

COMMISSION OF FINE ARTS

BUDGET JUSTIFICATION

FY 2025

COMMISSION OF FINE ARTS

Budget Justification Fiscal Year 2025

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COMMISSION OF FINE ARTS

General Statement

The Commission of Fine Arts was established in 1910 (40 U.S.C. 9101) to create 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 is to safeguard and improve the appearance and symbolic significance of Washington, D.C., as the national capital city, for the benefit of the citizens of the United States, and foreign visitors. Specifically, the Commission provides knowledgeable advice, as design proposals are brought before it, 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 within the United States and on foreign soil, in accordance with the Commemorative Works Act and the American Battle Monuments Act.

The Commission is composed of seven members with expertise in the arts and related disciplines who are appointed by the President. They serve without compensation, receiving only actual travel expenses related 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.

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 city.
- 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.
- Approve submissions under the Commemorative Works Act on matters pertaining to the location and design of memorials in and around the national capital city.
- Advise the Director of the United States Mint on the design of medals 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.

- Advise the Secretary of the Army on matters pertaining to the location and design of memorials and monuments in Arlington National Cemetery.
- Advise the Secretary of the Army and the U.S. Army Institute of Heraldry on the design of United States military service medals, seals, and insignia.
- Advise the District of Columbia Government on all public construction, as well as private construction and the display of signs 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 and the Foreign Missions Center.
- Advise the National Capital Planning Commission in the selection of lands suitable for the development of the park, parkway, and playground system of the national capital city.

The Commission has administered the National Capital Arts and Cultural Affairs program since 1988, which was created by the Congress to support local nonprofit cultural institutions whose primary purpose is the presentation, exhibition, or performance of the arts at a professional level of quality in the national capital city.

In addition to those functions mandated by law, the Commission of Fine Arts approves acquisitions as proposed by the Freer Gallery of Art for its permanent collection in accordance with a codicil to the will of Charles Lang Freer.

Program Summary by Budget Activity

(dollar amounts in thousands)

Appropriation	FY 2023 Enacted	FY 2024 Request	FY 2025 Request	FY 2025 Change from FY 2023
Salaries and Expenses	3,661	4,284	3,857	+196
FTE	14	15	14	0
National Capital Arts and Cultural Affairs	5,000	5,000	5,000	0
FTE	--	--	--	--

Highlights of the FY 2025 Request

The Commission of Fine Arts requests a FY 2025 Salaries and Expenses appropriation of \$3,857,000 for the expenses of the Commission members and the salaries and related costs necessary to support a small staff and maintain an efficient level of operations. This appropriation request represents a \$196,000 increase above the FY 2023 enacted level and a \$427,000 decrease from the FY 2024 requested budget and is intended to implement the priorities outlined in the President’s Management Agenda.

The request reflects a 5.2 percent cost-of-living pay increase for civilian employees in FY 2024 and a 2.0 percent cost-of-living pay increase in FY 2025. The current proposal also discontinues the FY 2024 request for an additional FTE position.

For FY 2025, we estimate the Agency’s uncontrollable cost changes to be a total of \$188,000 above the FY 2023 enacted budget. These costs include: an increase of approximately \$183,000—consisting of personnel compensation for 14 FTE (instead of 15 as requested in FY 2024) and benefits due to salary adjustments, grade increases, and the FY 2024 and FY 2025 cost-of-living pay raises; a \$7,000 increase in charges for the 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 \$5,000 in agency travel costs, and a \$3,000 increase in security charges to the DHS.

In addition to the funding request above, the Commission of Fine Arts requests an additional \$8,000 above FY 2023 level, for costs to improve and update its computer equipment to improve the communications and daily working functions of the staff.

This budget submission also retains the request for the authority to use up to one-tenth of one percent of the funds provided for Salaries and Expenses for official reception and representation expenses associated with hosting meetings with international visitors, affiliated professionals, and volunteer supporters engaged in the design, planning, development, preservation and/or study of the history of the National Capital city.

For FY 2025, \$5,000,000 is requested for the National Capital Arts and Cultural Affairs Program, which is the same as appropriated in FY 2023 and requested in FY2024.

Appropriation Language Sheet

COMMISSION OF FINE ARTS Salaries and Expenses

For expenses of the Commission of Fine Arts under Chapter 91 of title 40, United States Code, \$3,857,000 [4,284,000]: *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: *Provided further*, That up to one-tenth of one percent of the funds provided under this heading may be used for official reception and representations expenses.

Note— A full-year 2024 appropriation for this account was not enacted at the time the Budget was prepared; therefore, the Budget assumes this account is operating under the Continuing Appropriations Act, 2024 and Other Extensions Act (Division A of Public Law 118-15, as amended). The amounts included for 2024 reflect the annualized level provided by the continuing resolution.

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

Changes in costs in FY 2025:	2023 2025 <u>Budget</u> <u>Change</u>
Salary and Benefits: No change in 14 FTE from FY 2023 enacted budget.....	\$2,520 / +\$183
Includes a 5.2% cost-of-living increase in FY 2024 and a 2.0% increase in FY 2025. The amount displayed represents the additional costs of funding estimated pay and benefit increases for GS-series employees and the net increases of pay rate changes made in other pay series.	
Security Payments to DHS.....	2023 2025 <u>Budget</u> <u>Change</u> \$42 / +\$3
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.	
Travel and Transportation of Persons	2023 2025 <u>Budget</u> <u>Change</u> \$45 / -\$5
The change reflects the expected decrease in the travel costs associated with Commission members attending monthly meetings and staff travel for training and professional outreach activities.	
Administrative Support Services—Interior	2023 2025 <u>Budget</u> <u>Change</u> \$255 / +\$7
The change reflects the expected increase in the charges for the Department of the Interior services, including financial management, personnel services, legal, EEOC, and other support agreements (includes charges for the production of financial reports for the annual audit)	
TOTAL UNCONTROLLABLE COST INCREASES.....	===== +\$188

Justification of Program and Performance

Activity: Salaries and Expenses

	FY 2023 Enacted	FY 2024 Request	Uncontrollable Changes*	Program Changes*	FY 2025 Request	Change From FY 2023
(\$000)	3,661	4,284	+188	+8	3,857	+196
FTE	14	15	0	0	14	0

*As compared to the FY 2023 Enacted Budget

Authorization: 40 U.S.C. 104.

The Commission of Fine Arts requests a FY 2025 Salaries and Expenses appropriation of \$3,857,000 for the expenses of the Commission members and the salaries and related costs necessary to support a small staff and maintain an efficient level of operations. This appropriation request represents a \$196,000 increase above the FY 2023 enacted level and a \$427,000 decrease from the FY 2024 requested budget and is intended to implement the priorities outlined in the President’s Management Agenda.

Uncontrollable change from FY 2023 Budget Request: For FY 2025, we estimate the Agency’s uncontrollable cost changes to be a total of \$188,000 above the FY 2023 enacted budget. These costs include: an increase of approximately \$183,000—consisting of personnel compensation for 14 FTE (instead of 15 as requested in FY 2024) and benefits due to salary adjustments, grade increases, and the FY 2024 and FY 2025 cost-of-living pay raises; a \$7,000 increase in charges for the 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 \$5,000 in agency travel costs, and a \$3,000 increase in security charges to the DHS.

Program change from FY 2024 Budget Request: In addition to the funding request above, we estimate a total program cost increase of \$8,000 above the FY 2023 enacted budget, consisting of an additional \$8,000 for costs to improve and update its computer equipment to improve the communications and daily working functions of the staff.

The Commission’s professional staff has been challenged by this long-term trend of an increasing review case load, complexity of the submissions, and lack of expertise in landscape, environmental, and architectural design, historic preservation, and the design of public infrastructure. The current staff is working at capacity and beyond. Each submission requires many hours of staff time as the cases are received, processed, analyzed, and presented, in addition to the numerous consultations with applicants, the required coordination with the District of Columbia Historic Preservation Office, and the management of the architectural review board agendas and meetings. The total number of cases submitted annually to the Commission of Fine Arts for review, including new public infrastructure projects, are projected to continue to increase at similar or higher rates.

Finally, this budget submission also retains the request for the authority to use up to one-tenth of one percent of the funds provided for Salaries and Expenses for official reception and representation expenses associated with hosting meetings with international visitors, affiliated professionals, and volunteer supporters engaged in the design, planning, development, preservation and/or study of the history of the Nation's Capital city.

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 professional 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, design, planning, and historic preservation. 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 Foreign Missions Center, the Federal Triangle, the Saint Elizabeths campus for the headquarters of the Department of Homeland Security, Southwest Waterfront, Anacostia Waterfront, 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 creates a long-term record of its actions as well as wider topics related to its jurisdictions and the design of the National Capital through its publication program, which includes the production of books and other printed or digital publications. It also conducts liaison, research, and public information activities to further support the enhancement and preservation of the city.
- The Commission, in its advisory and approval capacities, does not originate design projects; it is the recipient of project proposals. As the recipient of project proposals submitted for design review, the Commission's 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 must therefore be flexible by necessity. It remains effective and efficient despite having no control over the number of proposals brought before it nor the relative size and importance of each item submitted. In accordance with its statutory obligations, the Commission has completed 100 percent of its reviews for all proposals submitted within 45 days of receipt.

Caseload and Operations:

The total number of cases submitted annually for review by the Commission has increased substantially over the past fifteen years, although this caseload has been affected recently by the impact of the Covid-19 pandemic. Over the past fifteen years, the caseload has grown from 543 cases in FY 2009 to 665 in FY 2023, an increase of 22 percent, managed by an unchanged number of agency staff of 12 FTE from FY 2014 through FY 2023. During the years affected by the Covid-19 pandemic, the number of cases dropped, to a low of 615 in FY 2022, but is now rebounding toward previous levels.

In terms of the CFA's three basic jurisdictional areas, the recent changes in caseload are the following:

- Typically, nearly half of the total number of cases reviewed by the Commission are submitted under the Federal Old Georgetown Act, and these numbers have increased substantially in FY 2023: 350 cases reviewed in FY 2023, representing a 21 percent increase over the 289 cases reviewed in FY 2022 and significantly above the total of 302 cases reviewed in FY 2019 prior to the Covid-19 pandemic. The average monthly caseload submitted under the Old Georgetown Act had grown from 25 individual cases to more than 30 per month prior to the pandemic, with some months exceeding 60 cases; these case numbers also constitute only the reviews concluding in Commission action, and the number of interim reviews by the Old Georgetown Board would increase this number further.
- The number of 178 cases generated in FY 2023 by the Shipstead-Luce Act for the design review of properties in specific areas of Federal interest, was nearly the same as it was in FY 2022, although this caseload has dropped significantly during the three fiscal years affected by the pandemic, down from an all-time high of 262 cases in FY 2019.
- Direct submissions in FY 2023 from the Federal and District of Columbia governments were a total of 137; this is a small decrease of about 5 percent from 144 cases in FY 2022, and down from 170 cases, or roughly 24 percent, in FY 2019. However, the long-term trend of average government cases has been steady, at about 165 per year for the past five years.

**COMMISSION OF FINE ARTS
SALARIES AND EXPENSES**

Program and Financing (in millions of dollars)

Identification code 95-2600-0-1-451	2023 Enacted	2024 Request	2025 Request
Obligations by program activity:			
10.00	3.7	4.3	3.9
Budgetary resources available for obligation:			
22.00	3.7	4.3	3.9
23.95	-3.7	-4.3	-3.9
New budget authority (gross), detail:			
40.00	3.7	4.3	3.9
Change in unpaid obligations:			
73.10	3.7	4.3	3.9
73.20	-3.7	-4.3	-3.9
Outlays (gross), detail:			
86.90	3.7	4.3	3.9
Net budget authority and outlays:			
89.00	3.7	4.3	3.9
90.00	3.7	4.3	3.9

**COMMISSION OF FINE ARTS
SALARIES AND EXPENSES**

Object Classification (in thousands of dollars)

Identification code 95-2600-0-1-451		2023	2024	2025
		Enacted	Request	Request
Personnel compensation:				
11.1	Full-time permanent	1,843	2,096	1,982
11.5	Other personnel compensation	42	48	45
11.9	Total personnel compensation.....	1,885	2,144	2,027
12.0	Personnel benefits: Civilian.....	677	770	718
12.1	Workers Compensation Payments ¹	5	5	5
21.0	Travel and transportation of persons	50	50	45
22.0	Transportation of things.	5	5	5
23.1	Rental payments to GSA	357	360	360
23.1	Security charges to DHS	39	42	45
23.3	Communications, utilities, and miscellaneous charges	120	230	126
24.0	Printing and reproduction	25	20	20
25.0	Purchases of goods and services	482	523	482
26.0	Supplies and materials.....	8	8	8
31.0	Equipment	8	127	16
99.9	Total obligations.....	3,661	4,284	3,857

¹ NOTE: Estimates for Worker Compensation Payments provided by the U.S. Department of Labor.

**COMMISSION OF FINE ARTS
SALARIES AND EXPENSES**

Personnel Summary

Identification code 95-2600-0-1-451	2023 Enacted	2024 Request	2025 Request
Total compensable work-years:			
Full-time equivalent employment	14	15	14
Full-time equivalent overtime and holiday hours	0	0	0
TOTAL:	14	15	14

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), \$5,000,000:
Provided, That in determining an eligible organization's annual income for calendar years 2021, 2022, and 2023, funds or grants received by the eligible organization from any supplemental appropriations Act related to coronavirus or any other law providing appropriations for the purpose of preventing, preparing for, or responding to coronavirus shall be counted as part of the eligible organization's annual income.*

Note— A full-year 2024 appropriation for this account was not enacted at the time the Budget was prepared; therefore, the Budget assumes this account is operating under the Continuing Appropriations Act, 2024 and Other Extensions Act (Division A of Public Law 118-15, as amended). The amounts included for 2024 reflect the annualized level provided by the continuing resolution.

Justification of Program and Performance
National Capital Arts and Cultural Affairs

Activity: Grants

	FY 2023 Enacted	FY 2024 Request	Uncontrollable Changes	Program Changes	FY 2025 Request
(\$000)	5,000	5,000	0	0	5,000
FTE	--	--	--	--	--

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 of the funds 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 may receive a grant greater than \$650,000.

Activities: In FY 2023, this program helped support 25 nationally renowned organizations based and operating in the National Capital, providing funding for operating expenses, staff, exhibits, and performances.

In FY 2023, \$5,000,000 in grants was awarded to the following 25 organizations:

FY 2023 NCACA Grant Recipients	GRANT	Grant as % of Op. Income*	Grant as % of Total Grants
Kennedy Center for the Performing Arts:	650,000.00	0.40%	0.32%
Hillwood Estate, Museum & Gardens:	315,764.24	0.68%	0.64%
Washington Ballet:	235,009.00	0.94%	1.16%
Shakespeare Theatre:	228,439.37	0.99%	1.30%
National Symphony Orchestra:	214,905.26	1.08%	0.97%
Folger Shakespeare Library:	211,988.62	1.11%	1.06%
Washington National Opera:	207,220.63	1.17%	1.10%
Phillips Collection:	206,364.79	1.18%	1.22%
Arena Stage:	199,794.41	1.28%	1.57%
Ford's Theatre Society:	194,823.59	1.34%	1.40%
Studio Theatre:	177,845.95	1.78%	2.06%
National Museum of Women in the Arts:	174,619.92	1.91%	1.75%
National Building Museum:	171,216.53	2.07%	2.07%
Washington Performing Arts Society:	164,285.46	2.56%	2.59%
Woolly Mammoth Theatre Company:	162,968.34	2.68%	2.51%
Step Afrika!:	152,467.70	4.62%	4.15%
Gala Hispanic Theatre:	152,408.41	4.64%	4.81%
Atlas Performing Arts Center:	152,314.78	4.88%	5.22%
Choral Arts Society:	150,701.55	5.32%	5.26%
Washington Chorus (The):	148,304.35	6.75%	7.28%
Dance Place:	147,213.70	7.72%	6.95%
DC Jazz Festival:	146,178.80	8.94%	8.56%
Cathedral Choral Society:	146,141.17	9.00%	9.88%
Federal City Performing Arts Association:	145,723.27	9.63%	8.99%
Washington Bach Consort:	145,300.16	10.36%	9.41%
TOTAL GRANTS:	\$5,000,000.00		

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

COMMISSION OF FINE ARTS
SALARIES AND EXPENSES
National Capital Arts and Cultural Affairs

Program and Financing (in millions of dollars)

Identification code 95-2602-0-1-503	2023 Enacted	2024 Request	2025 Request
Obligations by program activity:			
10.00	5	5	5
Budgetary resources available for obligation:			
22.00	5	5	5
23.95	-5	-5	-5
New budget authority (gross), detail:			
40.00	5	5	5
Change in unpaid obligations:			
73.10	5	5	5
73.20	-5	-5	-5
Outlays (gross), detail:			
86.90	5	5	5
Net budget authority and outlays:			
89.00	5	5	5
90.00	5	5	5