

103RD CONGRESS
2^D SESSION

H. R. 3567

AMENDMENT

In the Senate of the United States,

June 27 (legislative day, June 7), 1994.

Resolved, That the bill from the House of Representatives (H.R. 3567) entitled “An Act to amend the John F. Kennedy Center Act to transfer operating responsibilities to the Board of Trustees of the John F. Kennedy Center for the Performing Arts, and for other purposes”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “John F. Kennedy Center*
3 *Act Amendments of 1994”.*

4 ***SEC. 2. FINDINGS, BUREAU, BOARD OF TRUSTEES, AND AD-***
5 ***VISORY COMMITTEE.***

6 *(a) FINDINGS.—Section 1 of the John F. Kennedy Cen-*
7 *ter Act (20 U.S.C. 76h note) is amended—*

8 *(1) by striking “SECTION 1.” and inserting the*
9 *following:*

1 **“SECTION 1. SHORT TITLE AND FINDINGS.**

2 “(a) *SHORT TITLE.*—”; and

3 (2) *by adding at the end the following new sub-*
4 *section:*

5 “(b) *FINDINGS.*—Congress finds that—

6 “(1) *the late John Fitzgerald Kennedy served*
7 *with distinction as President of the United States and*
8 *as a Member of the Senate and the House of Rep-*
9 *resentatives;*

10 “(2) *by the untimely death of John Fitzgerald*
11 *Kennedy the United States and the world have suf-*
12 *fered a great loss;*

13 “(3) *the late John Fitzgerald Kennedy was par-*
14 *ticularly devoted to education and cultural under-*
15 *standing and the advancement of the performing arts;*

16 “(4) *it is fitting and proper that a living insti-*
17 *tution of the performing arts, designated as the Na-*
18 *tional Center for the Performing Arts, named in the*
19 *memory and honor of this great leader, shall serve as*
20 *the sole national monument to his memory within the*
21 *District of Columbia and its environs;*

22 “(5) *such a living memorial serves all of the peo-*
23 *ple of the United States by preserving, fostering, and*
24 *transmitting the performing arts traditions of the*
25 *people of the United States and other countries by*

1 *producing and presenting music, opera, theater,*
2 *dance, and other performing arts; and*

3 “(6) *such a living memorial should be housed in*
4 *the John F. Kennedy Center for the Performing Arts,*
5 *located in the District of Columbia.”.*

6 **(b) EX OFFICIO TRUSTEES.**—

7 **(1) IN GENERAL.**—*Section 2 of such Act (20*
8 *U.S.C. 76h) is amended—*

9 **(A)** *by striking the section heading and all*
10 *that follows before “There is hereby” and insert-*
11 *ing the following:*

12 **“SEC. 2. BOARD OF TRUSTEES.**

13 **“(a) ESTABLISHMENT.**—”;

14 **(B)** *in the first sentence, by inserting “as*
15 *the National Center for the Performing Arts, a*
16 *living memorial to John Fitzgerald Kennedy,”*
17 *after “thereof”; and*

18 **(C)** *in the second sentence—*

19 **(i)** *by striking “Chairman of the Dis-*
20 *trict of Columbia Recreation Board” and*
21 *inserting “Superintendent of Schools of the*
22 *District of Columbia”; and*

23 **(ii)** *by striking “three Members of the*
24 *Senate” and all that follows before “ex*
25 *officio” and inserting “the chairman and*

1 *ranking minority member of the Committee*
2 *on Public Works and Transportation of the*
3 *House of Representatives and 3 additional*
4 *Members of the House of Representatives*
5 *appointed by the Speaker of the House of*
6 *Representatives, and the chairman and*
7 *ranking minority member of the Committee*
8 *on Environment and Public Works of the*
9 *Senate and 3 additional Members of the*
10 *Senate appointed by the President of the*
11 *Senate”.*

12 (2) *EFFECTIVE DATES.*—

13 (A) *SUPERINTENDENT OF SCHOOLS OF THE*
14 *DISTRICT OF COLUMBIA.*—*The amendment made*
15 *by paragraph (1)(C)(i) shall take effect on the*
16 *date of expiration of the term of the Chairman*
17 *of the District of Columbia Recreation Board*
18 *serving as a trustee of the John F. Kennedy Cen-*
19 *ter for the Performing Arts on the date of enact-*
20 *ment of this Act.*

21 (B) *MEMBERS OF CONGRESS.*—*The amend-*
22 *ment made by paragraph (1)(C)(ii) shall take ef-*
23 *fect on the date of enactment of this Act.*

24 (c) *GENERAL TRUSTEES.*—*Subsection (b) of section 2*
25 *of such Act is amended to read as follows:*

1 “(b) *GENERAL TRUSTEES.*—The general trustees shall
2 be appointed by the President of the United States. Each
3 trustee shall hold office as a member of the Board for a
4 term of 6 years, except that—

5 “(1) any member appointed to fill a vacancy oc-
6 ccurring before the expiration of the term for which the
7 predecessor of the member was appointed shall be ap-
8 pointed for the remainder of the term;

9 “(2) a member shall continue to serve until the
10 successor of the member has been appointed; and

11 “(3) the term of office of a member appointed be-
12 fore the date of enactment of the John F. Kennedy
13 Center Act Amendments of 1994 shall expire as des-
14 ignated at the time of appointment.”.

15 (d) *ADVISORY COMMITTEE ON THE ARTS.*—Section
16 2(c) of such Act is amended—

17 (1) by inserting “*ADVISORY COMMITTEE ON THE*
18 *ARTS.*—” before “There shall be”;

19 (2) in the first sentence, by inserting “of the
20 United States” after “President” the first place it ap-
21 pears;

22 (3) in the fifth sentence, by striking “cultural ac-
23 tivities to be carried on in” and inserting “cultural
24 activities to be carried out by”; and

1 (4) *in the last sentence, by striking all that fol-*
2 *lows “compensation” and inserting a period.*

3 **SEC. 3. DUTIES OF THE BOARD.**

4 *Section 4 of the John F. Kennedy Center Act (20*
5 *U.S.C. 76j) is amended by striking the section heading and*
6 *all that follows through the period at the end of subsection*
7 *(a) and inserting the following:*

8 **“SEC. 4. DUTIES OF THE BOARD.**

9 “(a) *PROGRAMS, ACTIVITIES, AND GOALS.—*

10 “(1) *IN GENERAL.—The Board shall—*

11 “(A) *present classical and contemporary*
12 *music, opera, drama, dance, and other perform-*
13 *ing arts from the United States and other coun-*
14 *tries;*

15 “(B) *promote and maintain the John F.*
16 *Kennedy Center for the Performing Arts as the*
17 *National Center for the Performing Arts—*

18 “(i) *by developing and maintaining a*
19 *leadership role in national performing arts*
20 *education policy and programs, including*
21 *developing and presenting original and in-*
22 *novative performing arts and educational*
23 *programs for children, youth, families,*
24 *adults, and educators designed specifically*

1 to foster an appreciation and understand-
2 ing of the performing arts;

3 “(ii) by developing and maintaining a
4 comprehensive and broad program for na-
5 tional and community outreach, including
6 establishing model programs for adaptation
7 by other presenting and educational institu-
8 tions; and

9 “(iii) by conducting joint initiatives
10 with the national education and outreach
11 programs of the Very Special Arts, an en-
12 tity affiliated with the John F. Kennedy
13 Center for the Performing Arts which has
14 an established program for the identifica-
15 tion, development, and implementation of
16 model programs and projects in the arts for
17 disabled individuals;

18 “(C) strive to ensure that the education and
19 outreach programs and policies of the John F.
20 Kennedy Center for the Performing Arts meet the
21 highest level of excellence and reflect the cultural
22 diversity of the United States;

23 “(D) provide facilities for other civic activi-
24 ties at the John F. Kennedy Center for the Per-
25 forming Arts;

1 “(E) provide within the John F. Kennedy
2 Center for the Performing Arts a suitable memo-
3 rial in honor of the late President;

4 “(F) develop, and update annually, a com-
5 prehensive building needs plan for the features of
6 the John F. Kennedy Center for the Performing
7 Arts in existence on the date of enactment of the
8 John F. Kennedy Center Act Amendments of
9 1994;

10 “(G) with respect to each feature of the
11 building and site of the John F. Kennedy Center
12 for the Performing Arts that is in existence on
13 the date of enactment of the John F. Kennedy
14 Center Act Amendments of 1994 (including a
15 theater, the garage, the plaza, or a building
16 walkway), plan, design, and construct each cap-
17 ital repair, replacement, improvement, rehabili-
18 tation, alteration, or modification necessary for
19 the feature; and

20 “(H) provide—

21 “(i) information and interpretation;
22 and

23 “(ii) with respect to each feature of the
24 building and site of the John F. Kennedy
25 Center for the Performing Arts that is in

1 *existence on the date of enactment of the*
2 *John F. Kennedy Center Act Amendments*
3 *of 1994 (including a theater, the garage, the*
4 *plaza, or a building walkway), all necessary*
5 *maintenance, repair, and alteration of, and*
6 *all janitorial, security, and other services*
7 *and equipment necessary for the operation*
8 *of, the feature, in a manner consistent with*
9 *requirements for high quality operations.*

10 “(2) ADMINISTRATIVE POWERS AND DUTIES.—

11 “(A) AUTHORITY TO ENTER INTO CON-
12 *TRACTS.—The Board, in accordance with appli-*
13 *cable law, may enter into contracts or other ar-*
14 *rangements with, and make payments to, public*
15 *agencies or private organizations or other pri-*
16 *ivate persons in order to carry out the functions*
17 *of the Board under this Act. The authority de-*
18 *scribed in the preceding sentence includes utiliz-*
19 *ing the services and facilities of other agencies,*
20 *including the Department of the Interior, the*
21 *General Services Administration, and the Smith-*
22 *sonian Institution.*

23 “(B) PREPARATION OF BUDGET.—*The*
24 *Board shall prepare a budget pursuant to sec-*

1 *tions 1104, 1105(a), and 1513(b) of title 31,*
2 *United States Code.*

3 “(C) *USE OF AGENCY PERSONNEL.*—The
4 *Board may utilize or employ the services of the*
5 *personnel of any agency or instrumentality of*
6 *the Federal Government or the District of Co-*
7 *lumbia, with the consent of the agency or the in-*
8 *strumentality concerned, on a reimbursable*
9 *basis, and utilize voluntary and uncompensated*
10 *personnel.*

11 “(D) *SELECTION OF CONTRACTORS.*—In
12 *carrying out the duties of the Board under this*
13 *Act, the Board may negotiate any contract for*
14 *an environmental system for, a protection system*
15 *for, or a repair to, maintenance of, or restora-*
16 *tion of the John F. Kennedy Center for the Per-*
17 *forming Arts with selected contractors and*
18 *award the contract on the basis of contractor*
19 *qualifications as well as price.*

20 “(E) *MAINTENANCE OF HALLS.*—The Board
21 *shall maintain the Hall of Nations, the Hall of*
22 *States, and the Grand Foyer of the John F. Ken-*
23 *neddy Center for the Performing Arts in a man-*
24 *ner that is suitable to a national performing arts*
25 *center that is operated as a Presidential memo-*

1 *rial and in a manner consistent with other na-*
2 *tional Presidential memorials.*

3 “(F) *MAINTENANCE OF GROUNDS.*—The
4 *Board shall manage and operate the grounds of*
5 *the John F. Kennedy Center for the Performing*
6 *Arts in a manner consistent with National Park*
7 *Service regulations and agreements in effect on*
8 *the date of enactment of the John F. Kennedy*
9 *Center Act Amendments of 1994. No change in*
10 *the management and operation of the grounds*
11 *may be made without the express approval of*
12 *Congress and of the Secretary of the Interior.”.*

13 ***SEC. 4. OFFICERS AND EMPLOYEES; REVIEW OF BOARD AC-***
14 ***TIONS.***

15 *(a) SOLICITATION AND ACCEPTANCE OF GIFTS.*—Sec-
16 *tion 5 of the John F. Kennedy Center Act (20 U.S.C. 76k)*
17 *is amended—*

18 *(1) by striking the section heading and all that*
19 *follows through “(a)” and inserting the following:*

20 ***“SEC. 5. POWERS OF THE BOARD.***

21 *“(a) SOLICITATION AND ACCEPTANCE OF GIFTS.—”;*
22 *and*

23 *(2) in subsection (a), by striking “Smithsonian*
24 *Institution” and inserting “John F. Kennedy Center*

1 *for the Performing Arts, as a bureau of the Smithso-*
2 *nian Institution,”.*

3 **(b) APPOINTMENT OF OFFICERS AND EMPLOYEES.—**
4 *Subsection (b) of section 5 of such Act is amended to read*
5 *as follows:*

6 **“(b) APPOINTMENT OF OFFICERS AND EMPLOYEES.—**

7 **“(1) CHAIRPERSON AND SECRETARY.—***The*
8 *Board shall appoint and fix the compensation and*
9 *duties of a Chairperson of the John F. Kennedy Cen-*
10 *ter for the Performing Arts, who shall serve as the*
11 *chief executive officer of the Center, and a Secretary*
12 *of the John F. Kennedy Center for the Performing*
13 *Arts. The Chairperson and Secretary shall be well*
14 *qualified by experience and training to perform the*
15 *duties of their respective offices.*

16 **“(2) SENIOR LEVEL EXECUTIVE AND OTHER EM-**
17 **PLOYEES.—***The Chairperson of the John F. Kennedy*
18 *Center for the Performing Arts may appoint—*

19 **“(A) a senior level executive who, by virtue**
20 *of the background of the individual, shall be well*
21 *suited to be responsible for facilities management*
22 *and services and who may, without regard to the*
23 *provisions of title 5, United States Code, be ap-*
24 *pointed and compensated with appropriated*
25 *funds, except that the compensation may not ex-*

1 *ceed the maximum rate of pay prescribed for*
2 *level IV of the Executive Schedule under section*
3 *5315 of title 5, United States Code; and*

4 *“(B) such other officers and employees of*
5 *the John F. Kennedy Center for the Performing*
6 *Arts as may be necessary for the efficient admin-*
7 *istration of the functions of the Board.”.*

8 *(c) TRANSFERS; REVIEW OF BOARD ACTIONS.—Sec-*
9 *tion 5 of such Act is amended by striking subsection (c)*
10 *and inserting the following new subsections:*

11 *“(c) TRANSFER OF PROPERTY.—Not later than Octo-*
12 *ber 1, 1995, the property, liabilities, contracts, records, and*
13 *unexpended balances of appropriations, authorizations, al-*
14 *locations, and other funds employed, held, used, arising*
15 *from, available to, or to be made available in connection*
16 *with the functions transferred from the Secretary of the In-*
17 *terior pursuant to the amendments made by the John F.*
18 *Kennedy Center Act Amendments of 1994 shall be trans-*
19 *ferred, subject to section 1531 of title 31, United States*
20 *Code, to the Board as the Board and the Secretary of the*
21 *Interior may determine appropriate. Unexpended funds*
22 *transferred pursuant to this subsection shall be used only*
23 *for the purposes for which, and subject to the terms under*
24 *which, the funds were originally authorized and appro-*
25 *priated.*

1 “(d) *TRANSFER OF PERSONNEL.*—

2 “(1) *IN GENERAL.*—*Employees of the National*
3 *Park Service assigned to duties related to the func-*
4 *tions being undertaken by the Board shall be trans-*
5 *ferred with their functions to the Board not later than*
6 *October 1, 1995.*

7 “(2) *RIGHTS AND BENEFITS.*—*Transferred em-*
8 *ployees shall remain in the Federal competitive serv-*
9 *ice and retain all rights and benefits provided under*
10 *title 5, United States Code. For a period of not less*
11 *than 3 years after the date of transfer of an employee*
12 *under paragraph (1), the transferred employee shall*
13 *retain the right of priority consideration under merit*
14 *promotion procedures or lateral reassignment for all*
15 *vacancies within the Department of the Interior.*

16 “(3) *PARK POLICE.*—*All United States Park Po-*
17 *lice and Park Police guard force employees assigned*
18 *to the John F. Kennedy Center for the Performing*
19 *Arts shall remain employees of the National Park*
20 *Service.*

21 “(4) *COSTS.*—*All usual and customary costs as-*
22 *sociated with any adverse action or grievance pro-*
23 *ceeding resulting from the transfer of functions under*
24 *this section that are incurred before October 1, 1995,*

1 *shall be paid from funds appropriated to the John F.*
2 *Kennedy Center for the Performing Arts.*

3 “(5) *REORGANIZATION AUTHORITY.*—*Nothing*
4 *contained in this section shall prohibit the Board*
5 *from reorganizing functions at the John F. Kennedy*
6 *Center for the Performing Arts in accordance with*
7 *laws governing reorganizations.*

8 “(e) *REVIEW OF BOARD ACTIONS.*—*The actions of the*
9 *Board relating to performing arts and to payments made*
10 *or directed to be made by the Board from any trust funds*
11 *shall not be subject to review by any officer or agency other*
12 *than a court of law.*

13 “(f) *COLLECTIVE BARGAINING.*—

14 “(1) *DEFINITION.*—*As used in this subsection,*
15 *the term ‘theatrical employee’ means a*
16 *nonappropriated fund employee of the Board, who is*
17 *engaged in a box office, performing, or theatrical*
18 *trade that is the subject of a collective bargaining*
19 *agreement as of January 1, 1994, including any*
20 *change in the trade as a result of a technological ad-*
21 *vance.*

22 “(2) *COLLECTIVE BARGAINING.*—

23 “(A) *IN GENERAL.*—*For the purposes of the*
24 *National Labor Relations Act (29 U.S.C. 151 et*

1 *seq.) and the Labor-Management Relations Act,*
2 *1947 (29 U.S.C. 141 et seq.)—*

3 “(i) *each theatrical employee shall be*
4 *considered to be an ‘employee’ within the*
5 *meaning of section 2(3) of the National*
6 *Labor Relations Act (29 U.S.C. 152(3));*
7 *and*

8 “(ii) *with respect to a theatrical em-*
9 *ployee, the Board shall be considered to be*
10 *an ‘employer’ within the meaning of section*
11 *2(2) of the National Labor Relations Act*
12 *(29 U.S.C. 152(2)).*

13 “(B) *RIGHTS AND OBLIGATIONS.—With re-*
14 *spect to each theatrical employee, the theatrical*
15 *employee and the Board shall have all of the*
16 *rights and obligations specified in such Acts.”.*

17 **SEC. 5. REVIEWS, AUDITS, AND CLAIMS.**

18 *Section 6 of the John F. Kennedy Center Act (20*
19 *U.S.C. 76l) is amended—*

20 (1) *in subsection (c), by striking “its operations”*
21 *and inserting “the operations of the Board”; and*

22 (2) *by striking subsections (e) and (f) and insert-*
23 *ing the following new subsections:*

24 “(d) *AUDIT OF ACCOUNTS.—Not less than once every*
25 *3 years, the Comptroller General shall review and audit the*

1 *accounts of the John F. Kennedy Center for the Performing*
2 *Arts for the purpose of examining expenditures of funds ap-*
3 *propriated under the authority provided by this Act.*

4 “(e) *INSPECTOR GENERAL.—The functions of the*
5 *Board funded by funds appropriated pursuant to section*
6 *12 shall be subject to the requirements for a Federal entity*
7 *under the Inspector General Act of 1978 (5 U.S.C. App.*
8 *3). The Inspector General of the Smithsonian Institution*
9 *is authorized to carry out the requirements of such Act on*
10 *behalf of the Board, on a reimbursable basis when requested*
11 *by the Board.*

12 “(f) *PROPERTY AND PERSONNEL COMPENSATION.—*

13 “(1) *IN GENERAL.—The Board may procure in-*
14 *surance against any loss in connection with the prop-*
15 *erty of the Board and other assets administered by the*
16 *Board. Each employee and volunteer of the Board*
17 *shall be considered to be a civil employee of the*
18 *United States (within the meaning of the term ‘em-*
19 *ployee’ as defined in section 8101(1) of title 5, United*
20 *States Code), except that the Board shall continue to*
21 *provide benefits with respect to any disability or*
22 *death resulting from a personal injury to a*
23 *nonappropriated fund employee of the Board sus-*
24 *tained while in the performance of the duties of the*
25 *employee for the Board pursuant to the workers com-*

1 *pensation statute of the jurisdiction in which the*
2 *John F. Kennedy Center for the Performing Arts is*
3 *located. The disability or death benefits referred to in*
4 *the preceding sentence, whether under the workers*
5 *compensation statute referred to in the preceding sen-*
6 *tence or under chapter 81 of title 5, United States*
7 *Code, shall continue to be the exclusive liability of the*
8 *Board and the United States with respect to all em-*
9 *ployees and volunteers of the Board.*

10 “(2) *FEDERAL TORT CLAIMS.*—*For the purposes*
11 *of chapter 171 of title 28, United States Code, an em-*
12 *ployee of the Board shall be considered to be an ‘em-*
13 *ployee of the government’ and the Board shall be con-*
14 *sidered to be a ‘Federal agency’. No employee of the*
15 *Board may bring suit against the United States or*
16 *the Board under the Federal tort claims procedure of*
17 *chapter 171 of title 28, United States Code, for dis-*
18 *ability or death resulting from personal injury sus-*
19 *tained while in the performance of the duties of the*
20 *employee for the Board.”.*

21 **SEC. 6. TECHNICAL AMENDMENTS.**

22 *Section 10 of the John F. Kennedy Center Act (20*
23 *U.S.C. 76p) is amended—*

24 (1) *by striking “he” and inserting “the Sec-*
25 *retary”;* and

1 (2) by striking “his judgment” and inserting
2 “the judgment of the Secretary”.

3 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

4 *The John F. Kennedy Center Act (20 U.S.C. 76h et*
5 *seq.) is amended by adding at the end the following new*
6 *section:*

7 **“SEC. 12. AUTHORIZATION OF APPROPRIATIONS.**

8 “(a) *MAINTENANCE, REPAIR, AND SECURITY.*—There
9 *are authorized to be appropriated to the Board to carry*
10 *out section 4(a)(1)(H) \$12,000,000 for each of fiscal years*
11 *1995 through 1999.*

12 “(b) *CAPITAL PROJECTS.*—There are authorized to be
13 *appropriated to the Board to carry out subparagraphs (F)*
14 *and (G) of section 4(a)(1) \$9,000,000 for each of fiscal years*
15 *1995 through 1999.*

16 “(c) *LIMITATION ON USE OF FUNDS.*—No funds ap-
17 *propriated pursuant to this section may be used for any*
18 *direct expense incurred in the production of a performing*
19 *arts attraction, for personnel who are involved in perform-*
20 *ing arts administration (including any supply or equip-*
21 *ment used by the personnel), or for production, staging,*
22 *public relations, marketing, fundraising, ticket sales, or*
23 *education. Funds appropriated directly to the Board shall*
24 *not affect nor diminish other Federal funds sought for any*
25 *performing arts function and may be used to reimburse the*

1 *Board for that portion of costs that are Federal costs reason-*
2 *ably allocated to building services and theater maintenance*
3 *and repair.”.*

4 **SEC. 8. DEFINITIONS.**

5 *The John F. Kennedy Center Act (20 U.S.C. 76h et*
6 *seq.) (as amended by section 7) is further amended by add-*
7 *ing at the end the following new section:*

8 **“SEC. 13. DEFINITIONS.**

9 *“As used in this Act, the terms ‘building and site of*
10 *the John F. Kennedy Center for the Performing Arts’ and*
11 *‘grounds of the John F. Kennedy Center for the Performing*
12 *Arts’ refer to the site in the District of Columbia on which*
13 *the John F. Kennedy Center building is constructed and*
14 *that extends to the line of the west face of the west retaining*
15 *walls and curbs of the Inner Loop Freeway on the east,*
16 *the north face of the north retaining walls and curbs of the*
17 *Theodore Roosevelt Bridge approaches on the south, the east*
18 *face of the east retaining walls and curbs of Rock Creek*
19 *Parkway on the west, and the south curbs of New Hamp-*
20 *shire Avenue and F Street on the north, as generally de-*
21 *picted on the map entitled ‘Transfer of John F. Kennedy*
22 *Center for the Performing Arts’, numbered 844/82563, and*
23 *dated April 20, 1994, which shall be on file and available*
24 *for public inspection in the office of the National Capital*

1 *Region, National Park Service, Department of the Inte-*
2 *rior.”.*

3 **SEC. 9. RULES AND REGULATIONS.**

4 (a) *AUTHORITY TO PRESCRIBE.*—Section 5(a) of the
5 *Act of October 24, 1951 (65 Stat. 634; chapter 559; 40*
6 *U.S.C. 193r(a)), is amended—*

7 (1) *by striking “Institution and” and inserting*
8 *“Institution,”; and*

9 (2) *by inserting “; and the Trustees of the John*
10 *F. Kennedy Center for the Performing Arts,” after*
11 *“National Gallery of Art”.*

12 (b) *AUTHORITY TO SUSPEND.*—Section 8 of such Act
13 *(40 U.S.C. 193u) is amended by striking “the Secretary of*
14 *the Smithsonian Institution or the Trustees of the National*
15 *Gallery of Art or” each place it appears and inserting “the*
16 *Secretary of the Smithsonian Institution, the Trustees of*
17 *the National Gallery of Art, the Trustees of the John F.*
18 *Kennedy Center for the Performing Arts, or”.*

19 (c) *BUILDINGS AND GROUNDS DEFINED.*—Section 9 of
20 *such Act (40 U.S.C. 193v) is amended by adding at the*
21 *end the following new paragraph:*

22 “(3) *The site of the John F. Kennedy Center for*
23 *the Performing Arts, which shall be held to extend to*
24 *the line of the west face of the west retaining walls*
25 *and curbs of the Inner Loop Freeway on the east, the*

1 *north face of the north retaining walls and curbs of*
2 *the Theodore Roosevelt Bridge approaches on the*
3 *south, the east face of the east retaining walls and*
4 *curbs of Rock Creek Parkway on the west, and the*
5 *south curbs of New Hampshire Avenue and F Street*
6 *on the north, as generally depicted on the map enti-*
7 *tled 'Transfer of John F. Kennedy Center for the Per-*
8 *forming Arts', numbered 844/82563, and dated April*
9 *20, 1994, which shall be on file and available for pub-*
10 *lic inspection in the office of the National Capital Re-*
11 *gion, National Park Service, Department of the Inte-*
12 *rior.'".*

Attest:

Secretary.

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