

# FBI HQ Site Selection Decision FAQs

Nov. 9, 2023

## Why did GSA select Greenbelt, Maryland, for the site of the new FBI Headquarters?

- **Greenbelt, Maryland is the most transit accessible site due to its short (0.1 mile) walking distance to Metro and commuter rail.** This is favorable for the daily commuting of FBI employees and ease of access for contractors, visitors, and key partners that work with the FBI;
- **Greenbelt, Maryland provides the greatest 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. This is of significant importance to this project:
  - The condition of J. Edgar Hoover Building (JEH) is deteriorating and impacts the safety of FBI employees and mission of the FBI; and
  - The requirement to maintain JEH until it is vacated, plus project cost escalation related to schedule delay, has an impact to taxpayers;
- **Greenbelt, Maryland, offers the greatest opportunity for the government's investment to positively impact the Washington D.C. region** through sustainable and equitable development. Specifically, Greenbelt, Maryland, has the most favorable location efficiency and is less vulnerable to climate and disaster risk, and provides the greatest opportunity to spur economic opportunity in historically underserved communities;
- **Greenbelt has the lowest overall cost to taxpayers.** The total projected cost to acquire and prepare the selected site for construction is estimated to be approximately \$26.2 million. In comparison, the estimation for Springfield, Virginia, is approximately \$64.1 million for Springfield, and significantly over \$100 million for Landover, Maryland.

## Was the criteria changed recently?

- No. The criteria have not changed since July 2023, as publicly posted, and the site selection authority did not change the criteria. After consultations with the delegations, these revised criteria were extensively coordinated with the FBI before they were finalized in July. FBI did not object to these revisions.
- In addition, in response to the FBI Director's Oct. 12 inquiry, GSA directed its Office of General Counsel to look thoroughly into the FBI's stated concerns. GSA's Nov. 3 response, and the [legal memorandum](#) prepared by GSA's General Counsel, has been posted publicly. The memorandum states, in pertinent part: "when exercising her discretion, the differences between the SSA and the Panel [...] largely reflect differences in judgment. The SSA did not consider information entirely unrelated to the underlying criteria or subcriteria."

## Did GSA address concerns that were raised with the selection process as they arose?

- Yes. GSA responded in full to the FBI Director’s concerns shared in his Oct. 12 letter to Administrator Carnahan on Nov. 3. The response letter states, in part: “As the enclosed memo makes clear, GSA’s site selection process was appropriately followed, and a reasonable conclusion was reached. Furthermore, under the regulatory framework at issue here, there is no conflict of interest for the site selection authority. Finally, the request to appoint a different site selection authority and reopen the process following a final decision could subject the government to significant risk under the standard of review for the Administrative Procedures Act, as it would be changing a final agency decision without sufficient or appropriate cause.” GSA’s full [response](#), and accompanying [memorandum](#), have been publicly posted online.
- This process was conducted in full compliance with conflicts rules. GSA followed all applicable regulations pertaining to potential conflicts of interest and impartiality concerns regarding the site selection authority’s former employment, and did so from the beginning of Ms. Albert’s employment at GSA.

**Did the Site Selection Authority (in this case the in this case the PBS Commissioner) “overrule” any decisions during the site selection process?**

- No. Under GSA’s site selection process, panels are tasked with conducting an evaluation of the sites and submitting a recommendation, and the Site Selection Authority’s role is to use independent judgment in making a final determination of which site is most advantageous to the government. This process is consistent with GSA’s best practices on site selection.
- The panel’s recommendations and evaluations were duly considered by the Site Selection Authority when they were making their determinations. There is precedent on this project for GSA’s decision-making official to come to a different conclusion than the panel recommendation. In 2013, when GSA made the determination of which sites to down-select to a short list, the Panel recommended excluding Springfield, Virginia, from the short list, but [the Site Selection Authority ultimately determined Springfield should be included \(see page 7\)](#), along with Landover, Maryland and Greenbelt, Maryland.

**Did the Site Selection Authority properly execute her duties?**

- Yes. GSA’s process for site selections typically includes the establishment of a panel to evaluate sites and to provide a recommendation, and a Site Selection Authority with the authority to make a determination of which site is most advantageous to the government. Specifically, from GSA’s site selection plan:
  - *“the site selection authority is vested with the discretion 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](#) is consistent with GSA’s best practices on site selection.
- There is precedent on this project for GSA’s decision-making official to come to a different conclusion than the panel recommendation. In 2013, when GSA made the

determination of which sites to down-select to a short list, the Panel recommended a different set of sites than [the Site Selection Authority ultimately determined should be included on the short list \(see page 7\)](#). The Site Selection Authority determined these three sites should move forward – Landover, MD; Greenbelt, MD; and Springfield, VA. The Panel recommended excluding Springfield, VA.

### **Why did the Site Selection Authority and the panel come to different conclusions?**

- Under GSA's site selection plan, the Site Selection Authority is responsible for considering information they deem relevant, including but not limited to, the site selection panel's evaluation to determine the most advantageous site to the government.
- Importantly, GSA was tasked with choosing between three sites, all of which had been deemed viable. 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 federal government's unique security requirements, among other items.
- In her [report](#), the Site Selection Authority noted that "this was a close call between two sites, both of which present important advantages to the government."
- The primary reasons the site selection authority came to a different overall conclusion than the panel are clearly set forth in her [report](#). They are, in brief, that the Site Selection Authority determined that:
  - FBI employees, contractors, and visitors were more likely to use Metro or Commuter Rail rather than bus service or airplanes, based on data from the 2016 Draft Environmental Impact Statement, and therefore determined that Greenbelt was the most advantageous site for access to transportation;
  - Springfield, Virginia, and Greenbelt, Maryland, which received the same average rating for "Criteria 3 - Site Development Flexibility and Schedule Risk," should be tied as most advantageous to the government given their different advantages and disadvantages – rather than the Panel's recommendation that, although they received the same average scores, Springfield should be deemed most advantageous; and
  - The differences in the supporting data for Criteria 4 - Promoting Sustainable Siting and Advancing Equity - where most favored Prince George's County rather than Fairfax County, and where Prince George's County was primarily under the Median Statistical Area while Fairfax County was primarily above the Median Statistical Area, were significant enough to warrant assigning a Blue rating to Greenbelt and Landover and a Yellow rating to Springfield, Virginia (instead of Green).
- The most relevant precedent for a similar situation is in a previous phase of this project, in the selection in 2013 for the three sites currently under consideration. The Panel recommended excluding the Springfield, Virginia, location from the short list of sites, and [the Site Selection Authority ultimately chose to include the Springfield, Virginia, location see page 7](#)), against the recommendation of the Panel.