

Congress of the United States
Washington, DC 20515

May 17, 2019

The Honorable Michael Horowitz
Inspector General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Dear Mr. Horowitz:

We are writing to request that your office review the process leading up to the decision to abandon the long-planned project to move the headquarters of the Federal Bureau of Investigation (FBI) from its current site on Pennsylvania Avenue, N.W. in Washington, D.C. to a suburban location, and instead pursue a more costly plan to keep the current location, demolish the existing J. Edgar Hoover (JEH) building, and construct a new facility on the same site that will hold fewer personnel than the suburban campus.

The current headquarters building has failed to meet the FBI's safety, security, and personnel needs for many years. In 2011, the Government Accountability Office (GAO) issued a report with assessments from the FBI and the General Services Administration (GSA) that the FBI headquarters building and its annexes "do not fully support the FBI's long-term security, space, and building condition requirements." GAO reported that "some areas of the upper-level exterior façade have deteriorated over time, heightening the risk that pieces of concrete could fall and strike pedestrians below."¹

Due to these security and operational challenges, GSA and the FBI developed a plan to move the FBI's headquarters to a suburban campus that would provide enough space for the FBI's consolidated personnel and enable security enhancements such as increased setback—a difficult feature to achieve in an urban setting.²

On July 11, 2017, the Trump Administration announced the cancellation of the plan to select a suburban site and construct a new consolidated FBI headquarters, reversing a decade-long plan developed over multiple administrations.³

¹ Government Accountability Office, *Federal Bureau of Investigation: Actions Needed to Document Security Decisions and Address Issues with Condition of Headquarters Buildings* (Nov. 8, 2011) (online at www.gao.gov/assets/590/586151.pdf).

² *Id.*

³ General Services Administration, *GSA Releases Statement on FBI Headquarters* (July 11, 2017) (online

In August 2018, the GSA Inspector General issued a report finding that Deputy Attorney General Rod Rosenstein and FBI Director Christopher Wray participated in discussions relating to the headquarters project in December 2017 and January 2018, including at least one meeting with President Donald Trump. The report found that “GSA did not focus on the JEH site in its decision-making process until late December 2017 or early January 2018,” around the same time as these meetings. According to the report, Director Wray stated that “if the cost savings between a suburban campus site and the existing site were similar,” his “preference was to remain at the JEH building,” but “[i]f the campus scenario offered significant savings,” he was “not opposed to a suburban campus site.”⁴

The Trump Administration’s abrupt decision to abandon the long-standing relocation plan is of concern in light of the fact that many years before becoming President, Donald Trump expressed interest in the FBI headquarters moving out of Washington, D.C. so he could acquire the land on Pennsylvania Avenue and redevelop the property, which is directly across the street from the Trump International Hotel. However, after he was sworn in as President—and became ineligible as a federal employee to obtain the property—he reportedly became “dead opposed” to the government selling the property, which would have allowed commercial developers to compete directly with the Trump Hotel.⁵

Based on the latest projections, the new proposal to rebuild the existing Pennsylvania Avenue facility could cost hundreds of millions of dollars more than the long-term relocation plan, and it would accommodate 2,306 fewer employees.⁶ Accordingly, we ask that your office examine the following questions:

1. What role did Department of Justice and FBI officials play in the decision to cancel the procurement of a suburban campus option for the FBI Headquarters consolidation announced in July 2017?
2. What role did Department and FBI officials play in any decision or recommendation to remain at the current Pennsylvania Avenue headquarters location?
3. What communications did Department and FBI officials have with the White House about these decisions, and to what extent was the President involved in those discussions?

at www.gsa.gov/about-us/newsroom/news-releases/gsa-releases-statement-on-fbi-headquarters).

⁴ *Id.*

⁵ *Scoop: Trump's Obsession with the “Terrible” FBI Building*, Axios (July 29, 2018) (online at www.axios.com/donald-trump-obsession-fbi-building-headquarters-65d36fb9-b1a2-42ca-8cbd-3dbbe59de907.html).

⁶ See General Services Administration, Office of Inspector General, *Review of GSA’s Revised Plan for the Federal Bureau of Investigation Headquarters Consolidation Project* (Aug. 27, 2018) (online at www.oversight.gov/report/gsa/review-gsa%E2%80%99s-revised-plan-federal-bureau-investigation-headquarters-consolidation-project).

4. Did Department and FBI officials adequately consider all security, cost, and personnel concerns throughout the decision-making process, including the decision to abandon the suburban campus option and to remain at the Pennsylvania Avenue location?
5. Have Department and FBI officials developed reliable cost estimates for the various options for the project after the cancelation of the procurement, including the per person cost of each option and the potential value for the JEH site?
6. Have Department and FBI officials adequately considered the full costs and benefits of the various options for the project after the cancelation of the procurement?
7. What role did Department and FBI officials play in preparing the funding gap analysis submitted to Congress in February 2018 and any discussions about whether to include or exclude certain costs?
8. Have Department and FBI officials adequately determined that razing and rebuilding a headquarters at the current location is the most cost-effective and efficient course of action for the FBI?

We also understand that in connection with its review of the FBI headquarters project, the GSA Inspector General referred to your office an allegation in June 2018 related to a Department of Justice employee. In addition to the subject matters identified in this letter, we request that you thoroughly review that allegation.

If you have any questions, please contact Committee on Oversight and Reform staff at (202) 225-5051 or Committee on Transportation and Infrastructure staff at (202) 225-4472. Thank you for your consideration of this request.

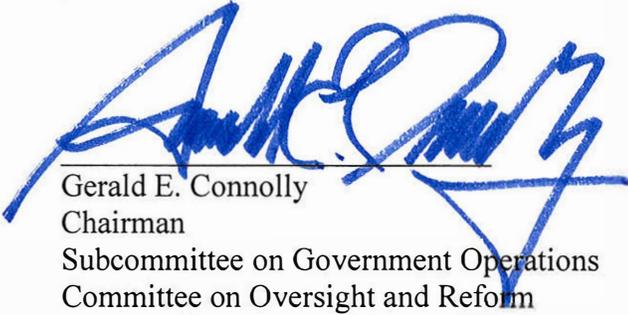
Sincerely,



Elijah E. Cummings
Chairman
Committee on Oversight and Reform



Peter DeFazio
Chairman
Committee on Transportation
and Infrastructure



Gerald E. Connolly
Chairman
Subcommittee on Government Operations
Committee on Oversight and Reform



Dina Titus
Chairwoman
Subcommittee on Economic
Development, Public Buildings, and
Emergency Management
Committee on Transportation
and Infrastructure

cc: The Honorable Jim Jordan, Ranking Member
Committee on Oversight and Reform

The Honorable Sam Graves, Ranking Member
Committee on Transportation and Infrastructure

The Honorable Mark Meadows, Ranking Member
Subcommittee on Government Operations, Committee on Oversight and Reform
& Subcommittee on Economic Development, Public Buildings, and Emergency
Management, Committee on Transportation and Infrastructure