

1978, and not to exceed \$4,300,000 for the fiscal year ending Sept. 30, 1979.

1976—Subsec. (e). Pub. L. 94-578 substituted provisions authorizing appropriations for fiscal years ending Sept. 30, 1978, and Sept. 30, 1979, for provisions covering fiscal years ending Sept. 30, 1976, Sept. 30, 1977, and transitional period ending Sept. 30, 1976.

1975—Subsec. (e). Pub. L. 94-119, §1, inserted provisions authorizing appropriations for fiscal year ending June 30, 1976, for the transitional period ending Sept. 30, 1976, and for fiscal year ending Sept. 30, 1977.

Subsec. (f). Pub. L. 94-119, §2, added subsec. (f).

1973—Subsec. (e). Pub. L. 93-67 substituted provisions authorizing appropriations not to exceed \$2,400,000 for fiscal year ending June 30, 1974, and \$2,500,000 for fiscal year ending June 30, 1975, for provision granting general authorization of appropriation for fiscal year ending June 30, 1973.

1972—Subsec. (e). Pub. L. 92-313 added subsec. (e).

1964—Subsec. (c). Pub. L. 88-260, §1(4), inserted “and to Congress” after “Smithsonian Institution”.

Subsec. (d). Pub. L. 88-260, §1(5), added subsec. (d).

1963—Subsec. (a). Pub. L. 88-100 substituted “twelve” for “eight” after “vacancies and”.

### Statutory Notes and Related Subsidiaries

#### TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsec. (c) of this section relating to submitting annual report to Congress, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 192 of House Document No. 103-7.

#### AWARD OF SERVICE CONTRACTS

Pub. L. 100-446, title I, Sept. 27, 1988, 102 Stat. 1782, provided: “That contracts hereafter awarded for environmental systems, housekeeping, protection systems, and repair or renovation of buildings of the John F. Kennedy Center for the Performing Arts may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.”

### § 76m. Photovoltaic system

#### (a) In general

The Board may study, plan, design, engineer, and construct a photovoltaic system for the main roof of the John F. Kennedy Center for the Performing Arts.

#### (b) Report

Not later than 60 days before beginning construction of the photovoltaic system pursuant to subsection (a), the Board shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the feasibility and design of the project.

(Pub. L. 85-874, §7, as added, Pub. L. 110-338, §3, Oct. 3, 2008, 122 Stat. 3731.)

### Editorial Notes

#### PRIOR PROVISIONS

A prior section 76m, Pub. L. 85-874, §7, Sept. 2, 1958, 72 Stat. 1700; Pub. L. 86-297, Sept. 21, 1959, 73 Stat. 573; Pub. L. 88-100, §4, Aug. 19, 1963, 77 Stat. 128; Pub. L. 88-260, §1(2), Jan. 23, 1964, 78 Stat. 4; Pub. L. 99-514, §2, Oct. 22, 1986, 100 Stat. 2095, which related to termination of offices created and appointments made in connection with John F. Kennedy Center for the Performing Arts if moneys were not found to construct the Center within eight years after Sept. 2, 1958, was repealed by Pub. L. 101-449, §3, Oct. 22, 1990, 104 Stat. 1050.

### § 76n. Repealed. Pub. L. 101-449, § 3, Oct. 22, 1990, 104 Stat. 1050

Section, Pub. L. 85-874, §8, as added Pub. L. 88-260, §1(6), Jan. 23, 1964, 78 Stat. 4; amended Pub. L. 91-90, §1(a), Oct. 17, 1969, 83 Stat. 135; Pub. L. 92-313, §9, June 16, 1972, 86 Stat. 222; Pub. L. 95-50, §1, June 20, 1977, 91 Stat. 232, authorized appropriations for construction, repair, renovation, and reconstruction of John F. Kennedy Center for the Performing Arts.

### § 76o. Borrowing authority to finance parking facilities

#### (a) Revenue bonds

To finance necessary parking facilities for the Center, the Board may issue revenue bonds to the Secretary of the Treasury payable from revenues accruing to the Board. The total face value of all bonds so issued shall not be greater than \$20,400,000. Such obligations shall have maturities agreed upon by the Board and the Secretary of the Treasury but not in excess of fifty years. Such obligations may be redeemable at the option of the Board before maturity in such manner as may be stipulated in such obligations, but the obligations thus redeemed shall not be refinanced by the Board. The Secretary of the Treasury is authorized and directed to purchase any obligations of the Board to be issued under this section and for such purpose the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under chapter 31 of title 31 and the purposes for which securities may be issued under chapter 31 of title 31 are extended to include any purchases of the Board's obligations under this section.

#### (b) Interest

Effective as of October 12, 1984, the obligations of the Board incurred under subsection (a) of this section shall bear no interest, and the requirement of the Board to pay the unpaid interest which has accrued on such obligations is terminated.

#### (c) Kennedy Center Revenue Bond Sinking Fund

There is hereby established in the Treasury of the United States a sinking fund, the Kennedy Center Revenue Bond Sinking Fund (hereinafter referred to as the “Fund”), which shall be used to retire the obligations of the Board incurred under subsection (a) of this section upon the respective maturities of such obligations. The Board shall pay into the Fund, beginning on January 1, 1987 and ending on January 1, 2016, the annual sum of \$200,000 in amortization of the principal amount of the obligations. Such sums shall be invested by the Secretary of the Treasury in public debt securities with maturities suitable for the needs of the Fund and bearing interest at rates determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding marketable obligations of the United States of comparable maturities. The interest on such investments shall be credited to and form a part of the Fund. Moneys in the Fund shall be used exclusively to retire the obligations of the Board incurred under subsection (a) of this section. Adjustments of not greater than plus or minus 5 per centum may be made from time to time in

the annual payments to the Fund in order to correct any gains or deficiencies as a result of fluctuations in interest rates over the life of the investments: *Provided, however*, That a final adjustment shall be made between the Board and the Secretary of the Treasury at the end of the amortization period to correct any overall gain or deficiency in the Fund. The terms of this adjustment shall be covered by a memorandum of understanding between the Board and the Secretary of the Treasury to be consummated on or before the time the initial payment into the Fund is made.

(Pub. L. 85-874, § 9, as added Pub. L. 88-260, §1(6), Jan. 23, 1964, 78 Stat. 5; amended Pub. L. 91-90, §1(b), Oct. 17, 1969, 83 Stat. 135; Pub. L. 98-473, title I, §101(c), Oct. 12, 1984, 98 Stat. 1837, 1876; Pub. L. 101-449, § 4, Oct. 22, 1990, 104 Stat. 1051.)

#### Editorial Notes

##### AMENDMENTS

1990—Subsec. (a). Pub. L. 101-449 substituted “chapter 31 of title 31” for “the Second Liberty Bond Act, as amended,” in two places.

1984—Pub. L. 98-473 designated existing provisions as subsec. (a), struck out provisions relating to interest on bonds, and added subsecs. (b) and (c).

1969—Pub. L. 91-90 substituted “\$20,400,000” for “\$15,400,000” in two places.

#### § 76p. Acceptance and disposition of gifts to the United States contributed in honor or memory of the late President John F. Kennedy

The Secretary of the Treasury is authorized to accept on behalf of the United States any gift to the United States which the Secretary finds has been contributed in honor of or in memory of the late President John F. Kennedy and to pay the money to such appropriation or other accounts, including the appropriation accounts established pursuant to appropriations authorized by this subchapter, as in the judgment of the Secretary will best effectuate the intent of the donor.

(Pub. L. 85-874, § 10, as added Pub. L. 88-260, §1(6), Jan. 23, 1964, 78 Stat. 5; amended Pub. L. 103-279, § 6, July 21, 1994, 108 Stat. 1415.)

#### Editorial Notes

##### AMENDMENTS

1994—Pub. L. 103-279 substituted “which the Secretary finds” for “which he finds” and “the judgment of the Secretary” for “his judgment”.

#### § 76q. Sole national memorial to the late John F. Kennedy within the city of Washington and environs

The John F. Kennedy Center for the Performing Arts, designated by this subchapter, shall be the sole national memorial to the late John Fitzgerald Kennedy within the city of Washington and its environs.

(Pub. L. 85-874, § 11, as added Pub. L. 88-260, §1(6), Jan. 23, 1964, 78 Stat. 5.)

#### § 76q-1. John F. Kennedy Center Plaza

##### (a) Definitions

In this section, the following definitions apply:

##### (1) Air rights

The term “air rights” means real property interests conveyed by deed, lease, or permit for the use of space between streets and alleys within the boundaries of the Project.

##### (2) Center

The term “Center” means the John F. Kennedy Center for the Performing Arts.

##### (3) Green spaces

The term “green spaces” means areas within the boundaries of the Project or affected by the Project that are covered by grass, trees, or other vegetation.

##### (4) Plaza

The term “Plaza” means improvements to the area surrounding the John F. Kennedy Center building carried out under the Project and comprised of transportation elements (including roadways, sidewalks, and bicycle lanes) and non-transportation elements (including landscaping, green space, open public space, water, sewer, and utility connections).

##### (5) Project

The term “Project” means the Plaza project, as described in the TEA-21 report, providing for construction of a Plaza adjacent to the Center and for improved bicycle, pedestrian, and vehicular access to and around the Center. The term includes planning, design, engineering, and construction of the Plaza, buildings to be constructed on the Plaza, and related transportation improvements and may include any other elements of the Project identified in the TEA-21 report.

##### (6) Secretary

The term “Secretary” means the Secretary of Transportation.

##### (7) TEA-21 report

The term “TEA-21 report” means the report of the Secretary submitted to Congress under section 1214 of the Transportation Equity Act for the 21st Century (20 U.S.C. 76j note; 112 Stat. 204).

#### (b) Responsibilities of the Secretary

##### (1) In general

The Secretary shall be responsible for the Project and may undertake such activities as may be necessary to construct the Project, other than buildings to be constructed on the Plaza, substantially as described in the TEA-21 report.

##### (2) Planning, design, engineering, and construction

The Secretary shall be responsible for the planning, design, engineering, and construction of the Project, other than buildings to be constructed on the Plaza.

##### (3) Agreements with the Board and other agencies

The Secretary shall enter into memoranda of agreement with the Board and any appropriate Federal or other governmental agency to facilitate the planning, design, engineering, and construction of the Project.