

105TH CONGRESS
2D SESSION

S. 797

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 21, 1998

Referred to the Committee on Transportation and Infrastructure

AN ACT

To amend the John F. Kennedy Center Act to authorize the design and construction of additions to the parking garage and certain site improvements, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “John F. Kennedy Cen-
3 ter Parking Improvement Act of 1997”.

4 **SEC. 2. PARKING GARAGE ADDITIONS AND SITE IMPROVE-
5 MENTS.**

6 Section 3 of the John F. Kennedy Center Act (20
7 U.S.C. 76i) is amended—

8 (1) by striking the section heading and all that
9 follows through “The Board” and inserting the fol-
10 lowing:

11 **“SEC. 3. JOHN F. KENNEDY CENTER FOR THE PERFORMING
12 ARTS.**

13 “(a) IN GENERAL.—The Board”; and

14 (2) by adding at the end the following:

15 “(b) PARKING GARAGE ADDITIONS AND SITE IM-
16 PROVEMENTS.—

17 “(1) IN GENERAL.—Substantially in accordance
18 with the plan entitled ‘Site Master Plan—Drawing
19 Number 1997–2 April 29, 1997,’ and map number
20 NCR 844/82571, the Board may design and
21 construct—

22 “(A) an addition to the parking garage at
23 each of the north and south ends of the John
24 F. Kennedy Center for the Performing Arts;
25 and

26 “(B) site improvements and modifications.

1 “(2) AVAILABILITY.—The plan shall be on file
2 and available for public inspection in the office of
3 the Secretary of the Center.

4 “(3) LIMITATION ON USE OF APPROPRIATED
5 FUNDS.—No appropriated funds may be used to pay
6 the costs (including the repayment of obligations in-
7 curred to finance costs) of—

8 “(A) the design and construction of an ad-
9 dition to the parking garage authorized under
10 paragraph (1)(A);

11 “(B) the design and construction of site
12 improvements and modifications authorized
13 under paragraph (1)(B) that the Board specifi-
14 cally designates will be financed using sources
15 other than appropriated funds; or

16 “(C) any project to acquire large screen
17 format equipment for an interpretive theater or
18 to produce an interpretive film that the Board
19 specifically designates will be financed using
20 sources other than appropriated funds.”.

21 **SEC. 3. PEDESTRIAN AND VEHICULAR ACCESS.**

22 (a) DUTIES OF THE BOARD.—Section 4(a)(1) of the
23 John F. Kennedy Center Act (20 U.S.C. 76j(a)(1)) is
24 amended—

1 (1) by striking “and” at the end of subpara-
 2 graph (G);

3 (2) by striking the period at the end of sub-
 4 paragraph (H) and inserting “; and”; and

5 (3) by adding at the end the following:

6 “(I) ensure that safe and convenient access
 7 to the site of the John F. Kennedy Center for
 8 the Performing Arts is provided for pedestrians
 9 and vehicles.”.

10 (b) POWERS OF THE BOARD.—Section 5 of such Act
 11 (20 U.S.C. 76k) is amended by adding at the end the fol-
 12 lowing:

13 “(g) PEDESTRIAN AND VEHICULAR ACCESS.—Sub-
 14 ject to approval of the Secretary of the Interior under sec-
 15 tion 4(a)(2)(F), the Board shall develop plans and carry
 16 out projects to improve pedestrian and vehicular access
 17 to the John F. Kennedy Center for the Performing Arts.”.

18 **SEC. 4. DEFINITION OF BUILDING AND SITE.**

19 Section 13 of the John F. Kennedy Center Act (20
 20 U.S.C. 76s) and section 9(3) of the Act of October 24,
 21 1951 (40 U.S.C. 193v), are each amended by inserting
 22 after “numbered 844/82563, and dated April 20, 1994”
 23 the following: “(as amended by the map entitled ‘Transfer
 24 of John F. Kennedy Center for the Performing Arts’,
 25 numbered 844/82563a and dated May 22, 1997)”.

1 **SEC. 5. CONSTRUCTION OF A CENTER FOR PERFORMING**
2 **ARTS.**

3 (a) FINDINGS.—Congress makes the following find-
4 ings:

5 (1) The United States has an enriched legacy
6 of Hispanic influence in politics, government, eco-
7 nomic development, and cultural expression.

8 (2) The Hispanic culture in what is now the
9 United States can be traced to 1528 when a Spanish
10 expedition from Cuba to Florida was shipwrecked on
11 the Texas coast.

12 (3) The Hispanic culture in New Mexico can be
13 traced to 1539 when a Spanish Franciscan Friar,
14 Marcos de Niza, and his guide, Estevanico, traveled
15 into present day New Mexico in search of the fabled
16 city of Cibola and made contact with the people of
17 Zuni.

18 (4) The Hispanic influence in New Mexico is
19 particularly dominant and a part of daily living for
20 all the citizens of New Mexico, who are a diverse
21 composite of racial, ethnic, and cultural peoples.
22 Don Juan de Oarte and the first New Mexican fami-
23 lies established the first capital in the United States,
24 San Juan de los Cabelleros, in July of 1598.

25 (5) Based on the 1990 census, there are ap-
26 proximately 650,000 Hispanics in New Mexico, the

1 majority having roots reaching back ten or more
2 generations.

3 (6) There are an additional 200,000 Hispanics
4 living outside of New Mexico with roots in New Mex-
5 ico.

6 (7) The New Mexico Hispanic Cultural Center
7 is a living tribute to the Hispanic experience and will
8 provide all citizens of New Mexico, the Southwestern
9 United States, the entire United States, and around
10 the world, an opportunity to learn about, partake in,
11 and enjoy the unique Hispanic culture, and the New
12 Mexico Hispanic Cultural Center will assure that
13 this 400-year old culture is preserved.

14 (8) The New Mexico Hispanic Cultural Center
15 will teach, showcase, and share all facets of Hispanic
16 culture, including literature, performing arts, visual
17 arts, culinary arts, and language arts.

18 (9) The New Mexico Hispanic Cultural Center
19 will promote a better cross-cultural understanding of
20 the Hispanic culture and the contributions of indi-
21 viduals to the society in which we all live.

22 (10) In 1993, the legislature and Governor of
23 New Mexico created the Hispanic Cultural Division
24 as a division within the Office of Cultural Affairs.
25 One of the principal responsibilities of the Hispanic

1 Cultural Division is to oversee the planning, con-
2 struction, and operation of the New Mexico Hispanic
3 Cultural Center.

4 (11) The mission of the New Mexico Hispanic
5 Cultural Center is to create a greater appreciation
6 and understanding of Hispanic culture.

7 (12) The New Mexico Hispanic Cultural Center
8 will serve as a local, regional, national, and inter-
9 national site for the study and advancement of His-
10 panic culture, expressing both the rich history and
11 the forward-looking aspirations of Hispanics
12 throughout the world.

13 (13) The New Mexico Hispanic Cultural Center
14 will be a Hispanic arts and humanities showcase to
15 display the works of national and international art-
16 ists, and to provide a venue for educators, scholars,
17 artists, children, elders, and the general public.

18 (14) The New Mexico Hispanic Cultural Center
19 will provide a venue for presenting the historic and
20 contemporary representations and achievements of
21 the Hispanic culture.

22 (15) The New Mexico Hispanic Cultural Center
23 will sponsor arts and humanities programs, includ-
24 ing programs related to visual arts of all forms (in-
25 cluding drama, dance, and traditional and contem-

1 porary music), research, literary arts, genealogy,
2 oral history, publications, and special events such as,
3 fiestas, culinary arts demonstrations, film video pro-
4 ductions, storytelling presentations and education
5 programs.

6 (16) Phase I of the New Mexico Hispanic Cul-
7 tural Center complex is scheduled to be completed
8 by August of 1998 and is planned to consist of an
9 art gallery with exhibition space and a museum, ad-
10 ministrative offices, a restaurant, a ballroom, a gift
11 shop, an amphitheater, a research and literary arts
12 center, and other components.

13 (17) Phase II of the New Mexico Hispanic Cul-
14 tural Center complex is planned to include a per-
15 forming arts center (containing a 700-seat theater,
16 a stage house, and a 300-seat film/video theater), a
17 150-seat black box theater, an art studio building, a
18 culinary arts building, and a research and literary
19 arts building.

20 (18) It is appropriate for the Federal Govern-
21 ment to share in the cost of constructing the New
22 Mexico Hispanic Cultural Center because Congress
23 recognizes that the New Mexico Hispanic Cultural
24 Center has the potential to be a premier facility for

1 performing arts and a national repository for His-
2 panic arts and culture.

3 (b) DEFINITIONS.—In this section:

4 (1) CENTER.—The term “Center” means the
5 Center for Performing Arts, within the complex
6 known as the New Mexico Hispanic Cultural Center,
7 which Center for the Performing Arts is a central
8 facility in Phase II of the New Mexico Hispanic Cul-
9 tural Center complex.

10 (2) HISPANIC CULTURAL DIVISION.—The term
11 “Hispanic Cultural Division” means the Hispanic
12 Cultural Division of the Office of Cultural Affairs of
13 the State of New Mexico.

14 (3) SECRETARY.—The term “Secretary” means
15 the Secretary of the Interior.

16 (c) CONSTRUCTION OF CENTER.—The Secretary
17 shall award a grant to New Mexico to pay for the Federal
18 share of the costs of the design, construction, furnishing,
19 and equipping of the Center for Performing Arts that will
20 be located at a site to be determined by the Hispanic Cul-
21 tural Division, within the complex known as the New Mex-
22 ico Hispanic Cultural Center.

23 (d) GRANT REQUIREMENTS.—

24 (1) IN GENERAL.—In order to receive a grant
25 awarded under subsection (c), New Mexico, acting

1 through the Director of the Hispanic Cultural
2 Division—

3 (A) shall submit to the Secretary, within
4 30 days of the date of enactment of this sec-
5 tion, a copy of the New Mexico Hispanic Cul-
6 tural Center Program document dated January
7 1996; and

8 (B) shall exercise due diligence to expedi-
9 tiously execute, in a period not to exceed 90
10 days after the date of enactment of this section,
11 the memorandum of understanding under para-
12 graph (2) recognizing that time is of the es-
13 sence for the construction of the Center because
14 1998 marks the 400th anniversary of the first
15 permanent Spanish settlement in New Mexico.

16 (2) MEMORANDUM OF UNDERSTANDING.—The
17 memorandum of understanding described in para-
18 graph (1) shall provide—

19 (A) the date of completion of the construc-
20 tion of the Center;

21 (B) that Antoine Predock, an internation-
22 ally recognized architect, shall be the super-
23 vising architect for the construction of the Cen-
24 ter;

1 (C) that the Director of the Hispanic Cul-
2 tural Division shall award the contract for ar-
3 chitectural engineering and design services in
4 accordance with the New Mexico Procurement
5 Code; and

6 (D) that the contract for the construction
7 of the Center—

8 (i) shall be awarded pursuant to a
9 competitive bidding process; and

10 (ii) shall be awarded not later than 3
11 months after the solicitation for bids for
12 the construction of the Center.

13 (3) FEDERAL SHARE.—The Federal share of
14 the costs described in subsection (c) shall be 50 per-
15 cent.

16 (4) NON-FEDERAL SHARE.—The non-Federal
17 share of the costs described in subsection (c) shall
18 be in cash or in kind fairly evaluated, including
19 plant, equipment, or services. The non-Federal share
20 shall include any contribution received by New Mex-
21 ico for the design, construction, furnishing, or equip-
22 ping of Phase I or Phase II of the New Mexico His-
23 panic Cultural Center complex prior to the date of
24 enactment of this section. The non-Federal share of

1 the costs described in subsection (c) shall include the
2 following:

3 (A) \$16,410,000 that was appropriated by
4 the New Mexico legislature since January 1,
5 1993, for the planning, property acquisition, de-
6 sign, construction, furnishing, and equipping of
7 the New Mexico Hispanic Cultural Center com-
8 plex.

9 (B) \$116,000 that was appropriated by the
10 New Mexico legislature for fiscal year 1995 for
11 the startup and operating expenses of the New
12 Mexico Hispanic Cultural Center.

13 (C) \$226,000 that was appropriated by the
14 New Mexico legislature for fiscal year 1996 for
15 the startup and operating expenses of the New
16 Mexico Hispanic Cultural Center.

17 (D) \$442,000 that was appropriated by
18 the New Mexico legislature for fiscal year 1997
19 for the startup and operating expenses of the
20 New Mexico Hispanic Cultural Center.

21 (E) \$551,000 that was appropriated by the
22 New Mexico legislature for fiscal year 1998 for
23 the startup and operating expenses of the New
24 Mexico Hispanic Cultural Center.

1 (F) A 10.9-acre lot with a historic 22,000
2 square foot building donated by the Mayor and
3 City Council of Albuquerque, New Mexico, to
4 New Mexico for the New Mexico Hispanic Cul-
5 tural Center.

6 (G) 12 acres of “Bosque” land adjacent to
7 the New Mexico Hispanic Cultural Center com-
8 plex for use by the New Mexico Hispanic Cul-
9 tural Center.

10 (H) The \$30,000 donation by the Sandia
11 National Laboratories and Lockheed Martin
12 Corporation to support the New Mexico His-
13 panic Cultural Center and the program activi-
14 ties of the New Mexico Hispanic Cultural Cen-
15 ter.

16 (e) USE OF FUNDS FOR DESIGN, CONSTRUCTION,
17 FURNISHING, AND EQUIPMENT.—The funds received
18 under a grant awarded under subsection (c) shall be used
19 only for the design, construction, management and inspec-
20 tion, furnishing, and equipment of the Center.

21 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
22 authorized to be appropriated to the Secretary to carry
23 out this section a total of \$17,800,000 for fiscal year 1998
24 and succeeding fiscal years. Funds appropriated pursuant

1 to the authority of the preceding sentence shall remain
2 available until expended.

3 **SEC. 6. CONSTRUCTION OF A CENTER FOR REGIONAL**
4 **BLACK CULTURE.**

5 (a) FINDINGS.—Congress makes the following find-
6 ings:

7 (1) Currently 500,000 historically important ar-
8 tifacts of the Civil War era and the early days of the
9 civil rights movement in the Southeast region of the
10 United States are housed at Florida A&M Univer-
11 sity.

12 (2) To preserve this large repertory of African-
13 American history and artifacts it is appropriate that
14 the Federal Government share in the cost of con-
15 struction of this national repository for culture and
16 history.

17 (b) DEFINITION.—In this section:

18 (1) CENTER.—The term “Center” relates to the
19 Center for Historically Black Heritage at Florida
20 A&M University.

21 (2) SECRETARY.—The term “Secretary” means
22 the Secretary of the Interior Acting through the di-
23 rector of the Park Service.

24 (c) CONSTRUCTION OF CENTER.—The Secretary
25 shall award a grant to the State of Florida to pay for the

1 Federal share of the costs design construction, furnishing
 2 and equipping the Center at Florida A&M University.

3 (d) GRANT REQUIREMENTS.—

4 (1) IN GENERAL.—In order to receive the grant
 5 awarded under subsection (c), Florida A&M Univer-
 6 sity, shall submit to the Secretary a proposal.

7 (2) FEDERAL SHARE.—The Federal share of
 8 the costs described in subsection (c) shall be 50 per-
 9 cent.

10 (e) AUTHORIZATION OF APPROPRIATION.—There is
 11 authorized to be appropriated to the Secretary of the Inte-
 12 rior to carry out this section a total of \$3,800,000 for
 13 fiscal year 1998 and preceding fiscal years. Funds appro-
 14 priated pursuant to the authority of the preceding sen-
 15 tence should remain available until expended.

16 **SEC. 7. RELOCATION AND EXPANSION OF HAFFENREFFER**
 17 **MUSEUM OF ANTHROPOLOGY.**

18 (a) DEFINITIONS.—In this section:

19 (1) MUSEUM.—The term “Museum” means the
 20 Haffenreffer Museum of Anthropology at Brown
 21 University in Providence, Rhode Island.

22 (2) SECRETARY.—The term “Secretary” means
 23 the Secretary of the Interior.

24 (b) RELOCATION AND EXPANSION OF MUSEUM.—
 25 The Secretary shall make a grant to Brown University in

1 Providence, Rhode Island, to pay the Federal share of the
2 costs associated with the relocation and expansion of the
3 Museum, including the design, construction, renovation,
4 restoration, furnishing, and equipping of the Museum.

5 (c) GRANT REQUIREMENTS.—

6 (1) IN GENERAL.—To receive a grant under
7 subsection (b), the Museum shall submit to the Sec-
8 retary a proposal for the use of the grant.

9 (2) FEDERAL SHARE.—The Federal share of
10 the costs described in subsection (b) shall be 20 per-
11 cent.

12 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
13 authorized to be appropriated to carry out this section
14 \$3,000,000, to remain available until expended.

15 **SEC. 8. ENVIRONMENTAL RESEARCH CENTER.**

16 (a) IN GENERAL.—The Secretary of the Interior shall
17 award a grant to Juniata College for the construction of
18 environmental research facilities and structures at
19 Raystown Lake, Pennsylvania.

20 (b) COORDINATION.—As a condition to receipt of the
21 grant authorized in subsection (a), officials of Juniata Col-
22 lege shall coordinate with the Baltimore District of the
23 Army Corps of Engineers.

1 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
 2 authorized to be appropriated \$5,000,000 to carry out this
 3 section.

4 **SEC. 9. FORT PECK DAM INTERPRETIVE CENTER.**

5 (a) IN GENERAL.—The Secretary of the Interior shall
 6 design, construct, furnish and equip an historical, cultural
 7 and paleontological interpretive center and museum to be
 8 located at Fort Peck Dam, Montana.

9 (b) COORDINATION.—In carrying out subsection (a),
 10 the Secretary of the Interior shall coordinate with officials
 11 of the Bureau of Reclamation, Bureau of Land Manage-
 12 ment, United States Army Corps of Engineers and the
 13 Fort Peck Dam Interpretive Center and Museum.

14 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
 15 authorized to be appropriated to carry out this section a
 16 total of \$10,000,000. Funds appropriated are available
 17 until expended.

Passed the Senate July 31, 1997.

Attest:

GARY SISCO,
Secretary.