

# Fine Arts, First Impressions, Repair and Alteration (R&A), & Modernizations

## 1 Mission

It is the mission of the Fine Arts Program to provide national leadership and policy direction for the portfolio of fine arts assets under GSA's stewardship [the Fine Arts Collection] to insure their location, preservation, accessibility, understanding, and appreciation, in order to insure superior workplaces for federal agencies and the public they serve. We are located in the Design Excellence & the Arts Division (PMB), Office of the Chief Architect.

### Vision

By preserving the legacy of federal art and the built environment, the Fine Arts Program inspires a future of creative freedom and expression in our American democracy.

- The **Fine Arts Collection** includes commissioned civic works of art that enhance the architecture of federal buildings; portable works of art commissioned under the federal patronage of the New Deal; and Art in Architecture maquettes (design models).
- The **Regional Fine Arts Officers** (RFAOs) should be notified of any project that will impact artwork in the Fine Arts Collection, including Art in Architecture installations. See attached list for names, addresses, and telephone numbers of RFAOs.
- The **Fine Arts Program *Desk Guide*** contains policy and guidance for the acceptance and disposal of fine art. The Desk Guide also provides procedures for the inventory, inspection, conservation, and loan of artwork; for exhibition, interpretation and educational programs; for emergency planning; and for the removal, relocation and deaccessioning of artwork in the Fine Arts Collection. The *Desk Guide* should be consulted for acquisition and relocation of artwork. The *Desk Guide* is available on the Fine Arts WEB site at [www.gsa.gov/finearts](http://www.gsa.gov/finearts).

- The Art in Architecture Program Guidelines, signed by the Commissioner, Public Buildings Service (PBS) on December 21, 2000 details the commissioning of artwork for GSA.
- Visual Artists Rights Act of 1990, Section 106A, U.S. Code Annotated, Title 17, Copyrights, PL101-650 provides “moral rights” to artists creating works of visual art after June 1, 1991. These rights are chiefly the rights of attribution and integrity. They provide that all artists have rights controlling the use of their name in relation to their work, the right to prevent any modification of their work that would be prejudicial to their reputation, and the right to prevent the destruction of their work if it is of recognized stature. These rights are vested with the artist throughout their entire lifetime, and may prohibit removal, modification, or destruction of artwork.
- Section 106 of the National Historic Preservation Act (16 U.S.C. 470) mandates that federal agencies identify historic properties that may be affected by their projects, take historic properties into account when planning an undertaking, and that they allow the State Historic Preservation Office, Certified Local Governments, and the Advisory Council on Historic Preservation a reasonable opportunity to comment on federal projects that have the potential to affect historic properties. This process may be lengthy and should be initiated as early as possible.
- The Americans With Disabilities Act of 1990 (42 U.S.C. 12181) and Accessibility Guidelines (28 CFR Part 36) prohibits discrimination on the basis of disability and requires places of public accommodations and commercial facilities to be designed, constructed, and altered in compliance with the Americans with Disabilities Act - Accessibility Guidelines.
- Public Buildings Act of 1959, as amended (40 U.S.C. 298a) authorizes the Administrator of General Services to accept unconditional gifts of real, personal or other property in aid of any project or function of GSA. Pursuant to the GSA Delegations of Authority Manual, ADM P 5450.39C (CHGE 35), Chapter 17, paragraph 2(q) the Administrator has delegated to the Commissioner of the Public Buildings Service the authority to accept such gifts on behalf of GSA.

- There are many Repair and Alteration (R & A) and modernization projects "on the boards" for buildings with existing artwork. This is an excellent opportunity to enhance the artwork, improve its

environment, and educate people about its history and importance in 20th century art. We recognize that buildings and needs change with time, and a new atmosphere, improved lighting, and better education and outreach can revitalize works of art and add to their appreciation. This is also an excellent opportunity to "partner" with a local conservator not only for the conservation, but also for the future maintenance, of the artwork. These activities should be funded through project funds as much as possible. In addition, any reinstallation or relocation of artwork must follow the guidelines outlined in Chapter 10 of the Fine Arts *Desk Guide*. Peer Reviews have been very helpful and should be conducted in coordination with the Fine Arts Program for larger projects.

- A prospectus-level R & A project should include an Art in Architecture component when the GSA project team anticipates that new and appropriately public spaces for artwork will result, and that artwork would contribute to the overall enhancement of the building project. Following an evaluation, the GSA RFAO and the Art in Architecture project manager will determine if a new project should be commissioned. The GSA regional office will not initiate an Art in Architecture commission without the concurrence of the national office. As with Art in Architecture commissions for new construction projects, materials, subject matter, and placement of the art cannot be dictated to an artist. If the building already contains GSA artwork, the project team should consider using the money that would normally be reserved for the Art in Architecture project on the building's existing artwork. Appropriate activities include conservation, reinstallation, enhanced lighting, and producing new interpretive materials (e.g., plaques and brochures).

If GSA regional and national offices agree that new artwork is not warranted for a particular R & A project for a historic building, the project team may propose using what would have been the project's Art in Architecture funds to hire qualified artists or artisans to restore existing or lost historic ornamentation and decorative elements.

In projects involving historic buildings, RFAOs and Art in Architecture project managers will work together with the GSA Regional Historic Preservation Officers and the GSA Center for Historic Buildings to determine the most suitable approach, since any action (commissioning new art, conversation, etc.) requires Section 106 review under the National Historic Preservation Act.

#### 4 First Impressions Projects

- PMB encourages the conservation, reinstallation, and enhancement of existing artwork through the First Impressions Program.

- New original works of art should not be purchased as part of First Impressions projects. If the building does not contain artwork, it is recommended that large scale, high quality reproductions of historic photographs or drawings relating to building or community be used to enhance public areas.
- Purchased prints or reproductions, or commemorative works of art, such as portraits or busts, do not support the mission or the scope of the Fine Arts Collection and will not be considered as such. See Chapter 2 of the *Desk Guide*.
- Under Section 106, the installation or relocation of artwork that will have an effect to a historic property requires consultation with the appropriate State Historic Preservation Officer, as well as the Advisory Council on Historic Preservation.
- *Integrity of Space (From Chapter 2.5 of the Desk Guide)*

The protection of the integrity of public spaces is an important consideration for GSA. This is especially true for works of art that are commissioned to integrate with the architecture.

Once artwork is installed in a specific location, GSA should make every effort to protect the integrity of the surrounding space. The work of art may include not just the physical object itself, but also the surrounding spaces on the walls, flooring, or plaza. Therefore, the space surrounding a work of art becomes an integral part of the artwork. Colors and/or materials of surrounding walls or flooring should be coordinated with the artist and GSA. In addition, the space surrounding any artwork should be kept free of any other artwork, signage, objects, or seating that intrudes upon the artwork.

If barriers are required by the American Disabilities Act (ADA) to be placed in front of a work of art, they should be designed in consultation with the artist, the Regional Fine Arts Program Managers, and/or PMB, and subject to the artist's approval.

For works of art that are not owned by GSA, but are placed within GSA space, their installation should also be coordinated with, and subject to, the approval of GSA. For example, the installation of portraits, busts, or exhibit materials in public space should be accomplished in consultation with, and subject to, the approval of the Regional Arts Program Managers, and/or PMB.

- Artwork is often the most noticeable feature of the entry plaza or lobby, and artwork in poor or deteriorated condition can have a negative impact on the building. Therefore, artwork should be

assessed for conservation as part of the First Impressions and R & A projects. PMB provides conservation services through the National Conservation Contract.

- Artwork should be protected or removed during any renovation. This should be coordinated through PMB and the RFAO. PMB also provides professional art transportation and storage services. PMB must be notified when any artwork requires temporary removal.

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### Reinstallation

- There are a *limited* number of *large* works, such as murals or sculpture, in the Fine Arts Storage Facility that require reinstallation. Reinstalling works of art may enhance the architecture of the building and/or relate to the history of the local area. Please contact the RFAO or PMB for available artwork.
- It is the policy of GSA to conserve and return works of art to their original geographic location or place of origin whenever possible.

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### Relocation

Changing circumstances over time can allow for the relocation of artwork, for example the functionality of building or circulation patterns have changed, or space has been redesigned in order to meet ADA compliance or other requirements that might adversely impact the artwork. The following procedures must be followed:

1. The Design Excellence & the Arts Division must be notified at the beginning of the First Impressions or R & A project.
2. All requests for relocation must be made in writing to the Director, Design Excellence & the Arts. Requests should include the reason for relocating the work of art and a proposed schedule.
3. Every effort must be made to contact the artist and inform them of the situation. If possible, GSA will try to work with the artist to determine a suitable new location, or get their approval of a new location recommended by GSA. Approval should be in the form of a written letter.
4. A professional conservator must be consulted to insure the safety and protection of the artwork during relocation. See Chapter 6 of the *Desk Guide*.
5. For works of art that are covered by the Visual Artists Rights Act of 1990 (VARA) the artist must be contacted and written approval acquired. See Chapter 10 of the *Desk Guide*.

Further  
Information

**GSA Design Excellence & the Arts**

1800 F Street NW , Room 3341- (PMB)

Washington, DC 20405

Fine Arts Program: Alicia Weber, 202 501-1554, Kathy Erickson, 202 501-4332

Cassie Myers 202 501-1554

**Regional Fine Arts Officers**

Fred Amey, 1PC, 617-565-5835

Charlotte Cohen, 2PC, 212-264-1536

Trudy Wang, 3PM, 215-656-5816

Eileen Giordano, 3PM, 215-656-5667

Audrey Entorf, 4PHD, 404-562-0671

Jeff Jensen, 4PHD, 404-562-1354

Caroline Sachay, 5PM, 312-353-0744

Mike Finn, 5PM, 312-886-3529

Sylvia Rose Augustus, 6PC, 816-823-4905

Steve Kline, 7PMS, 817-978-4229

Janet Preisser, 8PP, 303-236-7131 (x.248)

Ken Wong, 9PCN, 415-522-3084

Story Swett, 10PT, 253-931-7332

Tom McDowell, WPT, 202-208-6812