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SENATE

{ REPORT
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JOHN F. KENNEDY CENTER REAUTHORIZATION ACT OF 2019

MAY 6, 2019.—Ordered to be printed

Mr. BARRASSO, from the Committee on Environment and Public Works, submitted the following

R E P O R T

[To accompany S. 1061]

[Including cost estimate of the Congressional Budget Office]

The Committee on Environment and Public Works, to which was referred the bill (S. 1061) to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

GENERAL STATEMENT AND BACKGROUND

In 1950, President Eisenhower signed the National Cultural Center Act (Pub. L. 85-874) into law, which established the National Cultural Center. In 1960, a bill (Pub. L. 88-260) was enacted to rename the performing arts center as the John F. Kennedy Center for the Performing Arts (Kennedy Center), which established the center as a living memorial in honor of the late president. The Kennedy Center has been reauthorized on a regular basis.

The Kennedy Center was designed by Edward Durrell Stone. In 1956, President Lyndon Johnson broke ground on a site located along the banks of the Potomac River. In 1971, the building opened to its first visitors. Today, the Kennedy Center is the nation's busiest performing arts center. Each year, it hosts approximately 3,000 events and receives over 2 million visitors.

The Kennedy Center's authorizing statute requires that designated Members of Congress provide full and appropriate oversight over the federal funding it receives. Designated Members of

Congress include: the Speaker and Minority Leader of the House; the leadership of the Transportation and Infrastructure Committee; which is the Kennedy Center's authorizing committee in the House; three additional members appointed by House leadership; the Senate Majority and Minority Leaders; the leadership of the Environment and Public Works Committee, which is the Kennedy Center's authorizing committee in the Senate; and three additional members appointed by Senate leadership. These members are briefed on an ongoing basis regarding federal appropriations to ensure both transparency and accountability.

The Kennedy Center's Board of Trustees (Board) raises private funds on an ongoing, annual basis to support a full range of programming in the fields of the performing arts, consistent with the congressionally-proscribed mandate. The Board is prudent with federal funds and, in an effort to respect federal budget limitations, embarked on a capital campaign to create a much-needed expansion of the building that includes education classrooms and additional public access to programming. This expansion, solely funded with private dollars, was authorized by Congress in the 2012 reauthorization of the Kennedy Center in order to ensure full collaboration with Congress in the Kennedy Center's efforts to fulfill and sustain its statutory mandate.

Consistent with federal austerity measures, the Kennedy Center has adapted to across-the-board reductions in federal funding it receives and has become even more cost conscious as it budgets for necessary expenditures relating to its expansion. Reductions in federal funding are challenging because this funding supports fixed costs for electricity, security, and other expenses that are expected to rise with the cost of living in the coming years. Federal funding may not be used for performing arts attractions, personnel, and or administration, including production, fundraising, marketing, and ticket sales.

OBJECTIVES OF THE LEGISLATION

The John F. Kennedy Center Reauthorization Act of 2019 authorizes appropriations for maintenance, repair, security, and capital projects at the Kennedy Center for each of fiscal years 2020 through 2024. This includes inflationary increases for maintenance repair, and security necessary to maintain the new expansion project which was solely funded with private dollars and authorized by Congress in 2012.

The John F. Kennedy Center Reauthorization Act of 2019 also recognizes the year 2018 as the 60th anniversary of the National Cultural Center Act signed into law by President Eisenhower on September 4, 1958. The bill authorizes a plaque to be placed in the Kennedy Center containing an inscription to commemorate the 60th anniversary of the signing of the National Cultural Center Act (20 U.S.C. 76h et seq.) by President Eisenhower. The bill establishes the sense of the Congress that the 50th anniversary of the opening of the Kennedy Center should be recognized.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

This Act may be titled as the “John F. Kennedy Center Reauthorization Act of 2019.”

Section 2. Authorization of appropriations

This section authorizes \$26 million for fiscal year 2020, \$27 million for fiscal year 2021, \$28 million for fiscal year 2022, \$29 million for fiscal year 2023, and \$30 million for fiscal year 2024. This section also authorizes for capital projects \$17 million for fiscal year 2020, \$18 million for fiscal year 2021, \$19 million for fiscal year 2022, \$20 million for fiscal year 2023, and \$21 million for fiscal year 2024.

Section 3. Commemoration of the John F. Kennedy Center for the Performing Arts

This section establishes a sense of Congress that the Kennedy Center should recognize the year 2021 as the 50th anniversary of the opening of the Kennedy Center, and that the Kennedy Center should appropriately acknowledge and commemorate the Kennedy Center as a national center for the performing arts and as a national memorial to President John F. Kennedy.

This section also establishes a sense of Congress that the Kennedy Center should recognize the year 2018 as the 60th anniversary of the signing of the National Cultural Center Act (now known as the John F. Kennedy Center Act), signed into law by President Eisenhower on September 2, 1958.

This section also requires the Kennedy Center to create a plaque commemorating the 60th anniversary of the signing of the National Cultural Center Act by President Eisenhower. It requires that the plaque be placed at an appropriate location determined by the Board within the Kennedy Center approximate to the Eisenhower Theater. This section prohibits federal funds from being used to design, procure, or install the plaque. It states that the Kennedy Center may solicit and accept private contributions for the design, procurement, and installation of the plaque.

LEGISLATIVE HISTORY

On April 10, 2019 Senator Barrasso introduced S. 1061, the John F. Kennedy Center Reauthorization Act of 2019, with Senators Carper, Capito, Cardin, and Warren as original cosponsors. The bill was referred to the Committee on Environment and Public Works.

The text of S. 1061 is substantially similar to the text of S. 1359, the John F. Kennedy Center Reauthorization Act of 2017. Senator Barrasso introduced S. 1359 on June 14, 2017. Senators Carper, Capito, Cardin, and Warren were original cosponsors. The EPW Committee reported S. 1359 without amendment by voice vote on July 12, 2017. The Senate passed S. 1359 without amendment by unanimous consent on September 6, 2017.

HEARINGS

No hearings were held on S. 1061.

ROLLCALL VOTES

On April 10, 2019, the Committee on Environment and Public Works met to consider S. 1061. The Committee ordered the bill to be favorably reported without amendment by voice vote. No roll call votes were taken.

REGULATORY IMPACT STATEMENT

In compliance with section 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee finds that S. 1061 does not create any additional regulatory burdens, nor will it cause any adverse impact on the personal privacy of individuals.

MANDATES ASSESSMENT

In compliance with the Unfunded Mandates Reform Act of 1995 (Public Law 104-4), the Committee notes that the Congressional Budget Office found, “S. 1061 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA).”

COST OF LEGISLATION

Section 403 of the Congressional Budget and Impoundment Control Act requires that a statement of the cost of the reported bill, prepared by the Congressional Budget Office, be included in the report. That statement follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 17, 2019.

Hon. JOHN BARRASSO,
Chairman, Committee on Environment and Public Works,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1061, the John F. Kennedy Center Reauthorization Act of 2019.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Meredith Decker.

Sincerely,

KEITH HALL,
Director.

Enclosure.

S. 1061, John F. Kennedy Center Reauthorization Act of 2019			
As reported by the Senate Committee on Environment and Public Works on April 10, 2019			
Millions of Dollars	2019	2019-2024	2019-2029
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Deficit Effect	0	0	0
Spending Subject to Appropriation (Outlays)	0	206	235
Pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2030?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

S. 1061 would amend the John F. Kennedy Center Act to authorize appropriations totaling \$235 million for maintenance, repair, and security of the John F. Kennedy Center for the Performing Arts, as well as for capital projects for the center. Those activities are authorized through 2019 and appropriations for the activities totaled \$41 million for fiscal year 2019. The bill also would authorize the center to design and display a commemorative plaque recognizing 2018 as the 60th anniversary of the National Cultural Center Act, to be funded by private donors.

For this estimate, CBO assumes that S. 1061 will be enacted before the beginning of fiscal year 2020, and that the authorized amounts will be appropriated each year. Estimated outlays are based on historical spending patterns.

Assuming appropriation of the authorized amounts, CBO estimates that implementing S. 1061 would cost \$206 million over the 2020–2024 period, and \$29 million after 2024. The costs of the legislation, detailed in Table 1, fall within budget function 500 (education, training, employment, and social services.)

TABLE 1.—ESTIMATED INCREASES IN SPENDING SUBJECT TO APPROPRIATION UNDER S. 1061

	By fiscal year, millions of dollars—						
	2019	2020	2021	2022	2023	2024	2019–2024
Maintenance, Repair, and Security:							
Authorization	0	26	27	28	29	30	140
Estimated Outlays	0	22	27	28	29	30	136
Capital Projects:							
Authorization	0	17	18	19	20	21	95
Estimated Outlays	0	6	11	15	18	20	70
Total Changes:							
Authorization	0	43	45	47	49	51	235
Estimated Outlays	0	28	38	43	47	50	206

The CBO staff contact for this estimate is Meredith Decker. The estimate was reviewed by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

CHANGES IN EXISTING LAW

In compliance with section 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill as reported are shown as follows: Existing law proposed to be omitted is enclosed in [black brackets], new matter is printed in *italic*, existing law in which no change is proposed is shown in roman:

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JOHN F. KENNEDY CENTER ACT

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SECTION 1. [20 U.S.C. 76h note] SHORT TITLE AND FINDINGS.

(a) SHORT TITLE.—This Act may be cited as the “John F. Kennedy Center Act”.

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SEC. 13. [20 U.S.C. 76r] AUTHORIZATION OF APPROPRIATIONS.

[(a) MAINTENANCE, REPAIR, AND SECURITY.—There is authorized to be appropriated to the Board to carry out section 4(a)(1)(H), \$24,490,000 for fiscal year 2019.

[(b) CAPITAL PROJECTS.—There is authorized to be appropriated to the Board to carry out subparagraphs (F) and (G) of section 4(a)(1), \$16,800,000 for fiscal year 2019.]

(a) MAINTENANCE, REPAIR, AND SECURITY.—*There are authorized to be appropriated to the Board to carry out section 4(a)(1)(H)—*

- (1) \$26,000,000 for fiscal year 2020;
- (2) \$27,000,000 for fiscal year 2021;
- (3) \$28,000,000 for fiscal year 2022;
- (4) \$29,000,000 for fiscal year 2023; and
- (5) \$30,000,000 for fiscal year 2024.

(b) CAPITAL PROJECTS.—*There are authorized to be appropriated to the Board to carry out subparagraphs (F) and (G) of section 4(a)(1)—*

- (1) \$17,000,000 for fiscal year 2020;
- (2) \$18,000,000 for fiscal year 2021;
- (3) \$19,000,000 for fiscal year 2022;
- (4) \$20,000,000 for fiscal year 2023; and
- (5) \$21,000,000 for fiscal year 2024.

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