



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

February 14, 2011

The Honorable John L. Mica
Chairman
Committee on Transportation and Infrastructure
United States House of Representatives
Washington, D.C. 20515

The Honorable Nick Rahall
Ranking Member
Committee on Transportation and Infrastructure
United States House of Representatives
Washington, D.C. 20515

Dear Chairman Mica and Ranking Member Rahall:

As the bipartisan Commissioners of the Federal Trade Commission, we write to state respectfully our strong opposition to efforts to remove the FTC from the historic FTC Building to transfer it to the National Gallery of Art. Forcing the FTC out of its federally-owned headquarters would displace our agency from a building that it has continuously occupied since it was designed and built for us over 70 years ago. Since 1938, the FTC Building, located at 600 Pennsylvania, NW, in Washington, D.C., has served as the FTC's headquarters, housing management, administrative, and adjudicative functions. The building is currently home to approximately 700 people who support the FTC's missions of protecting American consumers and maintaining competition in the American marketplace.

More critically, a forced move of the FTC could impose additional costs on the American taxpayer from the need to replicate important functions of the FTC Building in a new building. As major examples, the FTC would have to build new courtrooms for conducting adjudications as well as replace its extensive information technology infrastructure, including infrastructure for tracking, investigating, and fighting online and offline fraud.

Yet another significant cost could be for securing more space for the federal government. This would include finding new space for a federal agency that might be displaced by the FTC's move into a building that the other agency occupies or plans to occupy. And the taxpayers would still have to pay for the maintenance of the FTC Building. While we understand that the National Gallery's existing buildings were paid for with private funds, monies are appropriated annually for the National Gallery's

February 14, 2011

Page 2

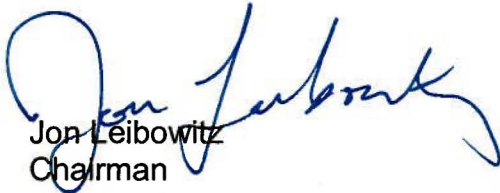
operation and maintenance. Thus, even if the National Gallery were to use private funds to remodel the FTC Building for its own use, taxpayers apparently would be responsible for maintenance and operations of yet another National Gallery building (the FTC Building, which the legislation proposes to rename National Gallery of Art-North).

In addition, it is not clear to us the impact of the proposed legislation on historic preservation. The FTC Building is part of the Pennsylvania Avenue National Historic Site, which is registered under the National Historic Preservation Act of 1966. As such, the building's exterior and countless features of its interior are protected by that Act and its procedures. This includes the building's iconic man and horse statues, entitled "Man Controlling Trade."

When laying the cornerstone for the FTC building in 1937, President Franklin Roosevelt said "[m]ay this permanent home of the Federal Trade Commission stand for all time as a symbol of the purpose of the Government to insist on a greater application of the Golden Rule to the conduct of corporations and business enterprises in the relationship to the body politic." It is our hope that the building's dedicated purpose can continue to be honored.

Thank you for your consideration of this matter.

Sincerely,


Jon Leibowitz
Chairman


William E. Kovacic
Commissioner


Thomas Rosch
Commissioner


Edith Ramirez
Commissioner


Julie Brill
Commissioner

cc: Members of the Committee on Transportation and Infrastructure
United States House of Representatives