

Calendar No. 201

115TH CONGRESS } 1st Session }	SENATE	{ REPORT 115-144
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JOHN F. KENNEDY CENTER REAUTHORIZATION ACT OF 2017

AUGUST 3, 2017.—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. 1359]

[Including cost estimate of the Congressional Budget Office]

The Committee on Environment and Public Works, to which was referred the bill (S. 1359) 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 1958, President Eisenhower signed the National Cultural Center Act (Pub. L. 85-874) into law, which established the National Cultural Center. In 1968, 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 1965, 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, or administration, including production, fundraising, marketing, and ticket sales.

OBJECTIVES OF THE LEGISLATION

The John F. Kennedy Center Reauthorization Act of 2017 authorizes appropriations for maintenance, repair, security, and capital projects at the Kennedy Center for each of fiscal years 2018 through 2021. 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 2017 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 establishes the sense of the Congress that the 50th anniversary of the opening of the Kennedy Center should be recognized, and displays and commemorative programs regarding the anniversary should be allowed.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

This Act may be cited as the "John F. Kennedy Center Reauthorization Act of 2017."

Section 2. Authorization of appropriations

This section authorizes \$24 million for fiscal year 2018, \$25 million for each of fiscal years 2019 and 2020, and \$26 million for fiscal year 2021 for maintenance, repair, and security. This section also authorizes \$13 million for each of fiscal years 2018 and 2019, and \$14 million for each of fiscal years 2020 and 2021 for capital projects.

Section 3. Authorization for plaque

This section 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 establishes the sense of Congress that the Kennedy Center should establish commemorative displays honoring President Eisenhower and the history of the National Cultural Center Act. 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 requires that the Kennedy Center solicit and accept private contributions for the design, procurement and installation of the plaque.

Section 4. 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 authorizes the Kennedy Center to create displays and programs that memorialize the opening of the Kennedy Center.

LEGISLATIVE HISTORY

On June 14, 2017, Senators Barrasso, Carper, Capito and Cardin introduced S. 1359, a bill to reauthorize the John F. Kennedy Center for the Performing Arts, and for other purposes. The bill was referred to the Committee on Environment and Public Works. On July 12, 2017, the Committee ordered S. 1359 to be reported favorably.

Previously, the Kennedy Center received a one-year authorization for fiscal year 2017, which was included in the omnibus appropriations bill for that fiscal year. S. 1359 authorizes appropriations for each of fiscal years 2018 through 2021.

HEARINGS

No hearings were held on S. 1359.

ROLLCALL VOTES

On July 12, 2017, the Committee on Environment and Public Works met to consider S. 1359. The Committee ordered the bill to be reported favorably by voice vote.

REGULATORY IMPACT STATEMENT

In compliance with section 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee finds that S. 1359 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 that S. 1359 contains no intergovernmental or private-sector mandates as defined in the UMRA and would impose no costs on state, local, or tribal governments.

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, if available. That statement follows:

JULY 28, 2017.

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. 1359, the John F. Kennedy Center Reauthorization Act of 2017.

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

Sincerely,

KEITH HALL.

Enclosure.

S. 1359—John F. Kennedy Center Reauthorization Act of 2017

Summary: S. 1359 would amend the John F. Kennedy Center Act to authorize additional appropriations for maintenance, repair, and security of the John F. Kennedy Center for the Performing Arts, as well as for capital projects for the center. Assuming appropriation of the authorized amounts, CBO estimates that implementing S. 1359 would cost \$146 million over the 2018–2022 period. The bill also would authorize the center to design and display a commemorative plaque recognizing the year 2018 as the 60th anniversary of the National Cultural Center Act, to be funded by private donors.

Enacting the bill would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting the bill would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

S. 1359 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

Estimated cost to the Federal Government: The estimated budgetary effects of S. 1359 are shown in the following table. The costs of this legislation fall within budget function 500 (education, employment, training, and social services).

	By fiscal year, in millions of dollars—					
	2018	2019	2020	2021	2022	2018– 2022
INCREASES IN SPENDING SUBJECT TO APPROPRIATION						
John F. Kennedy Center Maintenance, Repair, and Security:						
Authorization Level	24	25	25	26	0	100
Estimated Outlays	20	25	25	26	4	100
John F. Kennedy Center Capital Projects:						
Authorization Level	13	13	14	14	0	54
Estimated Outlays	5	8	11	13	9	46
Total Changes:						
Authorization Level	37	38	39	40	0	154
Estimated Outlays	25	33	36	39	13	146

Basis of estimate: S. 1359 would authorize appropriations totaling \$154 million for the 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 were previously authorized through fiscal year 2014. Appropriations for such activities totaled \$36 million for fiscal year 2017.

For this estimate, CBO assumes that S. 1359 will be enacted late in 2017 and that the specified amounts will be appropriated for each year. The estimated outlays reflect historical spending patterns for the affected programs.

Pay-As-You-Go considerations: None.

Increase in long-term net direct spending and deficits: CBO estimates that enacting S. 1359 would not affect net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

Intergovernmental and private-sector impact: S. 1359 contains no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments.

Estimate prepared by: Federal costs: Christina Hawley Anthony; Impact on state, local, and tribal governments: Zach Byrum; Impact on the private sector: Logan Smith.

Estimate approved by: Theresa Gullo, 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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SEC. 13. [20 U.S.C. 76r] AUTHORIZATION OF APPROPRIATIONS.

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

[(1) \$13,000,000 for fiscal year 1999;

[(2) \$14,000,000 for each of fiscal years 2000 and 2001; and

[(3) \$15,000,000 for each of fiscal years 2002 and 2003.]

[(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) \$20,000,000 for each of fiscal years 1999, 2000, and 2001;

[(2) \$19,000,000 for fiscal year 2002; and

[(3) \$17,000,000 for fiscal year 2003.]]

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

(1) \$24,000,000 for fiscal year 2018;

(2) \$25,000,000 for fiscal year 2019;

(3) \$25,000,000 for fiscal year 2020; and

(4) \$26,000,000 for fiscal year 2021.

(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) \$13,000,000 for fiscal year 2018;

(2) \$13,000,000 for fiscal year 2019;

(3) \$14,000,000 for fiscal year 2020; and

(4) \$14,000,000 for fiscal year 2021.

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