I yield back.

[Mr. Larsen of Washington's prepared statement follows:]

Prepared Statement of Hon. Rick Larsen, a Representative in Congress from the State of Washington, and Ranking Member, Committee on Transportation and Infrastructure

Thank you, Chairman Perry, for calling today's hearing to examine the site selection process for the new Federal Bureau of Investigation (FBI) headquarters and thank you to our witnesses for participating.

Commissioner Doomes, let me officially welcome you back to the Subcommittee on Economic Development, Public Buildings, and Emergency Management. I am sure you would be more comfortable on this side of the dais than at the witness table, but it is always a pleasure to have former T&I staff testify before the committee.

GSA, the FBI and Congress worked together from 2011 through 2018 to put the FBI in a new headquarters building that would meet the FBI's current and future security, space, and operational requirements. Those efforts failed.

In 2022, Congress directed the GSA to start the process again by picking one of the three sites identified in the first procurement.

Last month, GSA selected the site in Greenbelt, Maryland, but multiple parties have expressed concern about GSA's decision.

While those concerns are being examined by GSA's Inspector General, it is useful for this committee to understand how and why the first procurement failed so we can help GSA and the FBI avoid repeating the same mistakes.

I want to hear from GSA what the agency learned from the previous failure and what steps are being taken to ensure success this time around.

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I also want to hear from GSA and the FBI about their plans to secure the funding needed to complete the project.

Finally, I want to know the effect on the FBI's staff and operational capabilities if a new headquarters building is not built in the near future.

The FBI has an important mission, and its employees deserve safe, secure and functional workspace.

I look forward to discussing how this committee can help ensure the FBI has the headquarters it needs today and in the future.

Thank you, Mr. Chairman.

Mr. PERRY. The Chair thanks the gentleman.

Briefly, I would like to take a moment to explain our lighting system to our witnesses. There are three lights in front of you.

Green means go, yellow means you are running out of time, and red means to conclude your remarks. And hopefully, they will keep working. If they don't, we will just be on the lookout for that, because we had a little issue at the beginning of the hearing.

I ask unanimous consent that the witnesses' full statements be included in the record.

Without objection, so ordered.

I ask unanimous consent that the record of today's hearing remain open until such time as our witnesses have provided answers to any questions that may be submitted to them in writing.

Without objection, so ordered.

I also ask unanimous consent that the record remain open for 15 days for any additional comments and information submitted by Members or witnesses included in the record of today's hearing.

Without objection, so ordered.

As your written testimony has been made part of the record, the subcommittee asks that each one of our witnesses limit their oral remarks to 5 minutes.

With that, Mr. Doomes, you are recognized for 5 minutes for your testimony.

TESTIMONY OF ELLIOT D. DOOMES, COMMISSIONER, PUBLIC BUILDINGS SERVICE, U.S. GENERAL SERVICES ADMINISTRATION; AND NICHOLAS DIMOS, ASSISTANT DIRECTOR, FINANCE AND FACILITIES DIVISION, FEDERAL BUREAU OF INVESTIGATION

TESTIMONY OF ELLIOT D. DOOMES, COMMISSIONER, PUBLIC BUILDINGS SERVICE, U.S. GENERAL SERVICES ADMINISTRATION

Mr. DOOMES. Good morning, Chairman Perry, Ranking Member Titus, and distinguished members of the subcommittee. My name is Elliot Doomes, and I am the Commissioner of the Public Buildings Service at GSA. I am honored to appear before the subcommittee to discuss GSA's site selection for the FBI headquarters.

My written testimony goes into detail on the extensive history of the project, so, in the interest of time, I will start in 2022, when the search for a suburban headquarters was restarted in earnest by Congress.

The Fiscal Year 2022 Appropriations Act directed GSA to expeditiously select a headquarters site from among one of the three previously identified sites in Virginia and Maryland. In September 2022, GSA released its site selection plan.

Subsequently, in December 2022, Congress passed the Fiscal Year 2023 Appropriations Act, which directed GSA to pause its site selection process and conduct separate consultations with Maryland and Virginia officials before resuming with the selection. GSA and FBI held these consultations in March of 2023, and after carefully considering what was shared by both jurisdictions, GSA released an update to the plan in July 2023.

The updates, made in close collaboration with the FBI, adjusted weights to reflect new governmentwide directives and provide better taxpayer value. It also changed the Site Selection Authority to the PBS Commissioner. Consistent with GSA's commitment to

transparency, the updates to the criteria and weighting were shared publicly.

Following the release of the updated plan, GSA resumed the site selection process. Extensive information was compiled about each site, including information received from both delegations during the consultation process. The panel, which was comprised of two GSA employees and one FBI employee, convened to review the information about the sites and submitted their report to the Site Selection Authority. With this report in hand, the authority was then responsible for “fully evaluating all attributes of the sites, and selecting the site which is truly most advantageous to the Government, regardless of the recommendation provided by the panel.” This is GSA’s typical process.

As explained in detail in the site selection decision, the Site Selection Authority determined that Greenbelt was the best option for the FBI and the public. Greenbelt was chosen because, as outlined in the decision document, Greenbelt provides the best access to transportation and is the most transit accessible. It provides the Government with the greatest project schedule certainty, offers the greatest opportunity to positively impact the Washington, DC, region, and has the lowest overall cost to taxpayers of all the three sites. The decision report is publicly available and details the authority’s analysis and ratings for all criteria for each site.

Since the site selection announcement, some stakeholders have raised questions about the process and decision. Let me clarify those misconceptions with a few facts.

The Site Selection Authority did not inappropriately change the panel’s recommendation. The Site Selection Authority is the only official charged with making a decision and is charged with exercising independent judgment. In fact, during the downselect in 2014, from dozens of potential headquarters sites down to three finalists, the Site Selection Authority rejected the site selection’s unanimous recommendation to exclude the Springfield site.

Number two, the Site Selection Authority did not change the criteria. As is clear in the final agency decision, the Site Selection Authority operated under the same July 2023 site selection plan that governed the panel.

Number three, the Site Selection Authority did not make changes in favor of a specific site. Rather, the Site Selection Authority carefully followed the plan and documented their assessments. In those instances where the Site Selection Authority differed with the panel, the reason for those differences are fully explained in the decision document.

And number four, GSA conducted the site selection process in full compliance with all ethical laws, regulations, and policies. This includes those concerning potential conflicts of interest. GSA ran a fair and transparent process and followed the publicly outlined plan. The site selection decision, as well as the panel’s evaluation and recommendation, are all available on our website. GSA has also released correspondence between GSA and FBI, including the legal review conducted by GSA’s Office of General Counsel in response to the FBI’s questions.

We took the questions they raised seriously, and we welcome a review of our processes and our conclusion. We believe the record

reflects that our decisionmaking official made this determination according to the plan and the process, and in the best interest of the FBI and the public. Throughout this project, GSA has acted pursuant to directives enacted into law. The next step is for GSA to develop and submit a prospectus to Congress, and we are working with the FBI on that document.

In closing, I want to note that while GSA may disagree with the FBI about this phase of the process, there is no disagreement about the need for a new headquarters here in the Washington region. This is a national security imperative. GSA remains committed to working with the FBI and this committee on this important project.

Thank you for the opportunity to testify before you today, and I look forward to answering your questions.

[Mr. Doomes' prepared statement follows:]

Prepared Statement of Elliot D. Doomes, Commissioner, Public Buildings Service, U.S. General Services Administration

Good morning, Chairman Perry, Ranking Member Titus, and distinguished Members of the Subcommittee. My name is Elliot Doomes, and I am the Commissioner of the Public Buildings Service ("PBS") at the U.S. General Services Administration ("GSA"). I appreciate the Committee's invitation to discuss GSA's site selection for the Federal Bureau of Investigation ("FBI") Headquarters suburban campus.

THE NEED FOR A NEW FBI HEADQUARTERS

The critical thing that brings us together today is the increasingly dire need for a new FBI Headquarters facility. The FBI has continuously occupied the J. Edgar Hoover Building (the "Hoover Building") since 1974. As multiple studies have demonstrated, the U.S. Government Accountability Office ("GAO") has reported, and many members and staff of this Committee have seen firsthand, the Hoover Building does not fully support the FBI's long-term security, space, and building condition requirements; is not designed to meet the needs of today's FBI; is nearing its life-cycle age; and is exhibiting signs of complete deterioration. As the FBI has said, they need a new headquarters to achieve significant cost savings and to better support the agency's mission-critical activities and strategic priorities. The dispersion of FBI elements across multiple locations in the National Capital Region ("NCR") has created significant challenges to effectively managing the FBI's divisions and offices and impedes the FBI's ability to rapidly respond to ever changing threats. As GAO has highlighted, this was true at the start of the process examining the need for a new FBI building in 2011, and the issues have worsened since that time.

PROJECT HISTORY

The history of the FBI Headquarters Consolidation project is complex and dates back more than 15 years spanning multiple Administrations. While the contours of the project have changed over time, since the beginning, GSA and FBI have been focused on replacing the aging Hoover Building and delivering a new state-of-the-art Headquarters that will best serve the FBI and the public for years to come.

Of most relevance to the current Congressionally-directed site selection process, I'd like to provide a brief overview of the timeline starting in January 2013, when GSA issued a Request for Information ("RFI") to garner feedback from members of the development community, local and state jurisdictions, and other interested parties regarding feasibility, issues, and considerations of a potential exchange transaction. The 38 responses to the RFI helped to inform GSA's strategic planning for the project. In November 2013, the RFI was followed by a Request for Expressions of Interest ("REOI") for sites within the region to be used for the development of a new FBI headquarters. Under the REOI process, GSA and FBI evaluated dozens of sites across the region against more than a dozen minimum and additional cri-

teria that the government considered.¹ In contravention to the Panel’s unanimous recommendation (they recommended excluding Springfield, VA), the site selection authority at that time identified three acceptable sites: one in Fairfax County, Virginia (Springfield) and two in Prince George’s County, Maryland (Landover and Greenbelt).² These sites were identified because they all met the baseline requirements of the FBI, including being able to accommodate the size of a new headquarters facility and meet the Government’s unique security requirements, among other items.

These three finalist sites were then included in a two-phase developer competition process that began at the end of 2014. This competition included exchanging the Hoover Building for services that would help defray the overall cost of the project, and allowed for a developer to submit a proposal for construction on one or more of the three finalist sites.³ In conjunction with the solicitation process, GSA conducted a full regulatory review, and issued a 2016 Draft Environmental Impact Statement (“DEIS”) pursuant to the National Environmental Policy Act (“NEPA”). Furthermore, at that time, GSA sought and received Congressional approval of this project strategy from the Committee on Environment and Public Works and the Committee on Transportation and Infrastructure, and also received some appropriations (though not enough to make a full award). For a variety of reasons, on July 11, 2017, GSA issued a public statement announcing the decision to cancel the procurement.

While this project strategy and process was a number of years back, there are two important factors that are relevant for today. First, each of the three sites had been determined to meet the mission needs of the FBI. And second, there had been exhaustive review and assessment of all three sites as part of the solicitation process.

DEVELOPING THE CURRENT SITE SELECTION PROCESS

After the cancellation of the previous solicitation in 2017, several other options were considered over the intervening years for the FBI Headquarters. Then, in the Fiscal Year 2022 Consolidated Appropriations Act (P.L. 117–103), Congress directed GSA to expeditiously select one of the three previously identified sites for the FBI Suburban Headquarters: Springfield, VA; Greenbelt, MD; or Landover, MD. To make a selection, GSA and FBI committed to developing a fair and transparent process to guide GSA’s decision-making. In September 2022, GSA released an initial site selection plan, which was created in close collaboration with the FBI, outlining how the process and criteria by which the agency would determine which of the three sites would best meet the needs of the FBI and the public. In December 2022, Congress passed the Consolidated Appropriations Act of 2023 (P.L. 117–328) which directed GSA to conduct separate consultations with individuals representing the sites from the State of Maryland and Commonwealth of Virginia prior to any action by the GSA Site Selection Panel for the new Federal FBI headquarters. GSA and FBI held these consultations in March 2023 with the delegations from Maryland and Virginia. In July 2023, after holding the Congressionally directed consultations and carefully considering what was shared by each jurisdiction, GSA released an update to the plan.

UPDATING THE PLAN

The updates, contained within Amendment 2⁴ and made in close collaboration with the FBI,⁵ incorporated new government-wide directives and increased the con-

¹Further information can be found online at: https://www.gsa.gov/system/files/file=2013%20FBI%20Headquarters%20Site%20Identification%20and%20Evaluation%20Approving%20Officials%20Decision_Redacted%20%281%29.pdf.

²The 2022 site selection process was designed similarly to the process from 2013, which was also typical. That is, the process called for a panel of GSA and FBI officials to provide expert counsel and advice to GSA’s site selection authority, and directed the authority to make a final decision, irrespective of the recommendations of the panel.

³On December 19, 2014, GSA issued a Phase I Request for Proposals (“RFP”) seeking an exchange partner to develop, design, construct, and deliver the new facility. The Phase I RFP process was used to select a short list of up to five qualified offerors to compete in the Phase II procurement. In January 2016, GSA issued the Phase II RFP to the shortlisted offerors, which detailed the requirements of the new facility and information on the three selected sites.

⁴The prior amendment to the plan, Amendment 1, was largely administrative.

⁵GSA and FBI worked closely together on the changes to the site selection plan. Per a June 26, 2023 FBI letter to GSA, although the FBI indicated they preferred the initial site selection plan, they ultimately shared “We acknowledge the thoughtful process that GSA developed to assess the plan, proposed changes to the plan, and justify those changes—we have seen firsthand

Continued

sideration of cost to deliver better value for taxpayers. They also adjusted the weighting of the criteria and simplified the scoring methodology. Finally, the Amendment also changed the Site Selection Authority, shifting it from the PBS Regional Commissioner to the PBS Commissioner.⁶ This was done as a reflection of the significance of this decision, as well as the scrutiny GSA understood that any official would face—regardless of which site was selected. GSA believed, and still believes, that it was appropriate to make the agency’s top real estate official the site selection authority for this project.⁷

Overall, Amendment 2 was intended to better align with GSA’s principles to create a process that is fair and transparent, is grounded in the agency’s best practices for site selection, and results in selecting a site that best meets the needs of the FBI and the American people for years to come. The core of the plan remained the same, including the five major criteria each site would be evaluated against:

- (1) FBI Proximity to Mission-Related Locations;
- (2) Transportation Access;
- (3) Site Development Flexibility and Schedule Risk;
- (4) Promoting Sustainable Siting and Advancing Equity; and
- (5) Cost.

It also maintained the FBI’s priorities for the new headquarters: fulfill FBI mission needs; meet the needs of the FBI workforce; and provide maximum value for taxpayers, relying on GSA’s expertise and best practices in site selection. The Site Selection Plan, which GSA and FBI worked on jointly, set forth a process for evaluating which site was the most advantageous to the government on each criteria, using a color scale to help guide and inform the final site decision. Furthermore, to promote transparency in how the government would balance the importance of the criteria, each was weighted. Consistent with GSA and FBI’s commitment to transparency on this project, the updates were all announced publicly and the plan was made publicly available.

EXECUTING THE SITE SELECTION PROCESS

Following the release of the July 2023 updated Site Selection Plan, GSA and FBI commenced the site selection process. The first step was for the project team to compile a significant amount of information regarding each site, for the use of the Panel and the Site Selection Authority. In order to move quickly, and recognizing the extensive evaluation GSA had conducted during the 2013 process, the agency also leveraged information from the 2016 DEIS. The next step was for the Panel, comprised of two GSA employees and one FBI employee, to convene to review the information about the sites and come up with ratings and recommendations. The Panel then submitted their ratings and recommendations⁸ to the site selection authority who, under the Site Selection Plan, had the responsibility and authority to use the evaluation report developed by the Site Selection Panel to help guide and inform a final decision as to which property was in the best interest of the United States. As documented in the Site Selection Plan, the Site Selection Authority is charged with the responsibility to “fully evaluate all attributes of the sites and select the site which is truly most advantageous to the Government, *regardless of the recommendation provided by the Panel.*” [emphasis added]. This process—a panel providing recommendations to a final decision-maker to make a final decision—is common practice for major GSA siting decisions. It is also part of the process that the decision-maker is supposed to exercise their independent judgment. As noted earlier, this was the same process GSA used in the 2013 selection of the three finalist sites.

the diligence, professionalism, and expertise that the team at GSA has applied to a difficult and complex task. In light of that assessment and GSA commitment to these changes appropriately reflect its best practices, the FBI respectfully defers to GSA’s final judgment on specific percentages.”

⁶Prior to a final decision by the agency, it is typical for GSA to redact the name of the specific decision-making official (as well as all panelists). This is to avoid any attempts at undue influence of the independent decision-making process. Once a decision has been made, the identity of the decision-making official is typically available to the public, while the panelists’ names remain redacted.

⁷Similarly, in the 2013 REOI process, the Site Selection Authority was the PBS Deputy Commissioner, not the PBS Regional Commissioner.

⁸FBI Site Panel Recommendation Report https://www.gsa.gov/system/files/FBI%20Site%20Panel%20Recommendation%20Report%20-%20Aug%202023%20-%20Final%20v2_Redacted.pdf

THE SELECTION

As explained in detail in the Site Selection Decision, the Site Selection Authority ultimately determined that Greenbelt, MD was the best option for the FBI and the public because the site:

- (1) Provides the best access to public transportation for FBI employees and visitors as it is the most transit accessible site due to its short walking distance to Metro and commuter rail;
- (2) Provides the government the greatest project schedule certainty due to the fact that the site is owned by a public entity and offers a clear public process and timeline to achieve site control;
- (3) Offers the greatest opportunity for the government's investment to positively impact the Washington, D.C. region through sustainable and equitable development; and
- (4) Has the lowest overall cost to taxpayers of all the three sites.

In short, consistent with the process, the final decision was made based on a determination of which site would be best for the FBI and the public for years to come. The site selection authority's complete 40-page decision fully explains their analysis and ratings for all of the sites against all of the criteria contained within the plan, including an explanation of where their judgment differed from the Panel's. This document is publicly available on GSA's website.⁹

CORRECTING MISCONCEPTIONS

In the days following the announcement of the selection of Greenbelt, MD, some stakeholders have raised questions about the process and decision, and GSA welcomes the opportunity to clarify some misconceptions in the public sphere. Here are some of the most critical:

- 1) Misperception: *The site selection authority inappropriately "overturned" the panel's recommendation*

The site selection authority did not "overturn" the panel's recommendation. As outlined above, the panel was tasked with making recommendations, and the site selection authority was charged with making the final selection, "regardless of the recommendation of the panel." Under GSA's site selection process, only the site selection authority has authority to make a site selection.

- 2) Misperception: *The site selection authority changed the criteria*

The site selection authority did not change the criteria. As is clear in the final agency decision, the site selection authority relied on the same criteria in making their decision that the Panel relied on to make their recommendations.

- 3) Misperception: *The site selection authority made arbitrary changes in favor of a specific site*

The site selection authority carefully followed the plan and the process and did not make any arbitrary changes to favor (or disfavor) any site. Moreover, as GSA's Office of General Counsel (OGC) review determined, the record shows that the Panel and the site selection authority demonstrated substantial agreement on their evaluations of all three sites; in fact, 9 of the 12 subcriteria ratings were the same between the Panel and the site selection authority. In those instances where the site selection authority differed from the Panel's recommendation, those changes reflect differences in judgment and are fully explained in the agency's publicly available decision document.

- 4) Misperception: *The site selection authority had a potential conflict of interest*

Any potential conflicts of interest were reviewed and resolved, in accordance with advice from GSA's OGC, at the time the site selection authority was appointed PBS Commissioner in July 2021. GSA conducted the site selection process in full compliance with all ethical laws, regulations, and policies, which GSA's OGC validated as part of their review due to stakeholder questions.

CONCLUSION & NEXT STEPS

GSA ran a fair and transparent process, guided by the agency's best practices in site selection. At every step, the GSA team worked to carefully follow the process outlined publicly, and to make a decision that best meets the needs of the FBI and

⁹FBI HQ Site Selection Decision Final <https://www.gsa.gov/system/files/FBI%20HQ%20Site%20Selection%20Decision.pdf>

the public for the long-term. Consistent with our commitment to transparency, our agency's full site selection decision, as well as the Panel's evaluation and recommendation, are all available on our website. Given the questions that have been raised, GSA took the additional step of releasing the correspondence between GSA and FBI, which includes the legal review conducted by GSA's OGC in response to the FBI's questions. GSA has publicly stated, and I will reiterate, that we welcome a review of our process and our conclusions. We think the record reflects that our decision-making official made this determination based on what they believed was best for the FBI and the public.

GSA plans to continue to closely follow the law and Congressional directives on this project. Subsequent to Congress directing GSA to hold consultations and then select a site, the next step Congress directed is to develop a project fact sheet (known as a prospectus) for submission to Congress. Developing this will require close collaboration with the FBI to ensure the new Headquarters meets its mission needs now and in the future, and we look forward to continuing to work with them to that end.

GSA's mission, and my primary duty as PBS Commissioner, is to provide the best value in real estate. Working with partner agencies to deliver workspaces that allow them to accomplish their missions is what we do. And despite disagreements some may have around which site was selected, the need for the FBI to have a functioning, safe, and secure Headquarters, in order to fulfill their mission, is fundamental. The work that the FBI is doing to uphold the Constitution and protect the American people is, at this moment, more important than ever—and GSA is fully committed to delivering a highly effective Headquarters to help them deliver on that mission.

GSA looks forward to working with the FBI and this Committee on this important project. Thank you for the opportunity to testify before you today. I look forward to answering your questions.

Mr. PERRY. The Chair thanks you, Mr. Doomes.

The Chair now recognizes Mr. Dimos for 5 minutes for your testimony.

TESTIMONY OF NICHOLAS DIMOS, ASSISTANT DIRECTOR, FINANCE AND FACILITIES DIVISION, FEDERAL BUREAU OF INVESTIGATION

Mr. DIMOS. Chairman Perry, Ranking Member Titus, and members of the subcommittee, thank you for inviting me to discuss the new FBI headquarters project with you today.

My name is Nick Dimos, and I am a career employee at the FBI and serve as the chief financial officer, and I am responsible for all FBI facilities. I have been the lead FBI executive coordinating with GSA on the new headquarters plan for the past couple of years.

The FBI J. Edgar Hoover Building, referred to as JEH, is, quite frankly, failing. Netting is placed around the perimeter to prevent falling concrete from hitting pedestrians. Concrete deterioration is occurring inside the building, as well, with instances of concrete even falling over employee workspaces and equipment. Pipe bursts and plumbing challenges are commonplace, leading to the damage of FBI space, IT, and records. JEH power and network infrastructure challenges are ever present, resulting in disruptions to connectivity needed to coordinate FBI cases nationwide.

From a cost perspective, the Government is currently spending millions of dollars for expensive commercial leases in the NCR as the FBI workforce is scattered across multiple locations beyond JEH. The headquarters plan will consolidate these sites, and reflects the thousands of positions that the FBI has already relocated to Huntsville, Alabama, and other locations outside the national capital region. The current proposal will allow for a smaller footprint in the NCR, compared to our request back in 2017.

Now, with the need for a facility so great, the FBI and GSA committed to establishing a fair and transparent process by which a site would be selected. The GSA and FBI together succeeded in this process goal through so much of the project. However, in the final weeks of the process, the FBI identified process concerns that we were unable to resolve with GSA.

First, when the SSA provided their report to us in August, we were surprised to see that the SSA came to a different conclusion than the Site Selection Panel's consensus recommendation. The site selection plan allowed for this divergence, but I can say that within the FBI's own procurement shop, this is exceedingly rare.

Second, when the FBI reviewed the SSA's decision report, we observed that the SSA prioritized subcriteria in a way that was inconsistent with the published plan, and applied outside information that repeatedly benefited the Greenbelt site and disadvantaged the Springfield site compared to the panel recommendation. The site selection plan gave the SSA authority to come to a different conclusion than the panel, but the consistent one-directional nature of the changes favoring Greenbelt caused concerns for the FBI.

These concerns were exacerbated by the fact that the SSA's immediate prior employer was the owner of the Greenbelt site. The FBI raised its concerns in a briefing and through two letters to GSA to move the project forward. The FBI requested GSA select a new SSA to rerun the final step of the process, picking an individual who did not have any previous affiliation with the three sites. Ultimately, GSA did not accept this request, and our concerns were not sufficiently addressed.

To be clear, the FBI does not object to the Greenbelt location itself, and we are not suggesting a lack of integrity on the part of the SSA. However, for a decision of this magnitude, the process needs to be above reproach, and we continue to hold concerns about how the final stage of the process was conducted.

The FBI needs a new facility here in the national capital region. The status quo is a drain on taxpayer dollars to sustain a failing JEH facility that doesn't meet the needs of our workforce or mission. But the fairness and transparency of the process are essential, and we welcome the GSA Office of Inspector General's review of the site selection process.

It is not easy, nor do we take lightly that we have raised this area of disagreement. The FBI is grateful to the dedicated public servants at GSA who have worked tirelessly to support the FBI's new headquarters project. We look forward to the OIG's review so that we can continue forward with GSA to construct a new facility with the support of Congress.

Thank you, and I am happy to answer any questions that you may have.

[Mr. Dimos' prepared statement follows:]

Prepared Statement of Nicholas Dimos, Assistant Director, Finance and Facilities Division, Federal Bureau of Investigation

Good morning, Chairman Perry, Ranking Member Titus, and Members of the Subcommittee. Thank you for the opportunity to appear before you today to testify about the new Federal Bureau of Investigation (FBI) headquarters project.

The FBI has occupied the J. Edgar Hoover (JEH) building since 1974. Since that time, the mission of the FBI has evolved, particularly in complex national security investigations and cases requiring sophisticated technology tradecraft and tools—but the building and technical infrastructure of the facility have not kept pace. Moreover, the facility infrastructure of JEH has deteriorated to the point where hundreds of millions—if not billions—of dollars would be required to fully renovate and sustain it. Concrete on the exterior of the building is crumbling, and netting is attached around the building's perimeter to catch concrete from falling onto pedestrians passing by on sidewalks below. There have also been instances where interior concrete has fallen into employee workspaces. Pipes routinely leak or burst, which has resulted in damage to FBI technology, records, and space.

The General Services Administration (GSA) has conducted several Building Evaluation Reports (in 2001, 2011, and 2019) that all reached the same conclusion—the building is in poor condition and action is required to address life safety issues and failing equipment. Given that JEH has been scheduled for replacement for over a decade, longer term facility infrastructure investments have been deferred, exacerbating the operations and maintenance challenges typically associated with a 50-year-old facility. Each year, the FBI and GSA are forced to reprioritize limited funding to conduct emergency, stop-gap repairs to ensure the safety of personnel working in the building and to maintain continuity of operations.

The FBI must fight against 21st century threats, not those of 1974. The men and women of the FBI need access to modern, high-tech tools and spaces to seamlessly communicate and collaborate with FBI operators and partners located across the country and world. Due to the nature of the FBI's work, which requires access to classified and sensitive information and networks, personnel need to work in FBI office space to support day-to-day FBI operations. Deteriorating infrastructure and failing technology of the current headquarters building will continue to make it more and more difficult to rapidly address developing threats and collaborate across FBI divisions and programs.

As the FBI planned for the replacement of JEH, we reassessed what functions need to remain in the national capital region (NCR) versus those that can be relocated to other parts of the United States. Based on this multi-year reassessment of the facility footprint, FBI headquarters now consists of many different locations across the country. The FBI has moved and consolidated its data centers from costly leased locations in downtown areas to owned facilities with significantly lower costs of power and infrastructure. The FBI relocated certain mission areas and training functions to Redstone Arsenal in Huntsville, Alabama that were either originally housed in costly space in the NCR or were subject to space and capacity constraints at the FBI campus in Quantico, Virginia. The FBI also relocated its records management facilities, and we have expanded our operations in Clarksburg, West Virginia.

Because of this realignment of workforce functions across the country over the past several years, the new facility that would replace JEH here in the NCR would include less total square footage than previous iterations of this project and will house those personnel and functions that must remain in the NCR.

The FBI is committed to ensuring that any new facility is a good deal for the taxpayer, and the new suburban FBI headquarters would allow the FBI to consolidate space and eliminate the need for multiple leased locations in the NCR, thereby saving tens of millions of dollars in annual lease payments. We have also worked to reduce costs in other ways, such as by consolidating case files and evidence storage to centralized locations in lower cost areas.

While the FBI has relocated thousands of headquarters personnel outside of the NCR, many functions need to remain in the NCR to fulfill the mission. The NCR houses many key members of the Intelligence Community, the Department of Justice (DOJ), and other law enforcement partners that the FBI works with each day to fulfill our law enforcement and national security responsibilities. Also, many FBI headquarters functions coordinate directly and frequently with operations in Quantico, to include the FBI Laboratory, Operational Technology Division, Critical Incident Response Group, and Training Division, which are not slated to consolidate into the new NCR headquarters facility.

The FBI has worked closely with our colleagues at GSA over the past decade on potential solutions that meet the FBI's space needs while recognizing the considerable challenges of funding such a large and complex project. We were encouraged that the previous procurement process in 2017 resulted in considerable interest by the private sector to help secure a new headquarters facility. However, without full funding, the FBI and GSA determined that continuing to move forward with the 2017 procurement would have put the government at risk for project cost escalations, which was made more complicated by the exchange proposal for the JEH

parcel of land. For these reasons, the FBI and GSA jointly made the decision to cancel the prior procurement.

From 2018 to 2021, the FBI and GSA advanced a proposal for the FBI headquarters to remain in downtown Washington, D.C., in a newly constructed facility. This new downtown facility would have been smaller than the proposed 2017 facility, but would have allowed for consolidated space in close proximity to DOJ and other mission partners, in a centralized location for the FBI workforce and other FBI mission locations like Quantico. Then, in March 2022, through the Consolidated Appropriations Act, 2022, Congress directed GSA to choose one of the three sites identified through the prior 2017 procurement—Greenbelt, Maryland; Landover, Maryland; or Springfield, Virginia—to be the future home of the FBI’s suburban campus in the NCR. As a result, through the spring and summer of 2022, the GSA and FBI worked together to develop a site selection plan and process by which the suburban site would be selected from these three locations, with a clear focus on what is best for the FBI workforce, the mission, and the American taxpayer. In September 2022, GSA publicly released the site selection plan that would be used to pick the site, which was closely coordinated with the FBI. This plan considered five criteria: FBI Mission Requirements, Transportation Access, Site Development Flexibility, Promoting Sustainable Siting and Advancing Equity, and Cost.

Following the release of the plan, in December 2022, Congress passed the Consolidated Appropriations Act, 2023, which directed GSA to hold consultations with representatives for each of the three sites to discuss the site selection plan. Those consultations took place in March 2023. Following the consultations, GSA amended the site selection plan in July 2023 and then commenced the site selection process, which included convening a panel of three career GSA and FBI officials to make a consensus recommendation. After the panel submitted its recommendation of Springfield, Virginia, the GSA Site Selection Authority (SSA) conducted their own review and chose Greenbelt, Maryland as the suburban headquarters location.

Throughout the selection process, the FBI coordinated closely with GSA. Of paramount importance to the FBI has always been fairness and transparency in the process—irrespective of the specific site chosen. When GSA provided the FBI with its site selection decision, the FBI identified several areas of concern regarding the process, which we promptly expressed to GSA. In a September 2023 memorandum, FBI Associate Deputy Director (ADD) Brian Turner laid out the FBI’s identified process concerns. Specifically, the FBI noted in this memorandum our view that the SSA did not follow the site selection plan regarding the weighting of specific subcriteria. The published site selection plan states, “subcriteria are of equal importance,” whereas the FBI observed instances where we believe the SSA applied independent analysis indicating the relative importance of some subcriteria over others. The SSA also included outside information when evaluating the three sites. The site selection plan allows for this, but the FBI felt obligated to raise its concern that outside information was included in a way that from FBI’s perspective consistently benefited the Greenbelt site. This concern was intensified when the SSA did not accept the consensus recommendation of the panel. The FBI observed that with one immaterial exception, *each* of the SSA’s deviations from the panel’s recommendation either benefited the Greenbelt site or disfavored the panel’s recommended site of Springfield, Virginia. Lastly, in this memorandum, the FBI expressed concern about the appearance of a lack of impartiality by the SSA, given the SSA’s previous position as an executive with the Washington Metropolitan Area Transit Authority (WMATA), which owns the Greenbelt site.

GSA’s response to ADD Turner’s memorandum did not sufficiently address these concerns. Accordingly, Director Christopher Wray reiterated the FBI’s concerns in a letter to the GSA Administrator on October 12, 2023. To address what FBI viewed as concerns with the process, and in an effort to move the project forward, the FBI requested GSA to re-run the final stage of the site selection decision process with a new SSA to ensure, from FBI’s perspective, the appropriate level of impartiality for a decision of this magnitude. As the FBI has emphasized, including in this October 2023 letter expressing our views, “we are not suggesting a lack of integrity by the PBS Commissioner. However, for a project of this magnitude and significance where the unimpeachability of the selection process is of vital importance, the SSA simply should not have previous, direct affiliation with one of the parties of this procurement.” The GSA did not agree to the FBI’s request, and instead proceeded to publish the site selection decision on November 9, 2023. The FBI’s process concerns remain unaddressed.

The site selection process was a significant undertaking, and the FBI is appreciative of the many men and women of the GSA who led and supported this monumental task. Through this process, the FBI has had the opportunity to work with many outstanding professionals at GSA—dedicated public servants who have strived

to support the FBI in constructing a new headquarters that allows the FBI to do its work for the American people. These GSA professionals support the FBI and other government agencies tirelessly each day, and the FBI is grateful for their dedication on this project and hundreds of others across the country. To be clear, the FBI's concerns are specific to the site selection process itself, and in particular, the final phase of the selection process. For a project of this magnitude and significance, it is critically important that each step is above reproach. From FBI's perspective, the FBI's recommendation to select a new SSA—a real estate expert with no affiliation to any of the three sites and an individual independent from these past several months of site selection deliberations—would have ensured the appropriate level of independence and neutrality.

While the Congress and the GSA Office of the Inspector General conduct their reviews of this process, the FBI will continue to coordinate with GSA on the specific program of requirements for both the suburban facility and a 750–1,000 seat downtown facility in a pre-existing federal building, which will allow the FBI to maintain close proximity to partners at DOJ and other law enforcement and governmental partners downtown.

While the process review and construction planning activities take place, the current J. Edgar Hoover building continues to deteriorate, does not meet the needs of today's FBI, and is an inefficient use of taxpayer resources. Our goal is to build a consolidated, modern, secure, resilient facility that is capable of meeting the increased demands of the nation's premier intelligence and law enforcement organization now and in the future—housing the hardworking men and women of the FBI for the next 50 or more years. In all of our efforts on this project, we must continue to ensure that fair and transparent processes are followed that leverage best practices in real estate, procurement, construction, and fiscal stewardship.

Chairman Perry, Ranking Member Titus, and Subcommittee Members, I thank you for this opportunity to testify on the new FBI Headquarters project. We appreciate your interest and support. I am happy to answer any questions you might have.

Mr. PERRY. The Chair thanks the witness and each of you for your testimony. We will now turn to questions for our witnesses. The Chair will now recognize himself for 5 minutes of questioning.

Mr. Doomes, you just said in your testimony that the criteria was not changed. But in July, didn't the SSA or others change the weighting of the criteria?

Mr. DOOMES. Congressman, thank you for that question. In July of 2023, the criteria did change, but it was done in collaboration—

Mr. PERRY [interrupting]. But it—so, it changed, right? You just said there were no changes, but changing the weighting of the criteria is a change in itself. Is that correct?

Mr. DOOMES. Yes, Congressman.

Mr. PERRY. That is correct, right?

So, you are the Regional Commissioner. You make these decisions across the board for this capital region for a number of different projects, and have done that, I would imagine, successfully. That is why you are in the job. Is that right?

Mr. DOOMES. Congressman, yes, I do have—

Mr. PERRY [interrupting]. You are the Regional Commissioner. Did you have any involvement with this site selection process at all?

Mr. DOOMES. Congressman, yes.

Mr. PERRY. OK.

Mr. DOOMES. I was involved with the consultations that were mandated by Congress in the December 2023 request by Congress to consult with the Maryland and Virginia. So, I was involved—

Mr. PERRY [interrupting]. And who was the authority prior to July, when it changed? Who was the authority in this?

Mr. DOOMES. A career official.

Mr. PERRY. A career official that you know and you deal with?

Mr. DOOMES. Yes, Congressman.

Mr. PERRY. And does that career official report to you on these matters?

Mr. DOOMES. No, Congressman.

Mr. PERRY. Who does—

Mr. DOOMES [interrupting]. Well, now she does, yes.

Mr. PERRY. Now she does? Why not before?

Mr. DOOMES. The way the GSA is set up, the Regional Commissioner for the national capital region reported directly to the Public Buildings Service Commissioner.

Mr. PERRY. Directly to the Public Buildings Service Commissioner. All right.

Well, I am just very curious as to why in July, after all this time—remember, this is 15 years going—in July, all of the sudden, we need to appoint somebody new at the top of this who eventually overruled the site selection committee's criteria.

Mr. Dimos, if Congress had not slipped language into the fiscal year 2023 appropriations bill which directed the FBI to only consider three sites in Maryland and Virginia, would these represent the optimal sites for the FBI, the ones that are now required?

Mr. DIMOS. Chairman Perry, going back to 2018, really right up through the appropriations language in 2022, it was the FBI's position that the optimal solution was to be in a newly constructed building closer to downtown Washington, given the proximity to DOJ and other partners in the more downtown region.

Mr. PERRY. Is that based on mission? I don't want to put words in your mouth. What is that based on?

Mr. DIMOS. Sure—

Mr. PERRY [interrupting]. The optimal location.

Mr. DIMOS. Sure, in terms of the level of interaction that we would have with the Department of Justice, with the U.S. Attorney's office, with the National Security Council, with other law enforcement partners downtown.

It was also a centrally located area for our workforce and for other sites that we have in the national capital region. We have a number of sites in the NCR, and being in a centralized location was our preferred approach.

Obviously, when the appropriation was passed in March 2022, we heeded that direction and began the process—

Mr. PERRY [interrupting]. Right, and I understand you didn't have any choice, but I find it interesting that people not related at all to your mission—and quite honestly, while there are times where I might disagree with your mission, specifically the spying on American citizens and targeting American citizens, but I would think the FBI would know best what its mission requirements are. And I am wondering about undue influence, whether it is from Congress or the GSA.

Mr. Doomes, the areas where Ms. Albert disagreed with the panel seemed to always accrue benefit to Greenbelt. She overruled the panel when evaluating transportation access, site development flexibility and schedule risk, and sustainability and equity, all in favor of Greenbelt. And interesting to me—and, I think, the pub-

lic—the acquisition costs for Greenbelt went from over \$200 million to now \$26 million. That’s a lot of money, right, \$175, \$174 million. What changed? That’s a lot of money. What changed in that site?

Mr. DOOMES. Congressman, thank you for that question. My understanding is that WMATA, who owns the site, has offered it to GSA at the price cited in the site selection decision, \$26.2 million.

Mr. PERRY. So, what changed from the acquisition cost for Greenbelt? It’s the same site. I understand WMATA, but it went from \$200 million to \$26 million. Now, you are the Regional Commissioner. What changed? Who is subsidizing this lowered cost? Somebody has got to pay for something here. And is the parking lot literally worth \$174 million?

Mr. DOOMES. Congressman, I will have to get back to you on that. My understanding is that the site is valued at \$26.2 million and that WMATA has offered to sell it to GSA at that price.

Mr. PERRY. But you would also agree that it is a reduction in cost that was over \$200 million.

Mr. DOOMES. I will have to get back to you on that, Congressman.

Mr. PERRY. Well, my time is now expired for this round, so, at this point, I will yield and recognize the gentlelady, the ranking member from Nevada, Ms. Titus.

Ms. TITUS. Thank you, Mr. Chairman.

I would think you would like the fact that it went from \$200 million down to \$26 million. That sounds like that’s right up your alley. Excuse me for that aside.

I want to ask you about the high mission criticality score, if you could, Mr. Dimos. The Homeland Security—there is a 2021 edition of a risk management process study, and it said, and I quote, facilities that “house individuals or specialized equipment necessary to identify and analyze threats to homeland security” have to have this high mission criticality score.

Do you think you can achieve that kind of facility protection if you stayed and remodeled the building on Pennsylvania Avenue?

Mr. DIMOS. Congresswoman, at this stage, the work that we have conducted over the last couple years has been focused on the March 2022 congressional appropriation. And so, our focus has been on developing a process to select a suburban site from one of those three locations.

In terms of talking about specific security requirements, we can follow up separately with the right level of security experts to talk through that.

But my focus with GSA over the last couple of years has been specifically on selecting from one of the three suburban sites. Then, in addition to that, the 2024 President’s budget did include support for a smaller facility downtown for 750 to 1,000 people that we are coordinating with GSA on.

Ms. TITUS. So, in the meantime, while you all have been looking at these new sites, you have just let the facility on Pennsylvania deteriorate? You are not trying to fix it, not trying to improve it, just let it go to hell while you are looking for something else?

Mr. DIMOS. Thank you for that question. So, my staff and I are responsible, in coordination with GSA, for ensuring the building is maintained. And I will say it is a challenging situation in terms of

the concrete mitigation, the pipe repair, the HVAC support. And I have got a heroic team of experts who work to maintain the facility to the best of their ability.

What I would say is, it is a tradeoff of knowing that this conversation has been ongoing about a new facility. We want to invest in the building to ensure that we are keeping it stable and safe, and at the same time, not invest too much funding such that it would be imprudent, knowing that there is ultimately a vision to leave the facility—

Ms. TITUS [interrupting]. How much money do you—

Mr. DIMOS [continuing]. At some period.

Ms. TITUS [continuing]. Think you have spent on keeping it up to date since 2011, when you decided you wanted a new building?

Mr. DIMOS. I can't speak for everything since 2011. I would say over the last several years, with the support of Congress, we were required to reprioritize about \$75 million just to address core water infrastructure to ensure we didn't have a catastrophic breakdown of our water intake and outtake from the building.

We are also having to invest in—

Ms. TITUS [interrupting]. Besides the structural improvements to keep the employees safe, what about security issues, investment in keeping all that information secure?

Mr. DIMOS. Sure. So, security is a key area of focus for the FBI to ensure our space is safe, our people are safe, our records and IT are safe. And so, we have made incremental security investments to the facility to ensure that, in terms of the things we can feasibly do, we are doing them.

There are, of course, many security features that we cannot implement, given the 1974 construction. And so, we do the best we can for modest security improvements.

Ms. TITUS. You don't want to make it too nice or too good, because then that might hurt your chances of getting a new building, right?

Mr. DIMOS. Congresswoman, we want to make sure—we have limited resources in order to support the building. And to the maximum extent possible, I want those resources to go towards combating violent crime, human trafficking, international terrorism.

Ms. TITUS. OK, let me ask you this. The 2018 plan included a SCIF, a SIOC, 72-hour backup power, mission briefing center, blast and ballistic protection, visitor center, parking garage, remote truck inspection facility, perimeter security, and upgraded IT. Can you talk about, does any of that still exist, or been worked on, or what the scope is of the current project? Does it include all of that stuff?

Mr. DIMOS. So, those specific requirements that you have listed there would be the ones that would be included in our construction plan for the suburban campus that we will be working with GSA on, going forward.

Ms. TITUS. OK. Thank you, Mr. Chairman.

Mr. PERRY. The gentlelady yields. The chairman now recognizes the chairman of the Aviation Subcommittee, Mr. Graves from Louisiana.

Mr. GRAVES OF LOUISIANA. Thank you, Mr. Chairman.

I want to thank both of you for being here. I want to thank you for your testimony.

Mr. Doomes, I understand how you may be shocked that folks are questioning criteria and criteria being changed, but I do want to just give you a little bit of perspective on the things that we deal with.

In this committee, you can imagine billions and billions of dollars in, for example, transportation grants have been given to the Department of Transportation. And as we have gone through and looked at the allocation of dollars, and we have looked at the criteria that this Department of Transportation has developed, we have watched as 17 percent of the overall money has been given to the State of California, while 0.33 percent of the money has been awarded to the State of Alabama. Those States—you can say, well, maybe it is population. Those States have an eightfold difference in population, yet that is a fifty-one-fold difference in the amount of allocation among States.

So, said another way, I have observed how criteria has been manipulated in a way to benefit specific States, areas, or projects that I think otherwise do not stand on their own merit. So, I want you to understand that backdrop under which you are showing up here.

So, in that regard, it is my understanding that criteria was changed, and you have noted the scoring issue that the chairman noted. Were you asked—was anyone—did anyone come to you and ask you to change that criteria?

Or are you aware of anyone from above, from White House, political appointees or any others, that asked that that criteria be changed, or that the weighting of the scoring be changed?

Mr. DOOMES. Thank you for that question, Congressman. What happened was in December of 2022, Congress directed GSA and the FBI to conduct consultations, meaningful consultations, with the State of Maryland and Virginia. We held those consultations in March of 2023. And then we worked collaboratively with our partners over at the FBI to come up with new criteria.

And the changes we made in the criteria, I think it is really important to talk about that.

One was, we decided to increase the percentage of cost. We thought it was really desirable to increase our focus on providing the lowest cost option for taxpayers.

And then we had governmentwide directives related to equity that we felt like we needed to reflect.

And I will point out that mission remains the number-one priority in the new set of criteria, but we worked on that collaboratively with our partners, with the FBI. And they wrote and they let us know—

Mr. GRAVES OF LOUISIANA [interrupting]. OK, OK. And I appreciate that dialogue and engagement, and I certainly respect that and think it is important.

But just going back to my question, was there a political appointee, White House or anyone, that asked you or asked anyone within GSA to actually change the criteria or change the weight of the criteria?

So, putting aside State engagement and all those, was there anyone along those lines?

Mr. DOOMES. So, let me clarify. We had both political appointees and career officials within GSA—

Mr. GRAVES OF LOUISIANA [interposing]. Yes.

Mr. DOOMES [continuing]. Meeting with career officials with the FBI to come up with this new criteria.

Mr. GRAVES OF LOUISIANA. Yes.

Mr. DOOMES. So, no one outside of the agency, sir.

Mr. GRAVES OF LOUISIANA. Right. So, it is—I am going to surmise here—so, it is fair to say that there were political appointees that weighed in on this and asked that the criteria be changed or that the weight of the scoring be changed.

Mr. DOOMES. Yes, there were political appointees that were a part of that process, Congressman.

Mr. GRAVES OF LOUISIANA. Thank you, thank you.

I am not sure which one of you to ask this question to, but I certainly understand the accessibility of the site as being really important. You want employees to be able to actually get to work. And I understand that the site that you chose ranked the highest in terms of transit accessibility, but then you also have the requirement, at least in the previous scope, to provide thousands of parking spots. And I just want to make sure I understand that situation, and I am happy to take an answer from either of you.

Mr. DIMOS. Sure. So, for our workforce, we were definitely advocating strongly to ensure max level of access to mass transportation: Metrorail, regional rail, bus lines, as well as accessibility to sites in the region.

In addition to that, certainly there is going to come a time as we work through the program of requirements in more detail leading up to the prospectus, where we will be having significant discussions about the level of parking that would be included on the site, something like that, about the amount of parking, those details will be kind of more heavily discussed towards the next stage of the process.

Mr. GRAVES OF LOUISIANA. And Director Dimos, thank you. I am out of time.

Mr. Chairman, I just want to say it would be very helpful if you all could help us understand the relationship between how you scored the transit, parking, and then also if you looked at actually making investments in new infrastructure to improve the score for either one of those sites.

I yield back.

Mr. PERRY. The Chair thanks the gentleman. The Chair now recognizes the ranking member of the full committee, Mr. Larsen.

Mr. LARSEN OF WASHINGTON. Thank you.

Mr. Doomes, I don't think anyone is arguing that the SSA has the legal authority to make a decision that is not recommended by a panel—in this case, the panel that made the recommendations—but do you know, overall in the history, let's say 25 years, how often the SSA has changed, has come up with a different final recommendation that is a decision different than the recommendation panel?

Mr. DOOMES. Thank you for that question, Congressman. To my knowledge, GSA does not keep a comprehensive database of all the

site selection decisions. But when we asked the staff to take a look at it, it has happened a couple of times in the last 25 years.

More specifically with the FBI case, in 2016, when GSA was asked to do the first downselect, a panel of career officials recommended several sites, and they excluded Springfield. And the Deputy PBS Commissioner at the time decided not to accept that recommendation, and decided, using their authority, to add Springfield as one of the sites to be considered.

There is a second instance in 2006, in Harrisburg, Pennsylvania, where the Site Selection Panel recommended three sites to the Site Selection Authority, and the PBS Commissioner at the time rejected all three sites and chose another site that was not even under consideration by the Site Selection Panel. So, that was, yes, in 2006—

Mr. LARSEN OF WASHINGTON [interrupting]. Were either of those subject to a further IG investigation, as this one is?

Mr. DOOMES. I am sorry, Congressman.

Mr. LARSEN OF WASHINGTON. Were either of those selections subject to an OIG investigation, as this one is?

Mr. DOOMES. Not to my knowledge, Congressman.

Mr. LARSEN OF WASHINGTON. Yes, OK. And if you could get back to us with any further examples, that would be helpful. It doesn't sound like there are a lot. Not just the numerator, but maybe the denominator, as well, how many potential decisions were made, and then how many were different, that would be great.

Mr. DOOMES. Yes, sir, we will—

Mr. LARSEN OF WASHINGTON [interrupting]. And not just in the FBI case, any case.

Mr. DOOMES. I am sorry.

Mr. LARSEN OF WASHINGTON. Not just in an FBI case, but in any case.

Mr. DOOMES. In any case.

Mr. LARSEN OF WASHINGTON. Yes.

Mr. DOOMES. Yes, sir.

Mr. LARSEN OF WASHINGTON. Yes, thanks. It will just help us, give us a perspective.

Mr. Dimos, as noted just now, in the first procurement, the proximity of the site to the FBI's Quantico facility was not included, and then it was added. Do you have insight, from the FBI's perspective, about why that particular criteria was changed, and Quantico was added?

Mr. DIMOS. Sure. So, really, as I said earlier, going back to 2018, 2018 to 2022, really, the view of the FBI was that having that central proximity to partners and to other mission assets was very important. We have employees traveling back and forth to sites all the time, meeting with other law enforcement partners, intelligence community partners. And so, being in downtown Washington, it allowed for that central location.

Hearing Congress loud and clear in March of 2022 that we needed to select a site from one of the three suburban locations, we tried to reflect on kind of that base kind of requirement of how do we be in close proximity to our other mission sites. Quantico is the largest mission site that we have in the national capital region, other than the Hoover Building itself. And so, as we talked to a lot

of stakeholders within the FBI about what would enable the mission for the long haul, being in close proximity to that site and other sites in the area was deemed valuable.

For example, we did a study, a 60-day study looking at the amount of meetings and back-and-forth between Quantico and—

Mr. LARSEN OF WASHINGTON [interrupting]. Yes—

Mr. DIMOS [continuing]. Sites that were—

Mr. LARSEN OF WASHINGTON [interrupting]. Can I stop you there? How relevant is that in a post-COVID era, and the application of online, especially secured online? Because we do VTCs overseas all the time on the military side.

Mr. DIMOS. Yes, in a post-COVID era, like I said, we did a 60-day assessment—

Mr. LARSEN OF WASHINGTON [interposing]. Yes.

Mr. DIMOS [continuing]. Between Quantico and other sites, 1,700 trips in a 60-day period between—

Mr. LARSEN OF WASHINGTON [interposing]. Yes, right.

Mr. DIMOS [continuing]. The core sites that are consolidating.

In law enforcement work, face-to-face engagement is needed and common.

Mr. LARSEN OF WASHINGTON. It is needed and common. Is it—I am not questioning it, only I just want to—I am questioning it for the sake of understanding. Is that as relevant, though, given the advancement of technologies to actually replace not every face-to-face meeting, some face-to-face meetings?

I want face-to-face meetings all the time, too, but I don't get that choice. I am not in your—

Mr. DIMOS [interposing]. Sure.

Mr. LARSEN OF WASHINGTON [continuing]. Position, I get it. But we have a very important job, too, and that requires face to face as well as having to flex sometimes.

Mr. DIMOS. Technology is certainly a really powerful enabler, but from the data research that we did, we are still seeing a significant amount of that direct face to face, and it is powerful.

And the FBI, just by the nature of our mission, we are heavy users of our space, coming into the office, using our secret, top secret connectivity.

Mr. LARSEN OF WASHINGTON. Sure, OK. Thank you very much. I yield back.

Mr. PERRY. The Chair thanks the gentleman. The Chair now recognizes the gentleman from New York, Mr. D'Esposito.

Mr. D'ESPOSITO. Well, thank you, Mr. Chairman, and good morning, everyone.

I am sorry I missed the opening statements, but Mr. Dimos, can you just tell me what year you joined the FBI, or started working with the FBI?

Mr. DIMOS. Sure, 2006.

Mr. D'ESPOSITO. Great. And can you just explain to me what the number-one mission of the FBI is?

Mr. DIMOS. Countering and stopping acts of terrorism, sir.

Mr. D'ESPOSITO. OK, so, to protect and defend the United States of America against terrorists and foreign intelligence threats.

Mr. DIMOS. Yes, sir.

Mr. D'ESPOSITO. OK. Given that mission to protect and defend the United States of America against threats and enforce criminal laws to protect its citizens, I would think that it would be the main priority to be considered when selecting a site for a new headquarters.

Would you say that during the selection process this was considered above all other factors?

Mr. DIMOS. Ensuring the mission of the FBI and how facilities can support the mission of the FBI has absolutely been at the forefront of our requirement.

Mr. D'ESPOSITO. OK. And do you think that the decision, as of this past July, to change the site selection criteria by lowering the weight of the "FBI proximity to mission-related locations," and increasing the weight of "advancing equity" puts the FBI's readiness and advancing its mission at risk?

Mr. DIMOS. Congressman, we viewed the September 2022 site selection plan as optimal. However, we did work closely with the GSA, ultimately, leading up to the July 2023 revisions to the plan. And while we thought that the September 2022 plan was best, we also deferred to GSA's judgment on the final percentages in the July publication of the plan.

Mr. D'ESPOSITO. OK, so, what I am going to do real quick is I am just going to read, verbatim, the actual mission of the FBI. The mission of the FBI is to protect and defend the United States against terrorist and foreign intelligence threats, to uphold and enforce the criminal laws of the United States, and to provide leadership and criminal justice services to Federal, State, municipal, and international agencies and partners.

So, with that mission in our thoughts, I am finding it hard to understand why we would lower the weight of the proximity to mission-related locations and increase the weight of advancing equity. And I understand that you worked with the agencies that were involved, there was communication, I understand all that. But what I am trying to understand is why we would lower the weight of the FBI proximity to mission-related locations, and increase the weight of advancing equity when trying to find proper locations in order for us to put forth the mission of the FBI.

So, if you could expand on that a little bit, I would appreciate it.

Mr. DIMOS. Thank you, Congressman. As I said, of course, our number-one priority in this was ensuring that this facility could support the mission of the FBI, first and foremost, hard stop, sir.

With that said, we do know there were other factors that needed to be evaluated as part of a decision of this magnitude. Cost was one of those areas, as well. If you compare the September 2022 plan compared to the July 2023 plan, the importance of cost did change from 10 percent to 20 percent. And so, it—

Mr. D'ESPOSITO [interrupting]. Well, I think we all agree—

Mr. DIMOS [continuing]. Was a balancing act of multiple—

Mr. D'ESPOSITO [continuing interruption]. Under the Biden administration, costs have increased across the board in every aspect.

But what I am asking here is how did equity come to play a bigger role in this?

And how does advancing equity allow us to better the mission of the FBI?

That is where I am not understanding. I understand the cost analysis. I understand the conversations that were had. I understand that you worked with the inner agencies of the FBI to figure out the better locations. What I am trying to understand, in the next 30 seconds, if you could explain to me how advancing equity helps better live out the mission of the FBI.

Mr. DIMOS. So, what I would say to the equity criteria, sir, is that there were two Executive orders that were signed regarding equity and real estate decisions. And so, the FBI and GSA had coordinated to also ensure that the site selection plan appropriately complied with—

Mr. D'ESPOSITO [interrupting]. And when were those Executive orders signed?

Mr. DIMOS. The first was signed in 2021, and the second, I believe, was in 2022, sir. But I could be wrong.

Mr. D'ESPOSITO. So, basically, we are following bad Executive orders in order to promote politics instead of actually living out the mission of the FBI. Not on you. You guys are just following the rules.

But thank you, Mr. Chairman, I yield back.

Mr. PERRY. The Chair thanks the gentleman. The Chair now recognizes the gentlelady from the District of Columbia, Ms. Eleanor Holmes Norton.

Ms. NORTON. Thank you, Mr. Chairman.

Commissioner Doomes, it is good to have you back on Capitol Hill. You were one of my best Hill staffers that I have worked with. So, it is good to see you in this new role. Of course, we were sad to lose you.

I want to discuss with you, Mr. Doomes, GSA's site selection process for the new FBI headquarters. But first, I want to discuss the future use of this site of the FBI's current headquarters here on Pennsylvania Avenue in my district. The current site is a prime opportunity for mixed-use development, which could help activate Pennsylvania Avenue, draw visitors off the National Mall and into downtown, as well as generate tax revenue for the District of Columbia, here in my district.

What is GSA's plan for the current site after the FBI moves?

And is GSA committed to working with the District of Columbia as it plans for the future use of the site?

Mr. DOOMES. Thank you for that question, Congresswoman. I just want to be clear. GSA does have a plan for this site. We are working through it. And the commitment I am willing to make here with you today is to work with your office, as well as local District of Columbia officials, about what that future use of that site might be.

As you may be aware, as are other members of the committee, GSA currently has a national portfolio plan that we are working on, where we are looking at the entire inventory, all 363.3 million square feet of space that we have across this country, and we are looking for opportunities to dispose of sites.

You may have seen that about a month ago, GSA announced that we were disposing of 23 properties across this country because we

determined that we no longer had a need for it. So, we would do that same asset segmentation policy for the J. Edgar Hoover site.

And if we determine that it is surplus to the needs of the Government, we would then work on a disposal strategy through our Good Neighbor Program with the Office of the Chief Architect to work with the local authorities and your office about what the future might be for that site, including up to disposition.

Ms. NORTON. Thank you, Mr. Doomes.

The site selection plan for the new FBI headquarters established a Site Selection Panel and a Site Selection Authority, Mr. Doomes. What were the respective responsibilities of the panel and the selection authority?

Mr. DOOMES. I really appreciate that question, Congresswoman, because I would like to clarify for the record.

The Site Selection Panel was assembled to make recommendations to the Site Selection Authority, which is common for all GSA site selections. This expert panel, made up of two career experts, was expected to go through all the information that was provided by all of the jurisdictions, examine all the issues as outlined in the site selection plan which GSA made publicly available, and it was always contemplated that the Site Selection Panel would make a recommendation to the Site Selection Authority.

And I think it is important to clarify that the Site Selection Authority looked at the 12 subcriteria across the 5 criteria, and subsequently the Site Selection Authority accepted 9 of the 12 recommendations that the Site Selection Panel made.

For the three criteria where the Site Selection Authority did not accept the recommendations of the Site Selection Panel, the Site Selection Authority in the site selection decision carefully went through and explained why they did not accept those three recommendations. And this is why we consider this one of the most transparent site selection processes that GSA has ever been involved in.

We have not typically released a site selection plan and the site selection criteria, or the detailed site selection decision, where we went through in a painstaking way in a 40-page decision explaining why the Site Selection Authority, on 3 of the 12 recommendations that the Site Selection Panel made, did not accept. And the Site Selection Authority very clearly outlined that this was a close question.

As the FBI has acknowledged, all three sites meet their mission needs, but it was our job to determine which of those three sites best met their needs. And we decided, and GSA made the decision that the Greenbelt site was the most transit-oriented site, it was the lowest cost to the taxpayers, one that advanced the Presidential directive on equity and sustainability the most, and also offered the most project certainty. And we thought those were all the reasons that the Greenbelt, Maryland, site was the best site for taxpayers.

Ms. NORTON. Thank you, I yield back.

Mr. PERRY. The Chair thanks the gentlelady. The Chair now recognizes the gentleman from Mississippi, Representative Ezell.

Mr. EZELL. Thank you, Mr. Chairman.

Mr. Doomes, I would like to start with you. Thank you for being here today, and our witnesses. We appreciate it.

But how often do political appointees at GSA disagree with the recommended decision of GSA career experts?

Mr. DOOMES. Congressman, that is a great question. It is hard to give you a comprehensive answer, but we can cite to at least one other instance where the political head of the GSA Public Buildings Service overturned a Site Selection Panel decision. It was in 2006, with the siting of the Harrisburg, Pennsylvania, courthouse. The Site Selection Panel made a recommendation of three sites, and the Site Selection Authority actually chose a fourth site that was not under consideration by the Site Selection Panel.

Mr. EZELL. Thank you. Do we have a detailed record that documents instances when a political appointee has been designated the role of the Site Selection Authority?

Mr. DOOMES. I don't believe we have a detailed document, but GSA has endeavored to look through past decisions and look for instances.

Here, in an earlier case with the FBI in 2016, the Site Selection Panel recommended that the Springfield site be excluded from any consideration, and the Site Selection Authority decided not to accept that recommendation, and that GSA should consider the Springfield site.

Mr. EZELL. I understand that the weights were changed for all criteria, and the expert panel still chose Springfield, yet a political appointee chose Greenbelt. To me, it seems like there was a directive from the White House to ensure Greenbelt emerged as the preferred choice. In between the panel's recommendation and the final report, was there any directive from the White House?

Mr. DOOMES. No, sir.

Mr. EZELL. Would you be willing to share any documents or correspondence that may have come from the White House, GSA, and the executive branch, if there is any documents?

Mr. DOOMES. Congressman, I am committed to working with you to produce any correspondence, if it exists. I am not sure that it does, but I will work with the Office of General Counsel to get you that information.

Mr. EZELL. Thank you.

Mr. Dimos, given the FBI's preference to stay in downtown DC, do you believe the FBI would ever truly accept a decision to move the headquarters out of downtown DC?

Mr. DIMOS. Congressman, thank you for the question. What we said throughout the process from when Congress passed the law in March of 2022 until today is, as long as a fair and transparent process is followed, we will follow the law. And the law said that the FBI shall go to one of those three suburban sites, and that has not changed, sir.

Mr. EZELL. How do you respond to the allegations that Director Carnahan said the FBI's concerns with the process had no merit? And do you feel this process was fair and transparent?

Mr. DIMOS. Thank you, sir. So, this is an area of disagreement between the FBI and the GSA. We have identified process concerns, as you even alluded to, in the fact that it is exceedingly rare that a Site Selection Panel's recommendation is not accepted by the

Site Selection Authority. Even within our own FBI procurement shop, we canvassed our lead contracting officers, and it was exceedingly rare that such a situation had occurred.

Combining that with the number of instances where there was a disagreement between the panel and the Site Selection Authority, we were concerned to see so consistently the disagreement by the SSA led to an increase to the Greenbelt site and a decrease to the Springfield site. And again, just exacerbated by the fact that the SSA was ultimately a senior executive by the owner of the Greenbelt site.

Those things, taken in aggregate, just created areas of process concern for us, sir.

Mr. EZELL. Thank you very much. Thank you both for being here today.

And Mr. Chairman, I yield back.

Mr. PERRY. The Chair thanks the gentleman. The Chair now recognizes the gentlelady from Kansas, Representative Davids.

Ms. DAVIDS OF KANSAS. Thank you, Chairman, and thank you to the chairman and the ranking member, Ms. Titus, for holding this hearing today. And then, of course, thank you to our witnesses for taking the time to testify.

I represent the Third Congressional District in Kansas, which is part of the Greater Kansas City metro area and home to a pretty significant Federal real asset footprint. And like a lot of places in the country with this kind of Federal nexus, we do depend on the GSA to serve as a good steward of taxpayer resources and to serve as a fair landlord in our communities. And those expectations, of course, are no different for the assessment of a location selection and construction for the new FBI headquarters.

So, I do want to focus on the expressed needs that are at the center of this hearing. And some of this is a followup to some of the questioning we have heard from Ranking Member Titus and others.

Mr. Dimos, I would like to hear. Since the GSA and FBI began working on this project in 2011, can you tell me how many FBI employees have been moved from the national capital region, or NCR, to other FBI sites around the country?

Mr. DIMOS. Sure. So, over the last several years, to your question, Congresswoman, the FBI has gone through a reassessment of the geographic location of our workforce. One particularly significant site for us has been our expanded presence in Huntsville, Alabama. We have actually been in Huntsville for 50 years through the Hazardous Devices School. But over the last decade in particular, a renewed investment for Huntsville, for technology positions, a training academy. At this point, we now have nearly 2,000 individuals in Huntsville today.

We have also increased our presence in Pocatello, Idaho, and increased our presence and functions in Clarksburg, West Virginia. Of course, we operate 56 separate field offices across the country. Over the past several years, we have also looked at opportunities of taking headquarters positions and pushing them back out to the field offices to ensure that we are supporting our field operatives where the cases are being run.

Ms. DAVIDS OF KANSAS. Yes. Can you talk a little bit about how the calculation was made of the FBI employees in the new building over the course—I mean, it has been quite a few years. Can you talk a little bit about how that calculation plays into the site selection decision?

Mr. DIMOS. I just want to make sure I understand your question, Congresswoman. Can you just restate it for me, please?

Ms. DAVIDS OF KANSAS. Yes. So, I am curious how, when looking at the various sites and the site selection process, how are you thinking about the calculation with the employees that are going to be at the new headquarters with the movement of employees to places like Huntsville or Idaho?

Mr. DIMOS. Sure. So, we have done an assessment of what are those functions that we think can operate effectively outside of the national capital region, also, in particular, thinking about where we may have partners in other parts of the country where it may be valuable to be collocated with those partners. Not all partners are in the NCR. And also looking at where we, quite frankly, have available real estate. We had available real estate in Clarksburg, West Virginia, to be able to transition employees.

And so, kind of the net of that is, we still have a large, multi-thousand presence here in the national capital region for those functions that we believe are important to be in close proximity to intelligence community partners, law enforcement partners here in the NCR, as well as having access to the tech talent of the vendor community. We rely on industry to support us in some of our high-tech mission space, and this is a region of the country that has a lot of tech industry.

Ms. DAVIDS OF KANSAS. Thank you. And then, because I have—it will be 30 seconds, hopefully, for you to answer, Mr. Doomes. I am curious if you could just—to follow on Mr. D'Esposito's line of questioning, the ability for folks to get to the building using transit and the parking situation, is that part of the equity consideration when deciding where that falls in terms of the priority levels?

Mr. DOOMES. Thank you for that question, Congresswoman.

Actually, one of the criteria dealt expressly with transportation access and transit access. The Greenbelt site is 0.1 miles away from the Metro station, as opposed to Springfield, 0.5.

There were also some other subcriteria that dealt with the commercial airports and their proximity to that, but that is separate and apart from the criteria that deals with equity—

Ms. DAVIDS OF KANSAS [interposing]. Oh, OK.

Mr. DOOMES [continuing]. And sustainable development.

Ms. DAVIDS OF KANSAS. OK, thanks. I just wanted to—I just was curious and didn't know.

Thank you so much, I yield back.

Mr. PERRY. The Chair thanks the gentlelady. The Chair now recognizes the gentleman from Tennessee, Representative Cohen.

Mr. COHEN. Thank you, Chairman Perry. I appreciate you and the ranking member for holding the hearing, and the chairman for allowing me to waive on to this subcommittee. I appreciate the witnesses for being here.

There is certainly great interest in the GSA site selection process for the new FBI headquarters. My interest is more on how we are

going to determine the name of the new FBI headquarters. In 1972, following J. Edgar Hoover's death, and before much was known about some of the illegal activities he engaged in, Congress passed a bill to name the existing building as the J. Edgar Hoover Building.

J. Edgar Hoover did not uphold the laws of this Nation, the U.S. Constitution, or the standard of justice in many instances. It is absolutely inappropriate that our Nation's leading Federal law enforcement agency building still be named in his honor. Director Hoover was notorious for his regular abuses against and prejudice towards civil rights leaders, LGBTQ people, and African Americans at large.

From his creation of the Counterintelligence Program, or COINTELPRO, which was a secret program aimed to "expose, disrupt, misdirect, discredit, or otherwise neutralize" the activities of Black nationalists, hate-type organizations, to his FBI "sex deviance" program—he had a little thing about gays. He didn't look in the mirror very often, but he had a thing about gays. That nationalist hate-type organizations to his FBI that used—he used them to attack and out LGBTQ employees in the Federal Government. Director Hoover symbolized the dangers of the weaponization of the Federal Government. He weaponized the Federal Government like never before, and held much incriminating data about Presidents, which some suggest is why he kept his position for so long.

Relocation of the FBI building presents an excellent opportunity to release the FBI and its headquarters building from Director Hoover's tarnished reputation and instead pursue a building name that will appropriately honor the administration of justice.

We are privileged in Congress to have dinners that are sponsored by David Rubenstein at the Library of Congress, and the last one I attended—I think the last one held—was a lady who wrote a biography of J. Edgar Hoover. She worked on it for 15 years, 800 pages. She had very little good to say about him because of his misdeeds.

Mr.—is it Doomes? Thank you sir. The GSA Administrator, as I understand it, has the authority to name buildings, but typically looks to Congress for direction. I introduced H.R. 1175 this year, and I have introduced a similar bill for many years, which would redesignate the J. Edgar Hoover Federal Building as the Federal Bureau of Investigation building. Given that the 1972 law expressly renamed the building constructed in downtown, would the old name convey to the newly reconstructed FBI building, or will it only receive a name when Congress designates a name and the GSA adopts it?

Mr. DOOMES. Thank you for that question, Congressman. The expectation is that, if the building comes down, GSA would defer to Congress a new building and how it is named.

Mr. COHEN. Thank you, sir. That would be appropriate, and I appreciate the clarity.

It is important that the old name not carry over. The FBI needs to be respected as an agency that does carry out its duties of being fair and just in administering justice. And what happened in Martin Luther King and his phone being tapped, and the messages that were sent to him by the FBI suggesting he should commit sui-

cide because they had more information on him which Mrs. King wouldn't want to know about, et cetera; what they did in Chicago when they killed Black Panthers, they set up with insiders and killed Black Panthers in Chicago; and it looks like something happened with Malcolm X. His convicted murderers have been released because they didn't do it. Who knows what else he did?

Commissioner, I have one other question. It is my understanding that in October of 2022 the GSA requested authorization to lease space for an FBI field office in Nashville. It is also my understanding the committee has not considered that request. Can you explain the request for space and the current status of the procurement?

Mr. DOOMES. Thank you for that question, Congressman. I want to be careful here, because that procurement is ongoing. But it has been advertised. The contracting officer has three offers on the table, but GSA will not proceed until this committee provides a resolution in support of that prospectus, at which point we would be able to make an award and move forward on that project in Tennessee.

But I welcome the opportunity to let Mr. Dimos fill in.

Mr. DIMOS. Thank you, Mr. Doomes.

Thank you for the question, sir. This is a very important project for us. Congress approved the consolidation of our Knoxville and Memphis field offices into a consolidated Nashville field office in 2019, and so, the actual ability to award the construction project in Nashville is critically important for our employees who are already expecting that kind of transition to Nashville. And so, this has been a 5-year-plus endeavor.

And so, we would definitely appreciate your support, the committee's support. And if there are any questions that the committee has regarding the Tennessee consolidation effort, we would be happy to schedule a follow-on discussion at a time that is best for you, sir.

Mr. COHEN. Thank you very much. I appreciate that. I do have to say I felt there was great discrimination in the decision to take the headquarters—to consolidate in Nashville. It was obviously prejudiced in favor of hot chicken over barbecue.

I yield back the balance of my time.

Mr. PERRY. The Chair thanks the gentleman. I am going to go to a second round here.

Mr. Doomes, as you probably and likely know, this committee had requested Ms. Albert be present for her testimony. And fortunately or unfortunately, you are here—well, I wouldn't say instead, but you are the one that is on the hot seat to speak on behalf of whatever might have happened. So, I've got some questions for you in that regard, and they are not personal.

But the July 2023 update included changes to the Site Selection Authority, shifting it from the Public Buildings Service Regional Commissioner to the Public Buildings Service Commissioner. This change occurred 2 years after the appointment of Ms. Albert, meaning the GSA affirmatively chose to remove an impartial PBS Regional Commissioner and replace them with Ms. Albert, an individual they knew had worked for WMATA, the landowner of one of the three potential sites, and the one that was chosen.

Now, I say replace Ms. Albert with an individual that they knew worked for WMATA [sic], or replace the Regional Commissioner, the impartial Regional Commissioner.

[Slide]

Mr. PERRY. I think that the Regional Commissioner was impartial because on the previous report—I know you don't have it in front of you, but I am showing it to you [indicating report]—the name of that person is redacted, right? They don't want any trouble for doing what the right thing is, making the site selection based on the criteria.

It seems to me that Ms. Albert was brought in to fix the situation, to get the result that was wanted. That is why, after 2 years, she was brought into this whole process and airdropped right into the middle of it, and then 2½ months later, the announcement was made. The criteria was changed to get the site selection that they wanted, and the decision was made.

Who decided to make the change regarding Ms. Albert, knowing that she had a potential conflict of interest? Who made that decision?

Mr. DOOMES. Congressman, thank you for that question. GSA made that decision, so, I believe it may have been the Site Selection Authority herself that made that decision, but I will have to get back to you.

Mr. PERRY. So, you are saying the person—wait, the person whose name was redacted here [indicating report] made the decision to replace themselves with Ms. Albert? Is that what you are saying?

Mr. DOOMES. The Site Selection Authority is the top real estate official within GSA. We knew when we were making this decision it was going to be a lot of scrutiny. Someone was going to be unhappy, either Maryland or—

Mr. PERRY [interrupting]. The top real estate official, and you knew at the time that Ms. Albert hasn't had a real estate license, never sat for the exam, doesn't possess a real estate license, but you took the top real estate official out and put Ms. Albert in. And you are saying the Site Selection Authority at GSA did that? That is what you are saying?

Mr. DOOMES. I will need to clarify as to—

Mr. PERRY [interrupting]. I hope you do. I am wondering, was there any outside input into that decision from anyone in the Maryland elected delegation, or the Virginia delegation, or OMB? Was there anybody from either one of those three entities—delegations, elected delegation to Maryland, Virginia, or the Office of Management and Budget—that weighed in on that decision to replace that person with Ms. Albert, knowing there was a conflict of interest?

Mr. DOOMES. Congressman, what I will say is the head of GSA heard from members of the Maryland and Virginia delegation throughout the year about what their concerns were.

Mr. PERRY. What was the tenor of those conversations?

Mr. DOOMES. I think both delegations wanted their site to be chosen.

Mr. PERRY. Were you involved? Were you involved in those conversations?

Mr. DOOMES. No, sir.

Mr. PERRY. Do you know of any of those conversations directly with Ms. Albert?

Mr. DOOMES. Certainly, and I am not aware that the Site Selection Authority heard herself directly. I was referring to the Administrator, who I know heard from both delegations.

Mr. PERRY. So, the Administrator, but not—you can't confirm whether Ms. Albert heard from the delegation or not.

Mr. DOOMES. Sir, I am unable to provide an answer to that question.

Mr. PERRY. Did the Administrator, having heard from the delegations and possibly OMB, the Administrator—did the Administrator make this change to Ms. Albert?

Mr. DOOMES. So, I want to be careful here to make sure I understand your question, sir. Could you—

Mr. PERRY. I want to know who made the decision and what their involvement was with elected officials in Maryland and Virginia, or potentially the OMB.

Mr. DOOMES. I will have to get back to you on that one, sir.

Mr. PERRY. All right. Are you aware that the general manager from WMATA, the transit agency that services the DC metro area, has just announced the closure of 10 sites, 67 bus routes, 2,000 employees losing their jobs due to lack of funding?

Do you know if one of the potential closures of those 10 sites is the Greenbelt site?

Mr. DOOMES. No, sir.

Mr. PERRY. Would that affect the decision, if it were to close?

Mr. DOOMES. I would have to consult with staff on that and get back to you.

Mr. PERRY. Before I recognize the ranking member, I have just got to tell you. I used to have this old truck that sat in my tractor shed, and rodents would get into it because they are just sitting out in the tractor shed. I didn't use it very much, but I would get in it, and I could smell that they were in there. I could smell the rat, because they've got a certain smell about them when they are inhabiting the place.

The American people smell a rat here. They smell a rat, Mr. Doomes. Unfortunately, you are here to answer for GSA. I am not sure you are the right person. We've got to get to the bottom of what happened here, because this does not fulfill the FBI's mission.

There is crazy business with us subsidizing WMATA, who apparently now appears to be subsidizing the FBI at the same time they are getting ready to lay off 2,000 employees because they can't pay their bills. They don't have any money to be subsidizing anybody. What we should be focused on here is the mission of the FBI and what best enhances that. And none of these sites, not one of these sites—and this is not on you, this is on Congress—but not one of these sites, according to the expert here, Mr. Dimos, services the mission of the FBI.

With that, I yield to the ranking member, the gentlelady from Nevada.

Ms. TITUS. Thank you.

I would just ask you, Mr. Doomes, the GSA's objective is to build the fastest and the cheapest, or to rent the fastest and the cheap-

est. Aren't there a couple of facilities that exist now on the Springfield site that would have to be taken down, like a warehouse or something, before they could even start preparing that site for construction? Wouldn't that make it longer, take longer and cost more?

Mr. DOOMES. Yes, Congresswoman. Actually, that was contemplated in the site selection decision. Currently on the Springfield site, there is a rather large warehouse, 1 million square feet, in which we hold a personal property that is excess to the Government needs. There is also a classified tenant on the property, as well. And both of those facilities would have to be moved, and there are costs associated with moving both of those tenants. And that was one of the things that was under consideration.

In fact, that's one of the things the Site Selection Authority considered: project certainty. And project certainty involves how soon, how quickly, and how costly it would be to move the existing tenants on the Springfield site.

Ms. TITUS. Have you all decided where you would move those, or have you got to figure that out next?

Mr. DOOMES. That would be the next part of the process, to figure out exactly where those tenants would move. I believe there is a site for the classified tenant, and they are going through that process. But for the unclassified tenant, we are putting together those plans now.

Ms. TITUS. And it's not associated with the FBI in any way, it's just something else GSA has?

Mr. DOOMES. No, it is unrelated to the FBI.

Ms. TITUS. OK, thank you.

I yield back.

Mr. PERRY. Mr. Dimos, in the Department of Justice OIG report issued in October, it is mentioned that the FBI had concerns in 2017 about the Greenbelt site due to the presence of wetlands and limited constructible space. Does the FBI maintain these concerns, especially now that it has been announced that the Greenbelt site has been selected?

And will the Greenbelt site fully accommodate the consolidation of the FBI headquarters and potential future expansion?

Mr. DIMOS. Thank you for the question, Chairman. All three sites were deemed viable to be able to support the FBI—

Mr. PERRY [interrupting]. I know that they were deemed viable. You are representing the FBI. You are not representing the other people on the panel. Congress that forced them—trying to force these three sites down the FBI's throat. What does the FBI say?

Mr. DIMOS. Because of the site size and the challenges of the wetlands, it does create construction challenges that we would have to work through, through the program of requirements process. It is not unachievable, but it is a construction challenge.

Mr. PERRY. Do you think it increases the cost?

I know you are not a constructor, right? You probably don't build things.

Mr. DIMOS. We would have to rely on developers to help us with those cost estimates, sir.

Mr. PERRY. Well, I suspect it would increase the cost.

Mr. Doomes, did the GSA seek an opinion from the Office of Government Ethics and/or the Department of Justice regarding Ms.

Albert's appointment as a Site Selection Authority, given her previous employment at Washington Metropolitan Area Transit Authority?

Mr. DOOMES. Thank you for that question, Congressman. GSA did seek the opinion of the Office of General Counsel of GSA to address this issue of Ms.—the Site Selection Authority's previous employment.

Just to give you a timeline, in July of 2021, the Site Selection Authority was appointed as the PBS Commissioner. Shortly thereafter, she was granted a limited authorization to work on all matters related to WMATA and, in particular, the FBI headquarters. So, this was contemplated nearly 9 months before Congress downselected to the three sites that were under consideration.

Mr. PERRY. When did the GSA seek the opinion from the Office of Government Ethics or the Department of Justice based on what you just told me, when did they seek that?

Mr. DOOMES. Congressman, I don't believe they sought the opinion of the Office of Government Ethics. This was an internal opinion offered by the Office of General Counsel for GSA, rendered in July of 2021.

Mr. PERRY. July of 2021 they rendered that decision, that opinion? Do you have a copy of that for this panel?

Mr. DOOMES. Yes, I have a copy, and I am more than willing to share it with the committee.

Mr. PERRY. I hope so. All right. Mr. Doomes, when does GSA plan to submit a prospectus to the committee for the new FBI headquarters building?

Mr. DOOMES. Congressman, GSA intends to follow the law. In the fiscal year 2022 appropriations bill, we were directed to share information consistent with the prospectus within 180 days of selecting a site.

Mr. PERRY. Within 180 days. So, that 180-day clock started in September, when it was announced. Is that correct?

Mr. DOOMES. Correct, Congressman.

Mr. PERRY. All right. I thank the witnesses.

Are there any further questions from any members of the subcommittee who have not been recognized?

Seeing none, that concludes our hearing for today. I would like to thank each of the witnesses for your testimony. The committee now stands adjourned.

[Whereupon, at 11:37 a.m., the subcommittee was adjourned.]

APPENDIX

QUESTIONS TO ELLIOT D. DOOMES, COMMISSIONER, PUBLIC BUILDINGS SERVICE, U.S. GENERAL SERVICES ADMINISTRATION, FROM HON. RICK LARSEN

Question 1. One aspect of the previous procurement that was particularly frustrating was GSA's refusal to acknowledge that there would be a substantial delta between the value of the exchange and the cost to construct the new facility.

Question 1.a. How much do you think it will cost to build a new headquarters building?

ANSWER. GSA's fiscal year (FY) 2024 and FY 2025 budget requests include appropriations language supporting the capital investment of \$3.5 billion through the creation of a Federal Capital Revolving Fund (FCRF). This funding would be used to support the construction of the FBI's new suburban headquarters campus in Greenbelt, Maryland. The FCRF funding would be paired with \$845 million in GSA prior year appropriations to support the acquisition, design, and construction of the FBI's new suburban headquarters campus.

The \$3.5 billion is an estimate based on the previous program. Updated cost estimates are needed, as the program has evolved and as construction costs have increased since the previous program was established. This estimate is for GSA's portion of the project; it does not include the costs of FBI's information technology infrastructure or furniture, fixtures, and equipment.

Question 1.b. How much do the FBI and GSA have in their accounts?

ANSWER. GSA was appropriated a total of \$850 million across several fiscal years, of which approximately \$845 million is currently available.

With respect to any available balances that the FBI might have, GSA respectfully refers you to them.

Question 1.c. How are you going to close the gap? Are there any funds remaining from the Bipartisan Infrastructure Law?

ANSWER. None of the funds provided by the Bipartisan Infrastructure Law are available to fund the FBI's new suburban headquarters campus in Greenbelt, Maryland. Rather, those funds were specifically appropriated to modernize land ports of entry along the northern and southern borders.

Question 2. How much have GSA and the FBI spent on maintenance and emergency repairs to the Hoover Building since the FBI concluded in 2011 that a new headquarters building was needed?

ANSWER. Since 2011, GSA has spent \$8.2 million in maintenance and emergency repair expenses at the J. Edgar Hoover (JEH) building. According to information shared by the FBI with GSA, from FY 2016 through FY 2023, the FBI has spent approximately \$157 million in maintenance and repairs for JEH.

Question 3. In 2011 GSA and the FBI each developed plans for the construction of a new FBI HQ. GSA recommended traditional federal construction, which would require access to the full cost of construction upfront¹ and the FBI proposed a lease/lease-back arrangement in which the Federal Government would ground lease land to a private developer who would build the facility and lease it back to the Federal Government.²

¹ GSA, Report No. BDC-13001, REPORT OF BUILDING PROJECT SURVEY FEDERAL BUREAU OF INVESTIGATION HEADQUARTERS CONSOLIDATION WASHINGTON, DC, METROPOLITAN REGION (Oct. 17, 2011).

² FBI, FEDERAL BUREAU OF INVESTIGATION HEADQUARTERS CONSOLIDATION PROJECT REPORT (Aug. 2011).

Question 3.a. Which strategy was selected and why?

ANSWER. Neither strategy was selected at the time. Both full appropriations and lease/lease-back arrangements were evaluated and would likely have required approximately the same amount of upfront funding, due to the budgetary treatment for capital leases, in accordance with OMB Circular No. A-11, Appendix B.

Question 3.b. Which financing strategy would you recommend today?

ANSWER. GSA's budget requests for FY 2024 and FY 2025 propose the establishment of a new FCRF, which would allow for the funding of the FBI suburban headquarters campus in Greenbelt, Maryland. GSA is willing to work with Congress to consider any viable funding mechanisms that are able to meet this critical need.

Question 3.c. A P3, Federal appropriations, or a combination?

ANSWER. GSA's budget requests for FY 2024 and FY 2025 propose the establishment of a new FCRF, which would allow for the funding of the FBI suburban headquarters campus in Greenbelt, Maryland. GSA is willing to work with Congress to consider any viable funding mechanisms that are able to meet this critical need.

Question 4. How much money does GSA have for this project?

ANSWER. To date, GSA has received a total of \$850 million across several fiscal years, of which approximately \$845 million remains available.

Question 5. How much money does the FBI have?

ANSWER. GSA respectfully refers you to the FBI regarding their available funding for this project.

Question 6. Is there enough available to buy a site, initiate a design, and start construction?

ANSWER. Division E, Title V, Section 530 of the Consolidated Appropriations Act, 2022 (P.L. 117-103) required GSA to submit a report on the FBI headquarters project within 180 days of site selection, which was delivered to the Committees on March 28, 2024. Upon adoption of approval resolutions by the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, GSA intends to move forward expeditiously with site acquisition, design, design-related consulting services, management / oversight, and preliminary construction support activities, using GSA's existing balances of approximately \$845 million.

Question 7. How far can you get in the development and procurement process?

ANSWER. Please refer to the previous response.

Question 8. According to the DOJ IG's recently released *Review of the FBI's Planning for a Future FBI Facility*³ GSA cancelled the original FBI HQ procurement in July of 2017 due to insufficient funding.

Can you explain the structure of that procurement, the concept of the exchange, why it was not successful, and if you think the current procurement should also include an exchange for property?

ANSWER. The 2017 Request For Proposals sought an exchange partner to develop, design, construct, deliver, and operate a consolidated headquarters facility for the FBI. As consideration for its performance, the exchange partner would have received Federal construction funding and, upon completion and acceptance of the new FBI headquarters facility, fee simple title to the J. Edgar Hoover Building, including the full city block around the building. In 2017, GSA canceled the exchange project primarily due to a lack of funding.

QUESTIONS TO NICHOLAS DIMOS, ASSISTANT DIRECTOR, FINANCE AND FACILITIES DIVISION, FEDERAL BUREAU OF INVESTIGATION, FROM HON. RICK LARSEN

Question 1. The 2018 plan included a SCIF, a SIOC, 72-hour back-up power, a mission briefing center, blast and ballistic protection, a visitors' center, parking garages, a remote truck inspection facility, perimeter security, and upgraded IT.

Question 1.a. What is the scope of the current project?

ANSWER. The current plan for a new FBI headquarters (HQ) consists of two elements: a suburban campus for at least 7,500 personnel and a facility in Washington, D.C. for approximately 750-1,000 personnel, as outlined in the Fiscal Year (FY) 2024 President's Budget. The FBI will work with the General Services Administra-

³ <https://oig.justice.gov/sites/default/files/reports/24-004.pdf>

tion (GSA) to develop requirements for the suburban and Washington, D.C. locations. These efforts will determine the features for each location.

Question 1.b. How does it differ—in terms of size, scope, and cost—from the previous procurement?

ANSWER. Prior to 2017, the original headquarters consolidation plan included one suburban location in the national capital region (NCR) for approximately 10,606 personnel. As part of this plan, the developer chosen for the new location would have taken ownership of the J. Edgar Hoover (JEH) Building site. This plan would have allowed the FBI to consolidate personnel from 14 locations (i.e., the JEH Building plus 13 leased locations). At the time, GSA estimated this plan would have cost \$3.57 billion. While the FBI and GSA each received some appropriations for the new FBI headquarters in FYs 2016 and 2017, GSA cancelled the procurement for this project in July 2017 due to a lack of full funding.

In 2018, the FBI and GSA presented a revised plan to demolish the JEH Building and construct a new building on the same site for approximately 8,300 personnel. The 2018 plan included approximately 2,300 fewer personnel as a result of the FBI's planned strategic realignment of personnel to locations outside the NCR, including Huntsville, AL; Clarksburg, WV; and Pocatello, ID. In the 2018 plan, the FBI and GSA estimated the demolish and rebuild option would have cost \$3.33 billion at that time.

The current plan includes two locations—one suburban and one in Washington, D.C.—estimated to accommodate a combined total of no less than 8,500 personnel. The suburban location will be new construction. The Washington, D.C. location is planned to be an existing federally owned facility. This two-location plan reflects the importance of the FBI maintaining close proximity to partners in Washington, D.C.

Since 2017, the FBI has reduced the number of leases in the NCR. At this time, approximately 10 leases (including the JEH Building) are planned to be consolidated into the new headquarters locations. The total number of leases the FBI will be able to consolidate will be impacted by the size of the new facilities, which will be determined by the total funding available for the project and construction prices when the project is eventually funded. Unlike the 2017 plan, the current plan does not include an exchange of the JEH Building site to the developer. In the FY 2024 President's Budget, the Administration indicated the FBI would use \$503 million in previously appropriated funding for the downtown location and GSA would use \$645 million in previously appropriated funding plus \$3.5 billion requested in the FY 2024 President's Budget from the Federal Capital Revolving Fund to acquire and build the suburban location. Additional funding may be required to furnish and outfit these locations.

The cost of this project requires additional evaluation after the detailed requirements are completed. Also, the cost can be expected to continue escalating with time.

Question 2. Full consolidation of all HQ employees into one building was a priority for the FBI during the previous procurement.

Question 2.a. Is full consolidation still a priority for the FBI?

ANSWER. The FBI's priority has been, and continues to be, a safe, modern HQ that meets the needs of the FBI and represents a good deal for taxpayers. A new suburban FBI HQ would allow the FBI to consolidate space, collocate currently dispersed personnel, and eliminate the need for multiple leased locations in the NCR, thereby saving tens of millions of dollars in annual lease payments.

The plan for a new FBI HQ never included a full consolidation of all FBI leases in the NCR. The FBI has always planned to maintain some leased locations in the NCR due to mission requirements that are not suitable for a headquarters facility.

While the FBI still endeavors to consolidate as much as possible into its new HQ facilities, the total number of leases the FBI will be able to consolidate will be impacted by the size of the new facilities, which will be determined by the total funding available for the project and construction prices when the project is eventually funded.

Question 2.b. Does the current FBI headquarters building house all employees which are assigned to it?

ANSWER. No, the JEH Building does not house all personnel who are assigned to FBI HQ in the NCR.

Question 2.c. If not, how many leased spaces in the National Capital Region (NCR) house FBI employees who don't fit into the Hoover building? What is the annual cost of the leased spaces?

ANSWER. The FBI currently has approximately 10 leases in the NCR, including JEH, slated to consolidate into new headquarters locations. The FBI spends approxi-

mately \$86 million each year for these leases. After consolidation, the FBI will still maintain some leases in the NCR due to mission requirements.

Question 2.d. Since GSA and the FBI began working on this project in 2011 how many FBI employees have been moved from the National Capital Region (NCR) to other FBI sites around the country?

ANSWER. Following a strategic review of job functions, the FBI has approximately 2,000 HQ personnel at its facilities in Huntsville, AL as of January 2024. Most of these functions were relocated from the NCR.

Question 2.e. How many FBI employees were included in the calculation for the new building in 2011 and how many employees are you including in the current calculation for the new headquarters?

ANSWER. Prior to 2017, the original headquarters consolidation plan included one location in the NCR for approximately 10,606 personnel. The current plan for the new HQ includes at least 7,500 personnel at the suburban location and 750–1,000 personnel at the location in Washington, D.C. The combined total for the two locations is no less than 8,500 personnel.

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