

COMMISSION OF FINE ARTS

BUDGET JUSTIFICATIONS, FY 2022



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COMMISSION OF FINE ARTS

**Budget Justifications
Fiscal Year 2022**

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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 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 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 in 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 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.

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 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 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 2020 Enacted	FY 2021 Enacted	FY 2022 Request	FY 2022 Change from FY 2021
Salaries and Expenses	3,240	3,240	3,328	88
FTE	12	12	12	0
National Capital Arts and Cultural Affairs	5,000	0	0	0
FTE	--	--	--	--

Highlights of the FY 2022 Request

The Commission of Fine Arts requests a FY 2022 Salaries and Expenses appropriation of \$3,328,000 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 \$88,000 increase above the FY 2021 Enacted Budget.

The request reflects a one percent cost-of-living pay increase for civilian employees in FY 2021 and a 2.7 percent cost-of-living pay increase in FY 2022.

For FY 2022, we estimate the Agency’s uncontrollable cost increases total \$88,000 above the FY 2021 Budget Request. These cost increases include: a \$60,000 aggregate increase for personnel compensation and benefits due to salary adjustments, grade increases, and the FY 2021 and FY 2022 cost-of-living pay raises; a \$5,000 increase in rental payments to the GSA; a \$3,000 increase in security charges to the DHS; \$30,000 increase in costs associated with communications and utilities. These increases will be offset by an approximate \$10,000 reduction in the categories of purchases of goods and services, supplies and materials and equipment.

This budget submission also includes 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 associate with hosting meeting 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.

For FY 2022, \$5,000,000 is requested for the National Capital Arts and Cultural Affairs Program, which is the same as appropriated in FY 2021. The request includes a change to the requirement for eligibility for a grant in order to partly compensate for the economic impacts of the 2020 Covid-19 pandemic on eligible applicants—particularly the organizations with smaller annual operating budgets that may not qualify in 2021 and 2022 due to reduced levels of income resulting from the mandatory closures and reduced programing in 2020 and possibly into 2021.

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, \$3,328,000 [3,240,000]: *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:

(Department of the Interior, Environment, and Related Agencies Appropriations Act, 2021)

Justification of Program and Performance

Activity: Salaries and Expenses

	FY 2020 Enacted	FY 2021 Enacted	Uncontrollable Changes	Program Changes	FY 2022 Request	Change From FY 2021
(\$000)	3,240	3,240	+88	-0	3,328	+88
FTE	12	12	0	0	12	0

Authorization: 40 U.S.C. 104.

Program change from FY 2021 Budget Request: The Commission of Fine Arts requests a FY 2022 Salaries and Expenses appropriation of \$3,328,000 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 \$88,000 increase above the FY 2021 Enacted Budget.

The request reflects a one percent cost-of-living pay increase for civilian employees in FY 2021 and a 2.7 percent cost-of-living pay increase in FY 2022.

For FY 2022, we estimate the Agency's uncontrollable cost increases total \$88,000 above the FY 2021 Budget Request. These cost increases include: a \$60,000 aggregate increase for personnel compensation and benefits due to salary adjustments, grade increases, and the FY 2021 and FY 2022 cost-of-living pay raises; a \$5,000 increase in rental payments to the GSA; a \$3,000 increase in security charges to the DHS; \$30,000 increase in costs associated with communications and utilities. These increases will be offset by an approximate \$10,000 reduction in the categories of purchases of goods and services, supplies and materials and equipment.

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. 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 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 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, 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.

- In mid-March 2020, the Commission began operating under COVID-19 pandemic guidelines and restrictions. The Commission canceled its public meeting in March 2020 due to the limitations regarding large in-person meetings. Starting in April 2020, the Commission conducted its day-to-day operations and public meetings remotely for the remainder of the fiscal year and will continue do so until the restrictions are lifted.
- A total of 718 cases were submitted to the Commission for review in FY 2020. This was an increase of approximately 1.4 percent compared to the average annual number of cases submitted in the previous ten years, but was only 16 cases less than were submitted in FY 2019.

214 individual cases for Federal and local government projects were submitted for review in FY 2020. This was an increase of approximately 13.2 percent compared to the average annual number of government cases submitted in the previous ten years and 44 cases more than those submitted in FY 2019.

224 Shipstead-Luce Act cases were submitted and reviewed in FY 2020, an increase of approximately 25.8 percent compared to the average annual number of Shipstead-Luce Act cases submitted in the previous ten years and 38 cases less than those submitted in FY 2019.

280 Old Georgetown Act cases were submitted and reviewed in FY 2020, representing a decrease of approximately 17.9 percent compared to the average annual number of Old Georgetown Act cases submitted in the previous ten years and 22 cases less than those submitted in FY 2019.

Overall, the annual number of cases submitted to and reviewed by the Commission of Fine Arts has increased by an annual average of 3.25 percent over the previous ten years.

**COMMISSION OF FINE ARTS
SALARIES AND EXPENSES**

Program and Financing (in millions of dollars)

Identification code 95-2600-0-1-451	2020 Actual	2021 Enacted	2022 Request
Obligations by program activity:			
10.00	3	3	3
Budgetary resources available for obligation:			
22.00	3	3	3
23.95	-3	-3	-3
New budget authority (gross), detail:			
40.00	3	3	3
Change in unpaid obligations:			
73.10	3	3	3
73.20	-3	-3	-3
Outlays (gross), detail:			
86.90	3	3	3
Net budget authority and outlays:			
89.00	3	3	3
90.00	3	3	3

**COMMISSION OF FINE ARTS
SALARIES AND EXPENSES**

Object Classification (in thousands of dollars)

Identification code 95-2600-0-1-451		2020	2021	2022
		Enacted	Enacted	Request
Personnel compensation:				
11.1	Full-time permanent	1,470	1,505	1,558
11.3	Full-time temporary.....	0	0	0
11.5	Other personnel compensation.....	30	30	40
11.9	Total personnel compensation	1,500	1,535	1,598
12.0	Personnel benefits: Civilian.....	515	557	576
12.1	Workers Compensation Payments ¹	62	62	40
21.0	Travel and transportation of persons.....	60	60	60
22.0	Transportation of things.....	6	6	6
23.1	Rental payments to GSA	278	353	358
23.1	Security charges to DHS	35	35	38
23.3	Communications, utilities, and miscellaneous charges	72	72	102
24.0	Printing and reproduction	25	25	25
25.0	Purchases of goods and services	642	510	500
26.0	Supplies and materials.....	30	20	20
31.0	Equipment.....	15	5	5
99.9	Total obligations.....	3,240	3,240	3,328

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	2022 Actual	2021 Enacted	2022 Request
Total compensable work-years:			
Full-time equivalent employment.....	12	12	12
Full-time equivalent overtime and holiday hours	0	0	0
TOTAL:	12	12	12

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 the item relating to "National Capital Arts and Cultural Affairs" in the Department of the Interior and Related Agencies Appropriations Act, 1986, as enacted into law by section 101(d) of Public Law 99-190 (20 U.S.C. 956a), shall be applied in fiscal year 2022 in the second paragraph by inserting ", calendar year 2020 excluded" before the first period: Provided further, That in determining an eligible organization's annual income for calendar years 2021 and 2022, 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.

(Department of the Interior, Environment, and Related Agencies Appropriations Act, 2021.)

Justification of Program and Performance

Activity: Grants

	FY 2020 Actual	FY 2021 Enacted	Uncontrollable Changes	Program Changes	FY 2022 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 will receive a grant larger than \$650,000.

For FY 2022, \$5,000,000 is requested for the National Capital Arts and Cultural Affairs Program, which is the same as appropriated in FY 2021. The request includes a change to the requirement for eligibility for a grant in order to partly compensate for the economic impacts of the 2020 Covid-19 pandemic on eligible applicants—particularly the organizations with smaller annual operating budgets that may not qualify in 2021 and 2022 due to reduced levels of income resulting from the mandatory closures and reduced programing in 2020 and possibly into 2021.

Activities: In FY 2020, this program helped support 25 nationally renowned organizations in the National Capital, providing funding for operating expenses, staff, exhibits, and performances.

In FY 2020, \$5,000,000 in grants was awarded to the following 25 organizations

FY 2020 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%	0.31%
Arena Stage:	249,104.88	1.02%	1.01%
National Symphony Orchestra:	240,827.10	1.06%	0.97%
Shakespeare Theatre:	237,269.82	1.09%	1.08%
Phillips Collection:	236,503.81	1.09%	1.09%
Folger Shakespeare Library:	226,733.46	1.16%	1.13%
Washington National Opera:	222,599.04	1.20%	1.19%
Ford's Theatre Society:	208,473.00	1.36%	1.31%
Washington Ballet:	203,446.78	1.43%	1.42%
National Museum of Women in the Arts:	190,091.74	1.69%	1.68%
National Building Museum:	182,933.20	1.90%	1.86%
Washington Performing Arts Society:	171,838.15	2.40%	2.34%
Studio Theatre:	170,922.41	2.46%	2.42%
Woolly Mammoth Theatre Company:	160,382.59	3.51%	3.41%
Hillwood Estate, Museum & Gardens:	158,560.32	3.81%	3.65%
Atlas Performing Arts Center:	156,865.82	4.14%	4.05%
Choral Arts Society:	155,008.67	4.60%	4.48%
The Washington Chorus:	148,974.46	7.40%	7.05%
Step Afrika!:	148,823.00	7.52%	6.77%
Gala Hispanic Theatre:	148,574.58	7.72%	7.27%
Dance Place (DC Wheel Productions):	147,597.24	8.66%	7.99%
DC Jazz Festival:	147,332.69	8.95%	8.77%
Federal City Performing Arts Association:	146,147.20	10.59%	10.00%
Cathedral Choral Society:	145,694.86	11.40%	10.71%
Washington Bach Consort:	145,295.18	12.23%	11.30%
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**

Program and Financing (in millions of dollars)

Identification code 95-2602-0-1-503	2020 Actual	2021 Enacted	2022 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