

AUTHORIZING USE OF CAPITOL GROUNDS FOR
PERFORMANCES SPONSORED BY KENNEDY CENTER

MAY 6, 1998.—Referred to the House Calendar and ordered to be printed

Mr. SHUSTER, from the Committee on Transportation and
Infrastructure, submitted the following

REPORT

[To accompany H. Con. Res. 265]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the concurrent resolution (H. Con. Res. 265) authorizing the use of the East Front of the Capitol Grounds for performances sponsored by the John F. Kennedy Center for the Performing Arts, having considered the same, report favorably thereon without amendment and recommend that the concurrent resolution do pass.

PURPOSE AND SUMMARY

House Concurrent Resolution 265 authorizes the use of the Capitol Grounds for performances by the Millennium Stage of the John F. Kennedy Center for the Performing Arts. The performances are to run on Tuesdays and Thursdays beginning on May 12 through September 30, 1998, when Congress is in session, or on such other dates as the Speaker of the House of Representatives and the Senate Committee on Rules and Administration may jointly designate. The stage for the performances is to be located on the East Front of the Capitol.

The resolution also authorizes the Architect of the Capitol and the Capitol Police Board to take such actions and prescribe such conditions as necessary for carrying out the performances in complete compliance with the rules and regulations governing the use of the Capitol Grounds. The Architect of the Capitol will also assume some of the expenses associated with the performances including the rental cost of certain musical instruments and sound amplification equipment.

The performances will be open to the public and free of charge, and the sponsor will assume full responsibility for all liabilities incident to all activities associated with the performances. In addition, sales, advertisements, and solicitations, are explicitly prohibited on the Capitol Grounds for this event.

The use of the Capitol Grounds for this activity is unique. The performances are to continue over a period of time; and expenses in connection with the performances are to be shared by the sponsor of the event and the Architect of the Capitol. These arrangements are warranted in this circumstance due to the unique mission of the Kennedy Center, as articulated in its enabling legislation. The Kennedy Center is charged with the mission of "developing and maintaining a leadership role in national performing arts education policy and programs [and] * * * a comprehensive and broad program for national and community outreach. * * *" By permitting the Millennium Stage to perform on the grounds of the Capitol as proscribed in this resolution, the Congress is assisting the Kennedy Center in fulfilling its mission.

COMPLIANCE WITH RULE XI

Pursuant to clause 2(l)(3) of rule XI of the Rules of the House of Representatives:

(A) The Committee did not hold hearings on the resolution and therefore have no oversight findings or recommendations pursuant to clause 2(b)(1) of rule X of the Rules of the House of Representatives.

(B) The requirements of section 308(a)(1) of the Congressional Budget Act of 1974 are not applicable to this legislation since it does not provide new budget authority or new or increased tax expenditures.

(C) The Committee has received no report from the Committee on Government Reform and Oversight of oversight findings and recommendations pursuant to clause 4(c)(2) of rule X of the Rules of the House of Representatives.

(D) The estimate and comparison prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974, is as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 6, 1998.

Hon. BUD SHUSTER,
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. Con. Res. 265, a concurrent resolution authorizing the use of the east front of the Capitol grounds for performances sponsored by the John F. Kennedy Center for the Performing Arts.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is John R. Righter.

Sincerely,

JUNE E. O'NEILL, *Director.*

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

H. Con. Res. 265—Authorizing the use of the east front of the Capitol grounds for performances sponsored by the John F. Kennedy Center for the Performing Arts

H. Con. Res 265 would authorize the John F. Kennedy Center for the Performing Arts to sponsor performances on the east front of the Capitol grounds through September 30, 1998. The resolution would require that the Speaker of the House of Representatives and the Senate Committee on Rules and Administration jointly approve any performance dates and times. Under the resolution, the Center would assume full responsibility for all liabilities associated with the event. CBO estimates that passage of H. Con. Res. 265 would result in no significant cost to the federal government. The resolution would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

The Unfunded Mandates Reform Act of 1995 does not apply to House concurrent resolutions.

The CBO staff contact for this estimate is John R. Righter. The estimate was approved by Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 2(1)(4) of rule XI 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 pursuant to its powers granted under article I, section 8 of the Constitution.

COST OF THE LEGISLATION

Clause 7 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.

COMMITTEE ACTION AND VOTE

In compliance with clause 2(1)(2)(A) and (B) of rule XI of the Rules of the House of Representatives, at a meeting of the Committee on Transportation and Infrastructure on May 6, 1998, a quorum being present, House Concurrent Resolution 265 was unanimously approved by a voice vote and ordered reported.