TITLE 20 - EDUCATION  
CHAPTER 3 - SMITHSONIAN INSTITUTION, NATIONAL MUSEUMS AND ART GALLERIES  
SUBCHAPTER V - JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS  
§ 76h. Board of Trustees  

(a) Establishment  
(1) In general  
There is established in the Smithsonian Institution a bureau, which shall be directed by a board to be known as the Trustees of the John F. Kennedy Center for the Performing Arts (hereafter in this subchapter referred to as the “Board”), whose duty it shall be to maintain and administer the John F. Kennedy Center for the Performing Arts and site thereof as the National Center for the Performing Arts, a living memorial to John Fitzgerald Kennedy, and to execute such other functions as are vested in the Board by this subchapter.  

(2) Membership  
The Board shall be composed of—  
(A) the Secretary of Health and Human Services;  
(B) the Librarian of Congress;  
(C) the Secretary of State;  
(D) the Secretary of State;  
(E) the Chairman of the Commission of Fine Arts;  
(F) the Mayor of the District of Columbia;  
(G) the Superintendent of Schools of the District of Columbia;  
(H) the Director of the National Park Service;  
(I) the Secretary of Education;  
(J) the Speaker and the Minority Leader of the House of Representatives;  
(ii) the chairman and ranking minority member of the Committee on Transportation and Infrastructure of the House of Representatives; and  
(iii) three additional Members of the House of Representatives appointed by the Speaker of the House of Representatives;  
(K) the Majority Leader and the Minority Leader of the Senate;  
(ii) the chairman and ranking minority member of the Committee on Environment and Public Works of the Senate; and  
(iii) three additional Members of the Senate appointed by the President of the Senate; and  
(L) thirty-six general trustees, who shall be citizens of the United States, to be appointed in accordance with subsection (b) of this section.  

(b) General trustees  
The general trustees shall be appointed by the President of the United States. Each trustee shall hold office as a member of the Board for a term of 6 years, except that—  
(1) any member appointed to fill a vacancy occurring before the expiration of the term for which the predecessor of the member was appointed shall be appointed for the remainder of the term;  
(2) a member shall continue to serve until the successor of the member has been appointed; and  
(3) the term of office of a member appointed before July 21, 1994, shall expire as designated at the time of appointment.  

(c) Advisory Committee on the Arts
There shall be an Advisory Committee on the Arts composed of such members as the President of the United States may designate, to serve at the pleasure of the President. Persons appointed to the Advisory Committee on the Arts, including officers or employees of the United States, shall be persons who are recognized for their knowledge of, or experience or interest in, one or more of the arts in the fields covered by the John F. Kennedy Center for the Performing Arts. The President shall designate the Chairman of the Advisory Committee on the Arts. In making such appointments the President shall give consideration to such recommendations as may from time to time be submitted to him by leading national organizations in the appropriate art fields. The Advisory Committee on the Arts shall advise and consult with the Board and make recommendations to the Board regarding existing and prospective cultural activities to be carried out by the John F. Kennedy Center for the Performing Arts. The Advisory Committee on the Arts shall assist the Board in carrying out section 76k (a) of this title. Members of the Advisory Committee on the Arts shall serve without compensation.


Amendments


2002—Subsec. (a). Pub. L. 107–117 designated existing provisions as par. (1), inserted par. heading, struck out “hereby” before “established”, struck out second sentence, and added par. (2). Prior to amendment, second sentence read as follows: “The Board shall be composed as follows: The Secretary of Health and Human Services, the Librarian of Congress, the Director of the United States Information Agency, the Chairman of the Commission of Fine Arts, the Mayor of the District of Columbia, the Superintendent of Schools of the District of Columbia, the Director of the National Park Service, the Secretary of Education, the Secretary of the Smithsonian Institution, the chairman and ranking minority member of the Committee on Public Works and Transportation of the House of Representatives and 3 additional Members of the House of Representatives appointed by the Speaker of the House of Representatives, and the chairman and ranking minority member of the Committee on Environment and Public Works of the Senate and 3 additional Members of the Senate appointed by the President of the Senate ex officio; and thirty general trustees who shall be citizens of the United States, to be chosen as hereinafter provided.”


Subsec. (a). Pub. L. 103–279, § 2(b)(1)(A), inserted heading, in first sentence inserted “as the National Center for the Performing Arts, a living memorial to John Fitzgerald Kennedy,” after “and site thereof”, and in second sentence substituted “Superintendent of Schools of the District of Columbia” for “Chairman of the District of Columbia Recreation Board” and “the chairman and ranking minority member of the Committee on Public Works and Transportation of the House of Representatives and 3 additional Members of the House of Representatives appointed by the Speaker of the House of Representatives, and the chairman and ranking minority member of the Committee on Environment and Public Works of the Senate and 3 additional Members of the Senate appointed by the President of the Senate” for “three Members of the Senate appointed by the President of the Senate, and three Members of the House of Representatives appointed by the Speaker of the House of Representatives”.

Subsec. (b). Pub. L. 103–279, § 2(c), inserted heading and amended text generally. Prior to amendment, text read as follows: “The general trustees shall be appointed by the President of the United States and each such trustee shall hold office as a member of the Board for a term of ten years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, (2) the terms of any members appointed prior to August 19, 1963, shall expire as designated by the President at the time of appointment, and (3) the terms of the first fifteen members appointed to the Board pursuant to the amendments made by the National Cultural Center Amendments Act of 1963 shall expire, as designated by the President at the time of appointment, three on September 1, 1964, three on September 1, 1966, three on September 1, 1968, three on September 1, 1970, and three on September 1, 1972.”

Subsec. (c). Pub. L. 103–279, § 2(d), inserted heading, inserted “of the United States” before “may designate” in first sentence, substituted “carried out by the John” for “carried on in the John” in fifth sentence, and struck out before period at end of last sentence “, but each member of such Committee shall be reimbursed for travel, subsistence, and other necessary expenses incurred by him in connection with the work of such Committee”.

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1963—Subsec. (a). Pub. L. 88–100, § 1, substituted “thirty” for “fifteen” after “ex officio; and”.

Subsec. (b). Pub. L. 88–100, § 2, inserted provisions governing the terms of the additional fifteen general trustees added to the Board by section 1 of Pub. L. 88–100.

**Effective Date of 1994 Amendment**

Section 2(b)(2) of Pub. L. 103–279 provided that:

“(A) Superintendent of schools of the district of Columbia.—The amendment made by paragraph (1)(C)(i) [amending this section] shall take effect on the date of expiration of the term of the Chairman of the District of Columbia Recreation Board serving as a trustee of the John F. Kennedy Center for the Performing Arts on the date of enactment of this Act [July 21, 1994].

“(B) Members of congress.—The amendment made by paragraph (1)(C)(ii) [amending this section] shall take effect on the date of enactment of this Act.”

**Short Title of 2008 Amendment**

Pub. L. 110–338, § 1, Oct. 3, 2008, 122 Stat. 3731, provided that: “This Act [enacting section 76m of this title, amending this section and section 76r of this title, and enacting provisions set out as a note under this section] may be cited as the ‘John F. Kennedy Center Reauthorization Act of 2008’.”

**Short Title of 2004 Amendment**


**Short Title of 2002 Amendment**


**Short Title of 1998 Amendment**


**Short Title of 1997 Amendment**

Pub. L. 105–95, § 1, Nov. 19, 1997, 111 Stat. 2148, provided that: “This Act [amending sections 76i to 76k and 76s of this title and section 193v of former Title 40, Public Buildings, Property, and Works] may be cited as the ‘John F. Kennedy Center Parking Improvement Act of 1997’.”

**Short Title of 1994 Amendment**

Section 1 of Pub. L. 103–279 provided that: “This Act [enacting sections 76r and 76s of this title, amending this section, sections 76j, 76k, 76l, and 76p of this title, and sections 193r, 193u, and 193v of former Title 40, Public Buildings, Property, and Works, enacting provisions set out as notes under this section, and amending provisions set out as a note under this section] may be cited as the ‘John F. Kennedy Center Act Amendments of 1994’.”

**Short Title of 1984 Amendment**


**Short Title of 1963 Amendment**

Section 5 of Pub. L. 88–100 provided that: “This Act [amending this section and sections 76l and 76m of this title] may be cited as the ‘National Cultural Center Amendments Act of 1963’.”
Short Title

Existing Authorities

Terms of Office for New General Trustees
Pub. L. 107–117, div. D, title II, § 201(b), Jan. 10, 2002, 115 Stat. 2354, provided that: “Section 2(b) of the John F. Kennedy Center Act (20 U.S.C. 76h (b)) shall apply to each general trustee of the John F. Kennedy Center for the Performing Arts whose position is established by the amendment made by subsection (a)(2) [amending this section] (referred to in this subsection as a ‘new general trustee’), except that the initial term of office of each new general trustee shall—

“(1) commence on the date on which the new general trustee is appointed by the President; and

“(2) terminate on September 1, 2007.”

National Cultural Center; Designation or References
Section 2 of Pub. L. 88–260 provided that: “In addition to the amendments made by the first section of this Act [enacting sections 76n to 76q, and amending sections 76h to 76q of this title], any designation or reference to the National Cultural Center in any other law, map, regulation, document, record, or other paper of the United States shall be held to designate or refer to such Center as the John F. Kennedy Center for the Performing Arts.”

Congressional Findings

“(1) the late John Fitzgerald Kennedy served with distinction as President of the United States and as a Member of the Senate and the House of Representatives;

“(2) by the untimely death of John Fitzgerald Kennedy the United States and the world have suffered a great loss;

“(3) the late John Fitzgerald Kennedy was particularly devoted to education and cultural understanding and the advancement of the performing arts;

“(4) it is fitting and proper that a living institution of the performing arts, designated as the National Center for the Performing Arts, named in the memory and honor of this great leader, shall serve as the sole national monument to his memory within the District of Columbia and its environs;

“(5) such a living memorial serves all of the people of the United States by preserving, fostering, and transmitting the performing arts traditions of the people of the United States and other countries by producing and presenting music, opera, theater, dance, and other performing arts; and

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