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ONE HUNDRED TENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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WASHINGTON, DC 20515-6143

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July 22, 2008

The Honorable David Bibb
Acting Administrator
General Services Administration
1800 F Street, NW
Washington, DC 20590

Dear Administrator Bibb:

The Oversight Committee is investigating reports that the new Department of Transportation Headquarters, which opened in the Spring of 2007, does not comply with long-standing statutory and regulatory requirements concerning accessibility for Department of Transportation employees and visitors with disabilities. Through legislation such as the Americans with Disabilities Act, the Rehabilitation Act of 1973, and the Architectural Barriers Act, Congress has attempted to make the federal government an equal-opportunity employer for workers with disabilities and a model of accessibility to the private sector. Recent press accounts, however, have reported that the Department's new Headquarters building may not fully adhere to these standards.

The Committee understands that the new Headquarters is covered by a 15-year "build-to-suit" lease agreement between GSA and JBG/ SEFC Ventures. To assist the Committee in this investigation, I request that GSA produce the following documents:

1. The lease agreement for the new Headquarters;
2. The master plan for the site of the Headquarters;
3. All contracts, task orders, amendments, and modifications related to the construction and design of the Headquarters;
4. All documents and internal communications related to the Headquarters building and premises' compliance with federal disability access statutes and regulations, including the Americans with Disabilities Act, the Rehabilitation Act of 1973, the Architectural Barriers Act, the Uniform Federal Accessibility Standards (UFAS), and other applicable statutes and regulations, including all communications involving certification of

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compliance initially at the building design stage, and again, post-construction at the point of “walk-through” and “acceptance”;

5. All communications between GSA and outside agencies, contractors, and disability advocates, including the Department of Transportation, the Access Board, the District of Columbia, JBG/SEFC Ventures, Michael Graves Associates, and DMJM relating to compliance of the new Headquarters building and premises with federal disability access statutes and regulations;
6. The policies, procedures, checklists and manuals used by the National Program Manager on Accessibility and other Public Buildings Service personnel to certify compliance with the Americans with Disabilities Act, the Rehabilitation Act of 1973, the Architectural Barriers Act, UFAS, and other applicable statutes and regulations for the Headquarters;
7. All internal complaints that have been filed by GSA personnel regarding non-compliance with the requirements of federal disability access statutes and regulations involving the Headquarters;
8. A list of the GSA employees responsible for certifying the accessibility of the Headquarters at the building design stage, and after construction at the point of “walk-through” and “acceptance”;
9. Staffing levels (FTE’s) and funding levels for the Office of National Program Manager on Accessibility within the Public Buildings Service’s Office of the Chief Architect, as well as for the certification of accessibility for GSA-leased properties; and
10. All communications relating to financial responsibility for remediating accessibility deficiencies at the Headquarters and its premises.

Please provide this information by August 1, 2008.

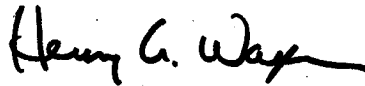
I also request that GSA officials, including Tom Williams, National Program Manager for Accessibility in the Office of the Chief Architect in the Public Buildings Service and Bart Bush, Assistant Regional Administrator of the Public Buildings Service for the National Capitol Region (NCR), provide a briefing to Committee staff on GSA’s policies and procedures to ensure compliance with disability statutes and regulations, as well as the specific implementation of these policies and procedures in the construction of the Headquarters by July 25, 2008.

The Committee on Oversight and Government Reform is the principal oversight committee in the House of Representatives and has broad oversight jurisdiction as set forth in House Rule X. An attachment to this letter provides additional information about how to respond to the Committee's request.

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If you have any questions about this request, please contact David Rapallo or Daniel Davis of the Committee staff at (202) 225-5420.

Sincerely,

A handwritten signature in black ink that reads "Henry A. Waxman". The signature is written in a cursive style with a long horizontal flourish at the end.

Henry A. Waxman
Chairman

Enclosure

cc: Tom Davis
Ranking Minority Member