

COMMISSION OF FINE ARTS

**Budget Justifications
Fiscal Year 2012**

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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.

Program Summary by Budget Activity

(dollar amounts in thousands)

Appropriation	FY 2010 Enacted	FY 2011 Annualized CR Level	FY 2012 Request	FY 2012 \$ Change	% Change
Salaries and Expenses	2,294	2,294	2,400	106,000	4.6%
FTE	11	11	11	--	--
National Capital Arts and Cultural Affairs	9,500	9,500	--	(9,500)	-100%
FTE	--	--	--	--	--

Note - A full-year 2011 appropriation for this account was not enacted at the time the budget was prepared; therefore, this account is operating under a continuing resolution (P.L. 111-242, as amended). The amounts included for 2011 reflect the annualized level provided by the continuing resolution.

Highlights of the FY 2012 Request

The Commission of Fine Arts is requesting a Salaries and Expenses appropriation of \$2,400,000 for FY 2012 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 an increase of \$106,000 above the FY 2010 Enacted Budget.

The request includes continued funding for one temporary Full Time Employee at an estimated cost of \$100,000 per year, a position included in the Commission's FY 2009 and FY 2010 Enacted Budgets and in the Commission's Budget Request for FY 2011.

For the FY 2012 the uncontrollable increases total \$106,000 above the FY2010 Enacted Budget. The FY 2012 uncontrollable increases include: a \$39,000 uncontrollable increase in rental payments to GSA; a \$12,000 increase in security payments to the Department of Homeland Security; a \$35,000 uncontrollable increase in charges for Department of the Interior services including financial management, personnel services, and other support agreements (including charges for the production of financial reports for the annual audit); a decrease of \$11,000 in Workers Compensation Payment Costs to the Department of Labor; and a net \$31,000 uncontrollable increase for personnel compensation and benefits without a cost-of-living pay raise, which will be offset by reductions in the categories of travel, purchases of goods and services, supplies, materials, and equipment.

No funding is requested for the National Capital Arts and Cultural Affairs (NCACA) grant program in FY 2012. The President's Budget requests transferring the administration of the grant program to the District of Columbia Commission on Arts and Humanities to fund, on a competitive basis, local entities whose primary purpose is performing, exhibiting, and/or presenting the arts in the District.

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), \$2,400,000: 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 Nation's Capital or the history and activities of the Commission of Fine Arts, for the purpose of 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 2012:

	2010	2012
	<u>Enacted</u>	<u>Change</u>
Pay raises without a cost of living increase.....	1,019	+ \$31

The amount displayed represents the additional costs of funding estimated pay increases for GS-series employees and the associated pay rate changes made in other pay series. No cost of living increases are included.

Other Cost Changes:

	2010	2012
	<u>Enacted</u>	<u>Change</u>
Rental Payments to GSA.....	242	+ \$39

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.

	2010	2012
	<u>Enacted</u>	<u>Change</u>
Security Payments to DHS.....	41	+ \$12

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.

	2010	2012
	<u>Enacted</u>	<u>Change</u>
Workers Compensation Payment Costs.....	66	- 11

The change reflects the change in the amount that was charged in FY 2010 and will be reimbursed to the Department of Labor in FY 2012.

	2010	2012
	<u>Enacted</u>	<u>Change</u>
Administrative Support Services - Interior.....	151	+ \$35

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

TOTAL UNCONTROLLABLE COST CHANGES.....	+\$106
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Justification of Program and Performance

Activity: Salaries and Expenses

	FY 2010 Enacted	FY 2011 Annualized CR Level	Uncontrollable Changes	Program Changes	FY 2012 Request	Change From FY 2011
(\$000)	2,294	2,294	+106	0	2,400	+106
FTE	11	11	0	0	11	-

Note - A full-year 2011 appropriation for this account was not enacted at the time the budget was prepared; therefore, this account is operating under a continuing resolution (P.L. 111-242, as amended). The amounts included for 2011 reflect the annualized level provided by the continuing resolution.

Authorization: 40 U.S.C. 104.

Program change from FY 2010 Enacted Budget: The Commission of Fine Arts is requesting a Salaries and Expenses appropriation of \$2,400,000 for FY 2012 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 an increase of \$106,000.

For FY 2012, the uncontrollable increases total \$106,000 above the FY 2010 Enacted Budget. The FY 2012 uncontrollable increases include: a \$39,000 uncontrollable increase in rental payments to GSA; a \$12,000 increase in security payments to the Department of Homeland Security; a \$35,000 uncontrollable increase in charges for Department of the Interior services including financial management, personnel services, and other support agreements (including charges for the production of financial reports for the annual audit); a decrease of \$11,000 in Workers Compensation Payment Costs to the Department of Labor; and a net \$31,000 uncontrollable increase for personnel compensation and benefits without a cost-of-living pay raise, which will be offset by reductions in the categories of travel, purchases of goods and services, supplies, materials, and equipment.

The request includes: continued funding for one temporary Full Time Employee at an estimated cost of \$100,000 per year, a position included in the Commission’s FY 2009 and FY 2010 Enacted Budgets, and in the Commission’s FY 2011 Budget Request. This temporary position will be used to continue public information programs, including publications and exhibitions, associated with the centennial of the establishment of the Commission of Fine Arts in 1910. The public information programs 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 public information programs through FY 2012 to publicize the first century of its history and work. These programs will conclude at the close of the fiscal year.

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 2010 the Commission received 192 individual submissions from Federal and District of Columbia government agencies. This represents an increase in government submission of 28 percent above the FY 2009 submissions and more than 57 percent above FY 2008 submissions. Under the authority of the Shipstead-Luce Act, the Commission received 158 submissions from the District of Columbia government in FY 2010, an increase of approximately 36 percent above the FY 2009 submission rate. Under the authority of the Old Georgetown Act, the Commission received 278 cases from the District of Columbia government in FY 2010, which is only four cases fewer than the year before. The total number of all cases submitted to the Commission for review in FY 2010 was 628, which represents a 16 percent increase from the year before. The Commission reviewed 100 percent of all proposals submitted for review within 45 days of receipt. In FY 2010, the Commission's staff individually participated in more than 148 consultation meetings pertaining to Section 106 reviews of historic Federal properties required by the National Historic Preservation Act of 1966. This represents a 40 percent increase from FY 2009 and the number of Section 106 consultations is predicted to continue to increase in FY 2012.

- The year 2010 marked the centennial of establishment of the Commission of Fine Arts by Congress and the Commission staff has developed a public information program to publicize the past century of its history and work. The public information program highlights 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 commemorative works (monuments) that speak to current and future generations about our collective history. The centennial program has been comprised of three major components: a public symposium and exhibit on the Commission's work in May 2010; and a long-term agency history book scheduled for publication in 2012. The history includes the publication of the symposium presentations by contributing scholars as well as an illustrated history of a century of the Commission and the design of Washington in seven chapters written by the Commission staff. The project involves significant staff resources and coordination. The manuscript will be completed and in the editing and design phase in 2011, and in final production in 2012 for release in September of that year.

**COMMISSION OF FINE ARTS
SALARIES AND EXPENSES**

Program and Financing (in millions of dollars)

Identification code 95-2600-0-1-451	2010 Enacted	2011 Annualized CR Level	2012 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	2010 Enacted	2011 Annualized CR Level	2012 Request
Personnel compensation:			
11.1 Full-time permanent.....	1,020	1,020	1,094
11.3 Full-time temporary	100	100	105
11.5 Other personnel compensation.....	48	48	50
11.9 Total personnel compensation	1,168	1,168	1,254
12.0 Personnel benefits: Civilian	290	290	397
12.1 Workers Compensation Payments	66	66	55
21.0 Travel and transportation of persons	95	95	57
22.0 Transportation of things.....	3	3	4
23.1 Rental payments to GSA.....	231	231	282
23.3 Communications, utilities, and miscellaneous charges.....	42	42	30
24.0 Printing and reproduction	13	13	4
25.0 Purchases of goods and services.....	330	330	380
26.0 Supplies and materials	42	42	28
31.0 Equipment.....	14	14	9
99.9 Total obligations	2,294	2,294	2,400

Note - A full-year 2011 appropriation for this account was not enacted at the time the budget was prepared; therefore, this account is operating under a continuing resolution (P.L. 111-242, as amended). The amounts included for 2011 reflect the annualized level provided by the continuing resolution.

**COMMISSION OF FINE ARTS
SALARIES AND EXPENSES**

Personnel Summary

Identification code 95-2600-0-1-451	2010 Enacted	2011 Annualized CR Level	2012 Request
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Total compensable work-years:

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

Appropriation Language Sheet

COMMISSION OF FINE ARTS
[National Capital Arts and Cultural Affairs]

For necessary Expenses as authorized by Public Law 99-190 (20 U.S.C. 956a), as amended, \$0,000.000.

No funding is proposed for this non-competitive grants program administered by the Commission of Fine Arts. The President's Budget proposes funding to transform this program to a competitive grants program administered by the District of Columbia.

Justification of Program and Performance

Activity: Grants

	FY 2010 Enacted	FY 2011 Annualized CR Level	Uncontrollable Changes	Program Changes	FY 2012 Request	Change From FY 2011
(\$000)	9,500	9,500	0	-9,500	0	-9,500
FTE	-	-	-	-	-	-

Note - A full-year 2011 appropriation for this account was not enacted at the time the budget was prepared; therefore, this account is operating under a continuing resolution (P.L. 111-242, as amended). The amounts included for 2011 reflect the annualized level provided by the continuing resolution.

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

Objectives: The FY 1988 Department of the Interior and Related Agencies Appropriations Act transferred administrative responsibility for the National Capital Arts and Cultural Affairs program from the National Endowment for the Humanities to the Commission of Fine Arts. This program provides formula based grants for general operating support to District of Columbia non-profit arts and other cultural organizations. Eligible organizations must have an annual income, exclusive of Federal or pass-through Federal funds, in excess of \$1 million for each of the three years prior to their application for the grant. Grant awards are based on a formula in which 70 percent of the total funds appropriated for the fiscal year are distributed equally among all eligible organizations submitting applications, and the remaining 30 percent are distributed based on the amount of the organization's total annual income, exclusive of Federal funds, in proportion to the combined total of the annual income, exclusive of Federal funds, of all eligible organizations submitting applications. No organization will receive a grant larger than \$650,000. The program does not address performance factors or individual needs of an organization.

No funding is requested for this non-competitive grants program that is currently administered by the Commission of Fine Arts. The President's Budget proposes funding to transform this program to a competitive grants program administered by the District of Columbia.

Activities: In FY 2010, this program helped support 24 nationally renowned organizations in the national capital, providing funding for operating expenses, jobs, and exhibits and performances.

In FY 2010, \$9.5 million in grants were awarded to the following 24 organizations.

FY 2010 NCACA Grant Recipients	Grant	Grant as % of Operating Income*
Kennedy Center for the Performing Arts	\$650,000	0.69
Washington National Opera	\$650,000	1.98
National Symphony Orchestra	\$624,285	2.18
Shakespeare Theatre	\$486,627	2.82
Corcoran Museum	\$476,911	2.89
Folger Shakespeare Library	\$441,484	3.26
Arena Stage	\$430,108	3.41
Phillips Collection	\$423,802	3.50
Washington Ballet	\$381,101	4.44
Ford's Theatre	\$373,569	4.69
Washington Performing Arts Society	\$369,873	4.83
National Building Museum	\$369,652	4.84
Meridian International Center	\$349,343	5.86
Hillwood Estate, Museum & Gardens	\$349,126	5.88
National Museum of Women in the Arts	\$343,916	6.24
Studio Theatre	\$343,112	6.30
Textile Museum	\$323,396	8.47
Woolly Mammoth Theatre Co.	\$318,653	9.29
Choral Arts Society	\$314,353	10.23
Thelonious Monk Institute of Jazz	\$306,175	12.76
Gala Hispanic Theatre	\$296,385	18.62
Cathedral Choral Society	\$294,872	20.10
National Children's Museum	\$292,477	23.04
Dance Place (DC Wheel Productions)**	\$290,779	25.75
Total Grants	\$9,500,000	

* Operating income exclusive of other Federal or pass-through Federal funds.

** New grant recipient in 2010

**COMMISSION OF FINE ARTS
SALARIES AND EXPENSES**

Program and Financing (in millions of dollars)

Identification code 95-2602-0-1-503	2010 Enacted	2011 Annualized CR Level	2012 Request	
Obligations by program activity:				
10.00	Total obligations	9.5	9.5	0
Budgetary resources available for obligation:				
22.00	New budget authority (gross)	9.5	9.5	0
23.95	New obligations	-9.5	-9.5	-0
New budget authority (gross), detail:				
40.00	Appropriation	9.5	9.5	0
Change in unpaid obligations:				
73.10	New obligations	9.5	9.5	0
73.20	Total outlays (gross)	-9.5	-9.5	-0
Outlays (gross), detail:				
86.90	Outlays from new current authority ...	9.5	9.5	0
Net budget authority and outlays:				
89.00	Budget authority	9.5	9.5	0
90.00	Outlays (net)	9.5	9.5	0