



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

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August 25, 2020

Ms. Emily W. Murphy
Administrator
U.S. General Services Administration
1800 F Street, NW
Washington, D.C. 20405

Dear Administrator Murphy,

I write today to inquire and express my concern about language in the recently released General Services Administration (GSA) Solicitation for Lead Design Architect (Solicitation #47PE0320Q006) for the Ft. Lauderdale, Florida, United States Courthouse Project. This solicitation mandates that “classical architectural style shall be the preferred and default style absent special extenuating factors necessitating another style.” I understand that GSA included similar language in the 2019 solicitation for the Huntsville, Alabama, courthouse project as well.

In my duty as the Chairwoman of the Subcommittee overseeing the Public Buildings Service, it is concerning to me that the GSA would mandate a particular architectural style in these solicitations for architect services. In neither case were provisions related to mandating an architectural style included in the prospectuses submitted to the committees of jurisdiction. Additionally, Congress included no such language in the resolutions that authorized the use of taxpayer dollars to pay for these projects.

It is especially concerning that GSA would think it is appropriate to use language in a solicitation for services to overturn decades of policy associated with GSA’s own Design Excellence Program, which is based on the Guiding Principles of Federal Architecture as disseminated by President John F. Kennedy in 1962. As you must know well, one of just three guiding principles addresses this policy change directly:

“2. The development of an official style must be avoided. Design must flow from the architectural profession to the Government, and not vice versa. The Government should be willing to pay some additional cost to avoid excessive uniformity in design of Federal buildings. Competitions for the design of Federal buildings may be held where appropriate. The advice of distinguished architects ought to, as a rule, be sought prior to the award of important design contract.”

The “excellence” strived for within the Design Excellence Program’s policies and procedures depends on continued adherence to the Guiding Principles - including a style-neutral approach that

focuses on community-centered decision making, peer review, and architectural skill. This country does not impose a particular architectural style preference from Washington, D.C. onto other communities. For decades, it has been the tradition of the Design Excellence Program to consider the culture, geography, climate, and input of the people living in the communities where the project is built.

The recent solicitations for services represent a troubling emerging pattern of attempts to dictate architectural style directly from the federal government. Last year, a draft Executive Order circulated by the Trump Administration entitled “Making Federal Buildings Beautiful Again” would have imposed the same preference for the classical architectural style on federal buildings and courthouses. It was met with overwhelming opposition from architects, over 11,000 of whom expressed their dismay in writing to the White House.

This draft Executive Order, even in draft form and not finalized, represents an enormous affront to the principles of local control and community input as exemplified in the policies and procedures of the Design Excellence Program and based on the Guiding Principles of Federal Architecture. That is why I introduced H.R. 7604, *the Democracy in Design Act*, to prohibit GSA from implementing any such mandate or otherwise violating the Guiding Principles of Federal Architecture. Additionally, the legislation providing appropriations to GSA for FY2021 that has passed the House of Representatives expressly prohibits GSA from implementing the policies contained in the draft Executive Order.

Unfortunately, despite clear congressional intent on this subject, it appears that GSA has decided to move forward and implement this major change in agency policy regarding the procurement of architect services for federal building projects by imposing a classical architectural style preference through the procurement process. I request that you provide me written responses to the following questions within ten business days of receiving this letter. Additionally, I respectfully request that within 15 days of receiving this letter, GSA provide Subcommittee members and staff a briefing on the status and future of the Design Excellence Program and address the questions listed below.

- 1) Which person or persons at GSA authorized the inclusion of language establishing a preferred architectural style in the solicitations for architect services for the Ft. Lauderdale, FL and Huntsville, AL federal courthouse projects? When were those authorizations made?
- 2) Why didn't the prospectuses submitted to the congressional committees of jurisdiction for each project indicate that GSA wanted to establish a preferred architectural style for these projects?
- 3) Did GSA consider the cost implications on these projects when imposing a preference for the classical architecture style? If so, why was that information not transmitted to the congressional committees of jurisdiction?
- 4) Beyond these two identified cases, do you have other examples where GSA included similar provisions imposing a preferred architectural style in an RFP? If so, please provide those documents.

- 5) How does GSA reconcile the imposition of an architectural style preference with the fact that one of the three Guiding Principles of Federal Architecture speaks directly to avoiding an official style and the principles are the foundation of and the policy directive for the Design Excellence Program? Does GSA intend to continue the Design Excellence Program?
- 6) Does GSA intend to issue a formal notice of proposed rulemaking establishing a new procurement policy for architect services and/or a policy of the classical style being the preferred style for all federal courthouse and/or other building projects?
- 7) Was the language included in the Ft. Lauderdale and/or Huntsville solicitations establishing a preferred classical architectural style included in consultation with officials with the White House Office of Domestic Policy or the Commission on Fine Arts or in any way related to the Draft Executive Order entitled "Making Federal Buildings Beautiful Again" ?
- 8) Please describe any involvement in the decision to mandate a particular architectural style for these two projects by individuals in the judiciary and/or any private sector professionals in the disciplines of architecture, urban design, historic preservation, landscape architecture, interior design, art, conservation, engineering or construction and/or any peer review or other involvement by individuals appointed to the Commissioner's National Register of Peer Professionals as described in GSA's Design Excellence mandate.

To be clear, I do not object to the classical architectural style as a design option. I think that it is entirely appropriate for courthouses and other federal buildings to be built that way in communities that express that preference. However, imposing a preferred architectural style for federal facilities runs counter to our nation's democratic traditions. Attempting to implement this misguided mandate from Washington, D.C. by circumventing Congress and gutting decades of GSA policy and practice without any public notice or hearing is even worse. GSA should be forthright and transparent about its intentions and authorities. I look forward to your timely response to this letter and to a full briefing from GSA as to the status and future of the Design Excellence Program.

Sincerely,



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

cc: Ranking Member John Katko