

COMMISSION OF FINE ARTS

**Budget Justifications
Fiscal Year 2010**

TABLE OF CONTENTS

<u>Item</u>	<u>Page Number</u>
General Statement.....	CFA-2
Highlights.....	CFA-4
 <u>Appropriation: Salaries and Expenses</u>	
Appropriation Language.....	CFA-6
Justification of Uncontrollable Cost Changes.....	CFA-7
Justification of Program and Performance by Activity:	
Salaries and Expenses.....	CFA-8
Program and Financing Schedule.....	CFA-11
Object Classification.....	CFA-12
Personnel Summary and Employee Count.....	CFA-13
 <u>Appropriation: National Capital Arts and Cultural Affairs</u>	
Justification of Program and Performance by Activity:	
Grants.....	CFA-14
Program and Financing Schedule/Object Classification.....	CFA-15

COMMISSION OF FINE ARTS

General Statement

The Commission of Fine Arts was established in 1910 (40 U.S.C. 104) to fill the need for a permanent agency whose members would be qualified to make available to the Government expert opinion on questions of art and architecture. The Commission's mission, as design proposals are brought before it, is to safeguard and improve the appearance and symbolic significance of Washington, D.C. as a capital for the benefit of the citizens of the United States, and foreign visitors. Specifically, the Commission provides knowledgeable advice on matters pertaining to architecture, landscape architecture, sculpture, painting, and the decorative arts to all branches and departments of the Federal and District of Columbia governments when such matters affect the National Capital. The Commission also must approve of the site and design of all commemorative works and memorials erected in the District of Columbia.

In addition, the Commission advises on the design of circulating and commemorative coinage and must approve the siting and design for national memorials, both in the United States and on foreign soil, in accordance with the American Battle Monuments Act and the Commemorative Works Act.

The Commission is composed of seven members appointed by the President. They serve without compensation, receiving only actual travel expenses relative to attending meetings. Since the Commission's inception, many distinguished architects, landscape architects, painters, sculptors, planners, and others in the field of fine arts have given freely of their time, experience, and professional skills in advising the President, the Congress, and Government agencies, both local and national, on matters involving the fine arts.

Lastly, the Commission has administered the National Capital Arts and Cultural Affairs program since 1988, which was created by the Congress to benefit nonprofit local cultural entities whose primary purpose is to provide the City with exhibits or performing arts.

Specific functions as mandated by law require the Commission to:

- Advise executive departments of the Federal government on any matters of an aesthetic nature, especially those pertaining to architecture and landscape programs that affect the appearance of the National Capital.
- Advise on any matters of an aesthetic nature that may be put forward by committees of the Congress.
- Advise the President and members of the administration on aesthetic matters upon their request.

- Advise on the design of medals, seals, insignia, and circulating and commemorative coinage.
- Approve submissions by the American Battle Monuments Commission on matters pertaining to the location and design of memorials both foreign and domestic.
- Approve submissions under the Commemorative Works Act on matters pertaining to the location and design of memorials in and around the National Capital.
- Advise the District of Columbia government on all public construction, as well as private construction and the display of advertising in certain areas of the city as designated by Congress under the Shipstead-Luce and Old Georgetown acts.
- Advise the Department of State through Section 206 of the Foreign Missions Act on foreign chanceries in all areas under the jurisdiction of the Commission, including the International Center.
- Advise the National Capital Planning Commission in the selection of lands suitable for the development of the National Capital park, parkway, and playground system.

In addition to those functions mandated by law:

Approve acquisitions as proposed by and for the Freer Gallery of Art in accordance with a codicil to the will of Charles Lang Freer.

The following summary provides a comparison between the FY 2009 enacted budget and the FY 2010 budget request:

(in \$000s)	FY 2009 <u>Enacted</u>	FY 2010 <u>Request</u>	Request Increase/ Decrease <u>+/-</u>
Salaries and Expenses:	2,234	2,294	+60
FTE:	11	11	0
 National Capital Arts and Cultural Affairs*:	 9,500	 0	 -9,500
FTE:	-	-	-
 Total:	 <u>11,734</u>	 <u>2,294</u>	 <u>-9,440</u>
FTE:	11	11	0

*Program is proposed for transfer to the NEH. See below.

Highlights of the FY 2010 Request

The Commission of Fine Arts is requesting a Salaries and Expenses appropriation of \$2,294,000 for FY 2010 to finance the expenses of the members of the Commission and the salaries and related costs necessary to support a small staff and maintain an efficient level of operations. This appropriation request represents a total \$60,000 increase above the FY 2009 enacted budget, which comprises: a \$16,000 uncontrollable increase in rental payments to GSA; a \$5,000 uncontrollable increase in basic security payments to the Department of Homeland Security; a \$7,000 uncontrollable increase in charges for Department of the Interior services including financial management and personnel services through the working capital fund and other support agreements (including charges for the production of financial reports for the annual audit); a \$30,000 uncontrollable increase for personnel compensation and benefits associated with the cost-of-living pay raises; and an estimated increase of \$2,000 is requested to cover increases in other categories of spending due to general economic escalations to support the core activities of the Commission. The request includes the funding for one temporary Full Time Employee at an estimated cost of \$100,000 per year, a position included in our FY 2009 enacted budget.

In addition, the Commission of Fine Arts is requesting the authority to accept gifts of objects, papers, artwork, drawings, and artifacts pertaining to the history and design of the national capital or the history and activities of the Commission of Fine Arts, and may be used only for artistic display, study, or for education. Under no circumstances may a gift be used for operational purposes.

In FY 2010, no funding is proposed for the National Capital Arts and Cultural Affairs (NCACA) Program, a non-competitive grants program. The President's Budget proposes funding to transform this program to a competitive grants program administered by the National Endowment for the Humanities. The FY 2009 enacted budget funds the National Capital Arts and Cultural Affairs Program at \$9,500,000.

The current NCACA grant program provides non-competitive grants for general operating support to Washington, D.C. arts and other cultural organizations. The grants are awarded based on a pre-determined formula, not on performance-based merit; no post-award follow-up is performed to ensure that the grants are used for the purposes intended. In general, participating institutions are also able to apply for Federal funding from other national competitive grant programs.

Appropriation Language Sheet

COMMISSION OF FINE ARTS

Salaries and Expenses

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), [\$2,234,000] \$2,294,000: *Provided*, That the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation: *Provided further, that the Commission is authorized to accept gifts, including objects, papers, artwork, drawings and artifacts, that pertain to the history and design of the national capital or the history and activities of the Commission of Fine Arts, and may be used only for artistic display, study, or education.*

COMMISSION OF FINE ARTS
 Salaries and Expenses
Uncontrollable and Related Cost Changes
 (dollar amounts in thousands)

Additional cost in FY 2010: 2009 | 2010
Budget | Change
 Pay raises including 2.9% cost of living increase..... 1,100 / +\$30

The amount displayed represents the additional costs of funding an estimated pay increases for GS-series employees and the associated pay rate changes made in other pay series.

Other Cost Changes: 2009 | 2010
Budget | Change
 Rental Payments to GSA..... 214 / +\$16

The adjustment is for estimated changes in the costs payable to General Services Administration resulting from changes in rates for office and non-office space as estimated by GSA.

2009 | 2010
Budget | Change
 Security Payments to DHS..... 33 / +\$5

The adjustment is for estimated changes in the costs payable to the Department of Homeland Security resulting from changes in rates for office space and basic building security.

2009 | 2010
Budget | Change
 Workers Compensation Payment Costs..... 66 / 0

The change reflects the increase in the amount that will be charged in FY 2009.

2009 | 2010
Budget | Change
 Working Capital Fund - Interior..... 107 / +\$7

The change reflects expected increase in the charges for Department of the Interior services, including financial management and personnel services through the working capital fund and other support agreements (includes charges for the production of financial reports for the annual audit).

2009 | 2010
Budget | Change
 Purchases of goods and services, Supplies and materials, and Equipment..... 221 / +\$2

The change reflects increases in the categories of purchases of goods and services, supplies and materials, and equipment.

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TOTAL UNCONTROLLABLE COST CHANGES..... +\$60

Justification of Program and Performance

Activity: Salaries and Expenses

	FY 2009 Budget	Uncontrollable Changes	Program Changes	FY 2010 Request	Change From 2009 Request
(\$000)	2,234	+60	0	2,294	+60
FTE	11	0	0	11	0

Authorization: 40 U.S.C. 104.

Program change from FY 2009 Budget: The Commission of Fine Arts is requesting a Salaries and Expenses appropriation of \$2,294,000 for FY 2010 to finance the expenses of the members of the Commission and the salaries and related costs necessary to support a small staff and maintain an efficient level of operations. This appropriation request represents a \$60,000 increase above the FY 2009 Budget, which comprises: a \$16,000 uncontrollable increase in rental payments to GSA; a \$5,000 uncontrollable increase in basic security payments to the Department of Homeland Security; a \$7,000 uncontrollable increase in charges for Department of the Interior services including financial management and personnel services through the working capital fund and other support agreements (including charges for the production of financial reports for the annual audit); a \$30,000 uncontrollable increase for personnel compensation and benefits associated with the cost-of-living pay raises; and an estimated increase of \$2,000 to cover increases in other categories of spending due to general economic escalations to support the core activities of the Commission.

The Commission’s request includes the continued funding for one temporary Full Time Employee at an estimated cost of \$100,000 per year. This temporary position will be used to continue public information efforts, including publications and exhibitions, in association with the centennial of the establishment of the Commission of Fine Arts in 1910. The public information program will highlight the Commission’s role during the past 100 years of guiding the development of the Nation’s Capital including the creation of many of the city’s monuments and buildings. This temporary position provides the increased level of support needed to plan and execute the Commission’s plans for a public information program through FY 2011 to publicize the past century of its history and work.

The objectives of the Commission of Fine Arts staff are:

- To support the Commission which provides expert advice on architecture and art to the President, Congress, and various agencies of the Federal and District governments on proposed projects and existing conditions in the National Capital so as to safeguard and enhance the appearance and symbolic significance of Washington, D.C. This expertise is provided by seven Presidentially appointed, well-qualified judges of the arts who are supported by the small professional staff that oversees its continued operation.
- To assist the Commission and provide a professional level of artistic advice through review and liaison with the District of Columbia and Federal governments; to provide the administrative services that are required to support the Commission and communicate the advice of the Commission; and to keep accurate records of the Commission's actions.
- To provide a professional level of support to the Commission in the administration of its approval authority over the design and location of battle monuments and commemorative works as required by the specific statutes authorizing them.
- To produce research on buildings, historic precincts, and general plans of the city of Washington. To make historical and architectural information generally available to the public, to other government agencies, and to the Commission. To identify buildings and areas of lasting merit so as to avoid destruction or impairment of those resources as plans evolve for the city. The specially trained staff of architects and historians performing this documentation and planning work is also available to the Commission on a case-by-case basis to provide supporting material on proposed projects, sometimes on very short notice.

Program Activities:

- The Commission of Fine Arts, an independent agency, reviews proposals affecting the appearance of Washington, D.C., and advises the President, the Congress, and the agencies of the Federal and District of Columbia governments on architectural designs and other matters of art. It also conducts liaison, research, and publication activities to further support the enhancement and preservation of the city. The Commission's approval on design and location of monuments and memorials is required as specified under the Commemorative Works Act and the American Battle Monuments Act.
- The Commission provides advice on the development of Washington through study, inspection, research, and expert consultation. The Commission maintains continual involvement in ongoing projects such as the International Center, the Federal Triangle, and other special areas of the City, and publishes studies on the historical development of Washington. Some of the material assembled is published so as to be permanently available to government agencies as well as the general public.

- The Commission provides advice on design, planning, and historic preservation to the Federal and District of Columbia governments as well as to committees of Congress, which may have questions on matters specific to Washington or relating to their members' respective home states.

- The Commission, in its advisory and approval capacities, does not originate design projects; it is the recipient of project proposals. As the recipient, our activities are subject to the needs of other agencies, Federal and local, as well as those of private entities. Government construction projects materialize in response to the individual sponsors' needs and their schedules cannot be anticipated by the Commission. The initiation of private construction projects is even less predictable. The Commission is therefore flexible by necessity. Its effectiveness and efficiency remain constant despite having no control over the number of proposals brought before it nor the relative size and importance of each item submitted. In FY 2008 the Commission received 122 individual submissions from Federal and District of Columbia government agencies. Under the authority of the Shipstead-Luce Act, the Commission received 132 submissions from the District of Columbia government in FY 2007. Under the authority of the Old Georgetown Act, the Commission received 322 cases from the District of Columbia government in FY 2008. The Commission reviewed 100 percent of all proposals submitted for review within 45 days of receipt.

- The Commission is planning for a public information program for the centennial of the establishment of the Commission of Fine Arts in 1910. This program will take place in 2010 and may include publications to highlight the Commission's role during those 100 years of guiding the development of the Nation's Capital and the design of many of the city's monuments and buildings. As part of its public information program, in 2007, the Commission published *Designing the Nation's Capital: The 1901 Plan for Washington, D.C.* This illustrated collection of essays on the urban design proposal by the Senate Park Commission, better known as the "McMillan Commission," recounts the history and implementation of this important planning effort that became a benchmark for modern urban design, inspired a nation-wide city planning movement, and continues to guide the development of the capital city to this day.

**COMMISSION OF FINE ARTS
SALARIES AND EXPENSES**

Program and Financing (in millions of dollars)

Identification code 95-2600-0-1-451	2008 Enacted	2009 Enacted	2010 Request
Obligations by program activity:			
10.00	2	2	2
Budgetary resources available for obligation:			
22.00	2	2	2
23.95	-2	-2	-2
New budget authority (gross), detail:			
40.00	2	2	2
Change in unpaid obligations:			
73.10	2	2	2
73.20	-2	-2	-2
Outlays (gross), detail:			
86.90	2	2	2
Net budget authority and outlays:			
89.00	2	2	2
90.00	2	2	2

**COMMISSION OF FINE ARTS
SALARIES AND EXPENSES**

Object Classification (in thousands of dollars)

Identification code 95-2600-0-1-451	2008 Enacted	2009 Enacted	2010 Request
Personnel compensation:			
11.1 Full-time permanent.....	915	990	1,020
11.3 Full-time temporary	0	100	100
11.5 Other personnel compensation.....	<u>45</u>	<u>45</u>	<u>48</u>
11.9 Total personnel compensation	960	1,135	1,168
12.0 Personnel benefits: Civilian	263	285	290
12.1 Workers Compensation Payments	63	66	66
21.0 Travel and transportation of persons	90	90	95
22.0 Transportation of things.....	3	3	3
23.1 Rental payments to GSA.....	214	215	231
23.3 Communications, utilities, and miscellaneous charges.....	35	40	42
24.0 Printing and reproduction	12	12	13
25.0 Purchases of goods and services.....	357	333	330
26.0 Supplies and materials	46	41	42
31.0 Equipment.....	<u>16</u>	<u>14</u>	<u>14</u>
99.9 Total obligations	2,059	2,234	2,294

**COMMISSION OF FINE ARTS
SALARIES AND EXPENSES**

Personnel Summary

Identification code 95-2600-0-1-451	2008 Enacted	2009 Enacted	2010 Request
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Total compensable work-years:

Full-time equivalent employment	10	10	10
Temporary full-time equivalent employment	0	1	1
Full-time equivalent overtime and holiday hours	0	0	0

Justification of Program and Performance

Activity: Grants

	FY 2009 <u>Enacted</u>	Uncontrollable <u>Changes</u>	Program <u>Changes</u>	FY 2010 <u>Request</u>	Change From <u>FY 2009</u>
(\$000):	9,500	0	-9,500	0	-9,500
FTE:	-	-	-	-	-

Authorization: 99 Stat. 1261; 20 U.S.C. 956a

Program change from FY 2009 Budget: In FY 2010, no funding is proposed for the National Capital Arts and Cultural Affairs (NCACA) Program, a non-competitive grants program administered by the Commission of Fine Arts. The President’s FY 2010 Budget proposes funding to transform this program to a competitive grants program administered by the National Endowment for the Humanities.

The FY 2009 enacted budget funds the National Capital Arts and Cultural Affairs Program at \$9,500,000. The current NCACA grant program provides non-competitive grants for general operating support to Washington, D.C. arts and other cultural organizations. The grants are awarded based on a pre-determined formula, not on performance-based merit; no post-award follow-up is performed to ensure that the grants are used for the purposes intended. In general, participating institutions are also able to apply for Federal funding from other national competitive grant programs.

**COMMISSION OF FINE ARTS
SALARIES AND EXPENSES**

Program and Financing (in millions of dollars)

Identification code 95-2602-0-1-503	2008 Enacted	2009 Enacted	2010 Request
Obligations by program activity:			
10.00 Total obligations	8.4	9.5	0
Budgetary resources available for obligation:			
22.00 New budget authority (gross)	8.4	9.5	0
23.95 New obligations	-8.4	-9.5	0
New budget authority (gross), detail:			
40.00 Appropriation	8.4	9.5	0
Change in unpaid obligations:			
73.10 New obligations	8.4	9.5	0
73.20 Total outlays (gross)	-8.4	-9.5	0
Outlays (gross), detail:			
86.90 Outlays from new current authority ...	8.4	9.5	0
Net budget authority and outlays:			
89.00 Budget authority	8.4	9.5	0
90.00 Outlays (net)	8.4	9.5	0