

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051
MINORITY (202) 225-5074

<http://oversight.house.gov>

July 15, 2019

Ms. Jill Tyson
Assistant Director
Office of Congressional Affairs
Federal Bureau of Investigation
U.S. Department of Justice
935 Pennsylvania Avenue, N.W.
Washington, D.C. 20535


Dear Ms. Tyson:

Enclosed are post-hearing questions that have been directed to you and submitted to the official record for the hearing that was held on Thursday, June 27, 2019, "Document Production Status Update: OPM, FBI, and GSA."

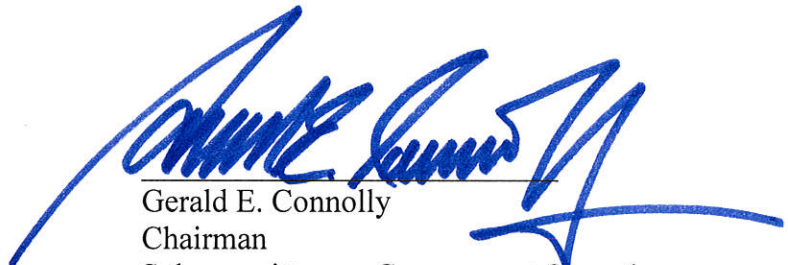
In order to ensure a complete hearing record, please return your written response to the Committee on or before close of business Monday, July 29, 2019, including each question in full as well as the name of the Member. Your response should be addressed to the Committee office at 2157 Rayburn House Office Building, Washington, D.C. 20515. Please also send an electronic version of your response by e-mail to Amy Stratton, Clerk, at Amy.Stratton@mail.house.gov.

Thank you for your prompt attention to this request. If you need additional information or have other questions, please contact Elisa LaNier, Chief Clerk at (202) 225-5051.

Sincerely,



Elijah E. Cummings
Chairman
Committee on Oversight and Reform



Gerald E. Connolly
Chairman
Subcommittee on Government Operations

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

The Honorable Mark Meadows, Ranking Member
Subcommittee on Government Operations

Questions for Jill Tyson
Assistant Director
Office of Congressional Affairs
Federal Bureau of Investigation

June 27, 2019 Hearing: "Document Production Status Update: OPM, FBI, and GSA"

Questions from Chairman Elijah E. Cummings

1. Assistant Director Tyson testified that, "The procurement was canceled in July 2017, however, due to a lack of dedicated appropriated funding. This gave the newly confirmed Director, Christopher Wray, an opportunity to take a fresh look at the project. As Director Wray has said repeatedly, it is the FBI's strong preference to remain at our current location at 935 Pennsylvania Avenue."
 - a. Please list all meetings that Director Wray attended where he was briefed on or reviewed the project and options for a new headquarters, including the date of the meeting or briefing and titles of all attendees, including non-FBI personnel.
 - b. What information did Director Wray rely upon when reviewing the project and options for a new headquarters?
 - c. What data informed Director Wray's view of the "FBI's strong preference"?
 - d. When was an FBI decision made to remain at 935 Pennsylvania Avenue, and who made that decision?
 - e. When was an FBI decision made to pursue a raze and rebuild option, and who made that decision?
 - f. When was an FBI decision made not to pursue a renovation option, and who made that decision?
 - g. Did Director Wray discuss this project with anyone at the White House, including the Office of Management and Budget? If so, please list the dates of all discussions and the names and titles of all participants in each discussion.
2. Assistant Director Tyson also testified that the FBI's preference to remain at the current location "is in order to balance overall mission requirements, including improved security, optimal transportation options for FBI employees, close proximity to our partners and public visitors, and a consolidation of the FBI's national capital region footprint."
 - a. Did the other options considered not meet these requirements?
 - b. Was there any formal decision-making process or scoring used to balance these factors? If yes, please describe.
 - c. Why was the cost of the project not factored into this analysis?
3. Did the FBI create any final decision documents that memorialize or justify the Trump Administration's decision to reverse the longstanding plan to move the

FBI headquarters to a suburban location? If so, please describe those documents and indicate when they will be produced to the Committee.

4. The FBI has taken the position that it will redact the names of all non-Senior Executive Service (SES) employees from all documents in order to protect their identities, even from Congress.
 - a. Is there an FBI or Department of Justice document detailing this policy? If so, please provide that policy to the Committees.
 - b. Has the FBI deviated from its redaction policy in the past in response to Congressional requests for information?
 - c. With regard to the Committees' March 6, 2019, request letter concerning the FBI headquarters project, did the FBI direct GSA to redact the names of Bureau personnel?
5. On June 26, 2019, the FBI and GSA jointly produced a set of drafts of a presentation made to the Senate on February 12, 2018. Will FBI commit to producing the underlying communications surrounding the draft Senate presentations? If so, please provide a timeline for that production.
6. Has the FBI discussed with any other stakeholder whether or not to produce documents in response to the Committees' March 6 requests?
 - a. What stakeholders have participated in those discussions?
 - b. When did those discussions begin? Are they ongoing?
 - c. Have any White House personnel participated in these discussions?
 - i. If yes, please identify the personnel and describe the substance of their discussions.
 - d. Has Assistant Director Tyson or anyone in the Bureau spoken to anyone in the White House about the Committees' request or production of these documents?
 - i. If yes, with whom and what was discussed?
 - e. Has any decision been made not to produce any category of documents?
 - i. If yes, what category, when was the decision made, and by whom?
 - ii. If not, is the FBI withholding those documents pending a final decision?
 - iii. Who is the final decision-maker responsible for making a determination as to whether or not to produce FBI records to the Committee?

7. The Committees can only assess the relevance of any privileges asserted by the FBI if the Bureau provides a record of all documents that are responsive, and the reason for withholding.
 - a. Has the FBI asserted a privilege over any documents in response to the Committees' request?
 - b. Has the FBI or any other stakeholder invoked the deliberative process privilege?
 - c. Is it the FBI's view that any decision-making documents related to the FBI headquarters project are deliberative in nature?
 - d. When will the FBI produce a detailed privilege log to the Committees for any documents withheld?