

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS
FISCAL YEAR 2007 AUTHORIZATION

JUNE 20, 2006.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Transportation and
Infrastructure, submitted the following

R E P O R T

[To accompany H.R. 5187]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 5187) to amend the John F. Kennedy Center Act to authorize additional appropriations for the John F. Kennedy Center for the Performing Arts for fiscal year 2007, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE LEGISLATION

The purpose of H.R. 5187 is to amend the John F. Kennedy Center Act (P.L. 108-410) to authorize additional appropriations for the John F. Kennedy Center for the Performing Arts for fiscal year 2007.

BACKGROUND AND NEED FOR THE LEGISLATION

H.R. 5187, to amend the John F. Kennedy Center Act to authorize additional appropriations for the John F. Kennedy Center for the Performing Arts for fiscal year 2007 was introduced by Mr. Oberstar and Mr. Young on April 25, 2006. H.R. 5187 authorizes a slight increase in authorization levels for the capital projects, and the maintenance, repair, and security accounts for the John F. Kennedy Center for the Performing Arts. This increase aligns the authorized level with that requested in the President's Budget for fiscal year 2007.

LEGISLATIVE HISTORY AND COMMITTEE CONSIDERATION

No hearings were held in conjunction with ordering reported H.R. 5187.

On May 17, 2006, the Full Committee met in open session and considered H.R. 5187. A motion by Mr. Shuster to approve and favorably report to the House H.R. 5187 was agreed to by voice vote by the Full Committee, with a quorum present. There were no recorded votes taken during Committee consideration of H.R. 5187.

SUMMARY OF THE LEGISLATION

H.R. 5187 amends the John F. Kennedy Center Act (P.L. 108–410) to authorize additional appropriations for the John F. Kennedy Center for the Performing Arts for fiscal year 2007. The bill raises the previously authorized level for fiscal year 2007 for the operations and maintenance account from \$18,000,000 to \$19,100,000 and the capital projects account from \$18,000,000 to \$20,000,000. This increase aligns the authorized level with that requested in the President’s Budget for FY 2007.

ROLLCALL VOTES

Clause 3(b) of rule XIII of the House of Representatives requires each committee report to include the total number of votes cast for and against on each rollcall vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against. There were no recorded votes taken in connection with ordering H.R. 5187 favorably reported to the House.

COMMITTEE OVERSIGHT FINDINGS

With respect to the requirements of clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee’s oversight findings and recommendations are reflected in this report.

COST OF LEGISLATION

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives does not apply where a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and is included in the report. Such a cost estimate is included in this report.

COMPLIANCE WITH HOUSE RULE XIII

1. With respect to the requirement of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, and 308(a) of the Congressional Budget Act of 1974, the Committee references the report of the Congressional Budget Office included below.

2. With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goals and objective of this legislation are included in the legislation.

3. With respect to the requirement of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has received the

following cost estimate for H.R. 5187 from the Director of the Congressional Budget Office.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 2, 2006.

Hon. DON YOUNG,
*Chairman, Committee on Transportation and Infrastructure,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 5187, a bill to amend the John F. Kennedy Center Act to authorize additional appropriations for the John F. Kennedy Center for the Performing Arts for fiscal year 2007.

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

Sincerely,

DONALD B. MARRON,
Acting Director.

Enclosure.

H.R. 5187—A bill to amend the John F. Kennedy Center Act to authorize additional appropriations for the John F. Kennedy Center for the Performing Arts for fiscal year 2007

H.R. 5187 would amend the John F. Kennedy Center Act by increasing authorizations for fiscal year 2007 for operations and maintenance and for capital projects at the John F. Kennedy Center for the Performing Arts. Assuming appropriation of the authorized amounts, outlays for those purposes would increase by \$3 million over the 2007–2011 period. Enacting the bill would not affect direct spending or revenues.

Under current law, funding for operations and maintenance and for capital projects are each authorized at \$18 million for fiscal year 2007. H.R. 5187 would increase authorizations for operations and maintenance to \$19.1 million, and would increase authorizations for capital projects to \$20 million. (Those activities received appropriations for 2006 of \$18 million and \$13 million, respectively.)

H.R. 5187 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Christina Hawley Anthony. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause (3)(d)(1) of rule XIII of the Rules of the House of Representatives, committee reports on a bill or joint resolution of a public character shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the measure. The Committee on Transportation and Infrastructure finds that Congress has the authority to enact this measure pursu-

ant to its powers granted under article I, section 8 of the Constitution.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act. (Public Law 104–4).

PREEMPTION CLARIFICATION

Section 423 of the Congressional Budget Act of 1974 requires the report of any Committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt state, local or tribal law. The Committee states that H.R. 5187 does not preempt any state, local, or tribal law.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

APPLICABILITY TO THE LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act. (Public Law 104–1).

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, 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):

SECTION 13 OF THE JOHN F. KENNEDY CENTER ACT

SEC. 13. 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) \$17,000,000 for fiscal year 2004; **[and]**

(2) \$18,000,000 for each of fiscal years 2005**[, 2006, and 2007.]** *and 2006; and*

(3) *\$19,100,000 for fiscal year 2007.*

(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) \$16,000,000 for fiscal year 2004; **[and]**

(2) \$18,000,000 for each of fiscal years 2005**[, 2006, and 2007.]** *and 2006; and*

(3) *\$20,000,000 for fiscal year 2007.*

* * * * *