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Submitter Information

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General Comment

Please see attached PDF.

Attachments

Proposed Updates to the Art in Architecture Program Aligning With Executive Order 13985 - Federal Management Regulation Case 2021-02



April 4, 2022

U.S. General Services Administration
1800 F Street NW
Washington, D.C.
<https://www.regulations.gov>
FMR Case 2021-02

**Re: Proposed Updates to the Art in Architecture Program
Aligning With Executive Order 13985, Federal Management
Regulation Case 2021-02**

From: Suryani Dewa Ayu (dewaayu@thenext100.org), Next100

Dear U.S. General Services Administration:

Thank you for this opportunity to provide comments about steps the GSA can take to advance racial equity and support of underserved communities through the agency's Art in Architecture Program. As a representative of Next100, a diverse start-up think tank dedicated to centering impacted individuals in the policy space in order to build a more inclusive, equitable, democratic, and just country; an artist; a first-generation college graduate with a master's in urban planning and design from the Harvard University Graduate School of Design; and former a civic designer for the City of Cambridge, Massachusetts, I know firsthand how large an impact art can have on facilitating more equitable and democratic civic engagement.

I appreciate the critical steps the GSA has already taken to remove barriers to equity in the Art in Architecture Program, including the following:

- Publishing this final rule and opening space for public dialogue.
- Recognizing the Art in Architecture Program is not as well-known among underrepresented communities, and organizing outreach efforts to 1) increase awareness of the National Artist Registry and 2) encourage artists to apply.
- Removing restrictions on content, medium, and style that had prevented many artists from being considered for commissions in the past.
- Removing references to "fine arts," and using the broader definition of "visual arts," to be more inclusive and welcoming of underrepresented artists.



- Collecting key demographic data points through the Art in Architecture Program website, with a limited estimated burden to new artists filling out paperwork.

In line with the values of advancing racial equity and support for underserved communities, I also thank you for revoking [E.O. 13934](#),¹ showing a commitment to acknowledging and actively working against the abuse of underrepresented communities in America. The steps the GSA takes to remove barriers to equity will have powerful implications for the future of our democracy.

The following recommendations respond to the series of questions outlined in section [VII](#)² of the Federal Register with the goal of supporting artists from underserved communities, and can be acted on administratively and through congressional revisions. All recommendations use the definitions of equity and underserved communities outlined in [E.O. 13985](#).³

Responding to questions on the commissioning process (Q1, 2, 3, 7, 9, 11, 12):

- Regularly collect feedback during the commissioning process from individuals from underserved communities, especially those who are identified as representatives by underserved communities. Approaches to collecting more participatory, place-, and people-based feedback can reference [community-engaged design](#)⁴ practices, including community-based participatory action research (CBPR) and local asset mapping. Examples of community engaged design practices in action across America can be found [here](#)⁵ (Q1). Have the selection committee host listening sessions in community hubs identified by local government agencies and community based organizations that work directly in communities (Q3).
 - Data collection should be streamlined, transparent, and made public (Q11).
 - Individuals should be compensated for their time and expertise.
 - Language translation services and ASL interpreters should clearly be made available.
- Establish an office within the GSA, focused on engaging underserved communities in design, to be a clear advocacy/technical assistance arm similar to the support team conducting research on Arts Engagement in American Communities at the National Endowment for the Arts (Q1, 13).
- Regularly conduct equity and inclusion reviews of all GSA selection processes and revise those that could be a barrier to artists from underserved communities. For example, the

¹ <https://www.federalregister.gov/executive-order/13934>

² <https://www.federalregister.gov/d/2022-02158/p-93>

³ <https://www.federalregister.gov/documents/2021/01/25/2021-01753/advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government>

⁴ <https://nextcity.org/urbanist-news/what-is-community-engaged-design>

⁵ <https://nextcity.org/ced>



requirement of a resume may act as a barrier, and may not be necessary when an artist has a portfolio or other work samples (Q2).

- Regularly conduct DEIB training for the selection committee and publicly communicate the selection process clearly and transparently. One example of showcasing a more transparent review process is displayed on the National Endowment for the Arts website [here](#)⁶ (Q2, 13).
- Provide translation and interpretation services to artists and community members to help eliminate barriers to participation from underserved communities. Currently, all downloadable materials related to the Art in Architecture program and to GSA's National Artist Registry are available only in English (Q2, Q11).
 - Use U.S. Census Bureau data to identify what languages are most commonly spoken by the people the building is supposed to serve, and develop documents in at least the top 3 languages.
- Ensure community representatives on the seven member panel are rotated so multiple people have the opportunity to participate in the commissioning process (Q7).
- Regularly work with local community based organizations and the U.S. Census Bureau to better understand the demographics of the area where the commission will be located and the surrounding areas. The geographic location of the commissioned art may not be representative of the community at large as the result of, for example, legacies of redlining and present-day gentrification (Q9).
- Make further changes to [Submission Form 7437](#)⁷ (as reviewed by the Office of Management and Budget) to remove further barriers (Q11, 13).
 - Include a number and email to contact if an artist needs assistance.
 - Include a Frequently Asked Questions section, such as the one provided by the National Endowment for the Arts grant application webpage [here](#).⁸ Information could include the review process, ways to get further involved, examples of projects, and support for first-time applicants. Language such as [“Writing an application for grant funding can seem confusing, but we are here to help!”](#)⁹ and providing [videos](#)¹⁰ about an artist's civil rights can show care and encouragement.
 - Place the privacy act statement at the top of the page so artists are made aware of what information is voluntary and what information may be disclosed to other governing bodies.
 - Provide space for acknowledging a diversity of gender identities and racial identities. For example, currently the only responses for gender include male and

⁶ <https://www.arts.gov/grants/grant-review-process>

⁷ <https://omb.report/icer/201907-3090-001/doc/93012901>

⁸ <https://www.arts.gov/grants>

⁹ <https://www.arts.gov/grants/applying-for-a-federal-grant-for-the-first-time>

¹⁰ https://www.youtube.com/watch?v=fYM2_hBV1fo



- female. Examples of terminology and why this data collection is important can be found through the Centers for Disease Control and Prevention.
- Instead of having a “Remarks” section, offer a more welcoming prompt such as “Is there anything else you would like the National Artist Registry Art in Architecture program selection committee to know about you, your artwork, and your community?”
 - Provide one sentence clarifying the next steps after the artist submits their work (ie; we will be contacting you upon receipt of your application).
 - Further improve recruitment of artists from underserved communities to increase the diversity of 1,700 artists currently part of the GSA’s National Artist Registry (Q11).
 - Work with schools across the country including primary schools, secondary schools, community colleges, and universities.
 - Work with nonprofits (ie; organizations supporting people who are incarcerated and people who were formerly incarcerated), community centers, museums, and libraries.
 - Work with transit departments to locate promotional material at transit hubs.
 - Hire artists from underserved communities to create social media roll-outs .
 - Make the payment amounts and timelines for the Art in Architecture Program participants and the community selection committee members clearer from the beginning of the recruitment process (Q11).
 - Establish a clear support team for artists that includes legal services to aid in navigating contracts and intellectual property laws (Q11).
 - Allow audio-based art to also be considered for the Registry as QR codes and physical headphones can be used on site (Q11).
 - Establish mentorship programs with artists both inside and outside of the Registry, working with other Federal agencies including the National Endowment for the Arts. Mentors should be paid to allow for diverse representation, and connected with rising artists with similar interests (Q12, 13).
 - Provide professional support focused on barriers that may keep out underrepresented communities, such as resume and portfolio building, media training, and professional photographs of artwork (Q12, 13).

Responding to Q4 on quantifying benefits:

- Regularly collect and release comprehensive data measuring the impact on 1) civic engagement and participation in the federal building where the artwork is located and 2) building social capital and encouraging civic discourse in the federal building where the artwork is located (e.g. survey data of those who enter the building).



- Regularly collect and release comprehensive data measuring the impact of increased diversity and equity of Art in Architecture artists on artists applying to be part of the Registry and currently part of the Registry.

Responding to Q5 on accessibility:

- Have clear outdoor signage viewable from the street including the words “Public Art” as well as the title, artist name, artwork description and a clear map to the location. Provide information about viewing hours if the artwork is located inside a building that is closed at certain times, and make clear that viewing has no cost.
- Create connections with the GSA First Impressions Program¹¹ that addresses the design of federal building lobbies and plazas: artwork by and for underrepresented communities in these public spaces can have a large impact on the experience of underrepresented communities with the federal government. Personally, seeing paintings by and of other women of color made me feel more welcome and valued in government spaces.
- Create audio tours that members of the community can access online and by scanning QR codes near the artwork. Tours can be linked to the GSA Visiting Public Buildings map¹² and include the voices of the artists and communities that made them.
- Work with schools, libraries, community centers, and nonprofit organizations to support field trips to view the art and learn more about the process of creating it.
- Host opening nights and art walks that are accessible through web based platforms, inviting the artist and community members to view the work for the first time together.

Responding to Q8 on definitions:

- Provide a space for local artists to define themselves, their identities, and their community during the commissioning process. Establish an online and physical space where these definitions can be archived and made publicly accessible.

Responding to Q10 on data collection:

- Publicly release the comprehensive demographic information that will be collected through this rule in order to inspire other artists from underserved communities to apply and to transparently track progress in diversifying the Registry.
- Regularly collect and release comprehensive data on words artists use to self-identify (ie; first-generation, queer, low-income, bilingual, sister, veteran, unhoused). Creating a space for artists to add in self identification can inspire artists with intersectional backgrounds who may come from underserved communities.

¹¹ <https://www.gsa.gov/real-estate/design-construction/design-excellence/first-impressions-program-overview>

¹² <https://www.gsa.gov/real-estate/gsa-properties/visiting-public-buildings>



- Regularly collect and release comprehensive data on how artists learned about the Registry and the GSA Art in Architecture program in order to evaluate outreach methods and locate potential partners (ie; learned about it from Instagram, a colleague at the National Endowment for the Arts, my professor).

Responding to Q14 on advancing democratic values:

- Petition Congress to remove the requirement to collect data on whether artists are U.S. citizens or lawful permanent residents and open the program to artists who are undocumented. Provide support networks for artists in the Registry and ensure no communication with I.C.E. or any department that would jeopardize the well-being of artists. There are currently at least 10.4 million people¹³ who are undocumented across the country and their voices and their artwork is critical to advancing equity.
- Connect with community-based organizations like Marking Time¹⁴ that support artists who are incarcerated and encourage artists to apply. There are currently at least 2 million people¹⁵ incarcerated across the country and their voices and their artwork is critical to advancing equity.
- Provide active support for artwork that productively critiques policies and practices and challenges us all to build a more democratic and inclusive country, together. As artist Nina Simone said in the documentary *What happened, Miss Simone*, “How can you be an artist and not reflect the times?”

Thank you for your consideration.

¹³ <https://www.americanprogress.org/press/release-millions-undocumented-immigrants-essential-americas-recovery-new-report-shows/>

¹⁴ <https://markingtimeart.com/artists/>

¹⁵ <https://tcf.org/content/report/dismantling-the-prison-state/>