

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DC PRESERVATION LEAGUE, et al.,

Plaintiffs,

v.

**BOARD OF TRUSTEES OF THE JOHN
F. KENNEDY CENTER FOR THE
PERFORMING ARTS, et al.,**

Defendants.

Civil Action No.1:26-cv-00981

**DECLARATION OF AMY BALLARD
IN SUPPORT OF MOTION FOR PRELIMINARY INJUNCTION**

I, Amy Ballard, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury that the following is true and correct and based on my personal knowledge:

1. My name is Amy Ballard. I am over the age of eighteen and competent to make this declaration. I reside in Washington, D.C.
2. I am a current member of DC Preservation League (“DCPL”). I have been a member since 2010.
3. I have a longstanding personal connection to the John F. Kennedy Center for the Performing Arts (the “Kennedy Center”) in Washington, D.C. In 1972, I joined the ushering staff at the center. I also worked at “Instant Charge” telephone ticket sales, was one of four stage door employees at the Concert Hall, and volunteered at the information center. Now I attend performances as a ticket holder on a regular basis. My love of music and the theatre began and continues at the Kennedy Center. Every time I walk its halls and enter one of the theatres, I know how lucky I am to continue my education and enjoyment in this special place.

4. I have attended performances and events at the Kennedy Center regularly for approximately fifty years. Since 1972, I have visited the Kennedy Center approximately 25 times per year to attend performances by the National Symphony Orchestra, Washington National Opera productions, theatrical performances, educational programs, free Millennium Stage performances. I also visit the Kennedy Center's public spaces, including the Grand Foyer, the terrace overlooking the Potomac River, the Hall of States, the Hall of Nations, the rooftop terrace, the REACH Expansion grounds, and the restaurants for personal enjoyment and reflection. My professional work in historic preservation, and architectural history brings me to the Kennedy Center on a regular basis. Since 1972, I have conducted research on the building's design or history, led tours, and participated in professional conferences. I visit the Kennedy Center approximately ten times per year in connection with this work.

5. The Kennedy Center holds deep cultural significance to me and my community. I have attended National Symphony, Washington National Opera, Washington Performing Arts, theatre, conferences over the past 50 years. I view the Kennedy Center not only as a performance venue but as a public landmark that belongs to and serves the people of this region and the nation.

6. From 1976 to 2016, I worked at the Smithsonian Institution in the Office of Architectural History and Historic Preservation. I retired as Senior Historic Preservation Specialist Emerita. I am very familiar with the Section 106 review process. In this role I was a senior member of the Smithsonian office that initiates the Section 106 review process for the Smithsonian projects that require it, in conjunction with the D.C. State Historic Preservation Office. The Section 106 process, that I participated in involved holding many meetings with the National Capital Planning Commission ("NCPC"); the Commission of Fine Arts ("CFA"); the D.C. State Historic Preservation Office; consulting parties with expertise in architecture, landscape architecture, and

history; interested members of the public; and Smithsonian staff who are involved with relevant facilities like maintenance, engineers, horticulture, security, and accessibility. Our Section 106 meetings have historically been open and transparent to all, allowing all stakeholders to contribute and make comments on the effect the project may have on the property. These meetings culminate in a Memorandum of Agreement between all parties when there are adverse effects to historic places.

7. The most prodigious Section 106 review in which I participated as Smithsonian staff was for the National Museum of African American History and Culture. Today, the effects of this review process are evident in the building's design and in construction choices made to reduce impacts to historic properties. The end result of the National Museum of African American History and Culture Section 106 process shows how important the review process, it allowed us to reach a design that people feel a part of and is the best it can be. The Section 106 process requirements allow input by all parties and, at its best, contributes to a consensus around important decisions being made by federal agencies.

8. I am aware that previous projects with the potential to affect historic properties at the Kennedy Center, including the REACH expansion and Kennedy Center Expansion Connection Project, underwent the required Section 106 process to ensure that impacts to historic properties were evaluated and avoided, minimized, and mitigated.

9. The Kennedy Center holds particular personal significance to me because the building's mid-century Modernist architecture, designed by Edward Durell Stone and completed in 1971, is integral to my experience of the site. I value the building's distinctive white marble facade, its 200 exterior columns (originally finished in gold), the sweeping proportions of the Grand Foyer, the iconic crystal chandeliers, the "box within a box" acoustical design by Cyril M. Harris, and the

relationship between the building and its setting along the Potomac River. These design features are central to why I visit the Kennedy Center and are part of what makes the experience meaningful to me. Many of the chandeliers, tapestries, the exterior marble, theatre curtains, artwork were gifts of foreign countries in honor of the opening and in memory of President Kennedy. Countries included Great Britain, Canada, Austria, Italy, Japan, Morocco and many others. They are enjoyed by visitors every day.

10. The Kennedy Center is a living memorial to President John F. Kennedy, established by Congress as the sole national memorial to the late President in the city of Washington. I am aware that the D.C. State Historic Preservation Officer determined in 2012 that the Kennedy Center is eligible for the National Register of Historic Places. The building's historic character, including its original design, materials, and setting within the monumental core, is inseparable from the experience of visiting the site. Alterations that compromise the building's historic integrity would diminish the very qualities that make the Kennedy Center significant to me.

11. Visitors from all over the world come to the Kennedy Center not only to see performances, enjoy fireworks from the roof of the center and exquisite views. They also want to see a building full of history of performances and history. Many people feel a connection to President Kennedy and the Kennedy family by being in the remarkable building.

12. Attending events at the Kennedy Center has been a meaningful personal tradition for me for 50 years. My attachment to the building extends beyond the performances I attend. The physical environment of the Kennedy Center, including the Grand Foyer, the terraces, the Hall of Nations and the Hall of States, the rooftop terrace, the exterior grounds, the REACH Expansion, and the terrace along the Potomac, is part of what makes each visit significant to me. It brings back many good memories of the 50 years I have attended performances.

13. It is always wonderful to see residents of long-term care homes at the Friday morning National Symphony Orchestra concerts. I was the guardian to an elderly man and would bring him to several of the Friday morning concerts. The Kennedy Center's closing would be harmful to all visitors, but especially to the elderly visitors and children not being able to enjoy many performances.

14. I have concrete plans to continue visiting and using the Kennedy Center in the future. I plan to attend National Symphony Orchestra concerts, the Washington National Opera and performances I regularly attend during 2026-2027 season. I have attended the at the Kennedy Center for 50 consecutive years and intend to continue doing so.

15. I have already been personally and concretely harmed by alterations that the Defendants have completed at the Kennedy Center without following legally required review procedures.

16. In or around September 2025, the Kennedy Center's 200 exterior columns were painted from their original gold color to white. These columns are an original and character-defining feature of the building's Modernist design, integral to the historic character that formed the basis for the D.C. State Historic Preservation Officer's 2012 determination that the Kennedy Center is eligible for the National Register of Historic Places. This change has diminished my aesthetic enjoyment of the building. I have known these columns for fifty years, and they define the vision of architect Edward Durell Stone. The gold columns were a defining visual element of my experience of approaching and entering the Kennedy Center. The change altered the building's appearance in a way that I find diminishes its historic character and its visual relationship to its setting.

17. The Kennedy Center Defendants also installed new exterior signage placing the name "Donald J. Trump" on the facade above the name of President Kennedy. On December 18, 2025,

the Board voted to rename the Kennedy Center to “The Donald J. Trump and The John F. Kennedy Memorial Center for the Performing Arts.” Every time I walk past the Kennedy Center, I do not understand why a memorial built to honor an assassinated president, now includes the name Donald J. Trump.

18. On March 16, 2026, the Board of Trustees and its Chair, Donald J. Trump, announced that in less than four months the Kennedy Center will close completely for several years. While closed, the Kennedy Center buildings and grounds will undergo major structural work, up to and including demolition and reconstruction (the “Project”). The Kennedy Center Defendants have stated that “preliminary work has been started” and that “significant construction work” is anticipated to begin after July 7, 2026.

19. These proposed alterations would personally and concretely harm me because the proposed alterations would fundamentally change the historic character of the Kennedy Center in ways that would diminish my aesthetic enjoyment of the site. Specifically, the proposed changes to the building’s exterior marble façade, the interior spaces including the Grand Foyer, concert hall, and opera house, the grounds and terraces, would alter the features that I have described above as central to my personal experience of the Kennedy Center. The Kennedy Center’s Modernist design, its materials, its spatial qualities, and its setting along the Potomac are what make the building meaningful to me, and the proposed Project threatens to destroy or fundamentally alter those qualities.

20. The announced multi-year closure of the Kennedy Center, beginning after July 7, 2026, would deprive me of access to a site that I visit regularly and that is central to my cultural life. The closure would prevent me from attending concerts, theatre and other performing arts events that would eliminate my access to the Kennedy Center’s public spaces including the Grand Foyer, the

Hall of Nations and the Hall of States, the terraces, the grounds, the Millennium Stage, and would disrupt a pattern of use I have maintained for 50 years. I have no adequate substitute for the experience of visiting the Kennedy Center.

21. The proposed alterations would be in direct contravention to the work I have spent my professional life doing. Seeing the Kennedy Center pursue a major renovation or demolition without undergoing required reviews under the NHPA, NEPA, CFA, and NCPC processes would affect how I see the work I that I spent my professional career doing.

22. I am further harmed by the Defendants' failure to follow legally required procedures before proceeding with the Project and the already-completed alterations.

23. The failure to initiate and complete Section 106 consultation under the National Historic Preservation Act has deprived me and other members of the public of the opportunity to have our interests considered before irreversible changes are made to this nationally significant historic property. Had Section 106 review been initiated, I would have had the opportunity, either directly or through DCPL, to present my concerns about the impact of the proposed alterations on my concrete interests in the Kennedy Center as described above.

24. The failure to prepare an environmental assessment or environmental impact statement under the National Environmental Policy Act means that the environmental consequences of these alterations, including impacts on the monumental core, the historic parkway, and the Potomac River waterfront, have not been adequately studied or disclosed. I would have reviewed and commented on any such analysis.

25. The failure to submit the Project to the National Capital Planning Commission for review and approval, and the failure to request advice from the Commission of Fine Arts, has deprived

me and other members of the public of the opportunity to participate in the public review processes that Congress established to ensure informed decision-making about development in the national capital. I regularly follow and participate in NCPC and CFA proceedings, and I would have submitted comments or testimony regarding the proposed Project.

26. To my knowledge, no public comment period or consultation opportunity has been provided in connection with the proposed Project or the already-completed alterations, despite the Kennedy Center's eligibility for the National Register of Historic Places. Had such an opportunity been provided, I would have participated and submitted comments describing the concerns set forth in this declaration.

27. The harm I have described is irreparable. Once the historic fabric of the Kennedy Center is altered or destroyed, it cannot be restored to its original condition. The Kennedy Center's architectural and historic character, which forms the basis of its eligibility for the National Register of Historic Places, would be permanently compromised. The opportunity for meaningful public consultation will be permanently lost if the alterations proceed before the legally required reviews are completed. Monetary damages cannot compensate for the loss of the aesthetic, cultural, and historic qualities I have described. These qualities, once destroyed, cannot be recreated.

28. The proposed alterations are already underway, as the Kennedy Center Defendants have stated that "preliminary work has been started." The 200 exterior columns have already been painted, new signage has been installed, and the Kennedy Center Defendants have announced that the building will close after July 7, 2026 for multi-year construction.

29. Additional alterations are imminent given that the announced closure is less than four months away. The Kennedy Center Defendants have publicly announced that the building will close after July 7, 2026 and that "significant construction work" will begin at that time.

I declare under penalty of perjury that the foregoing is true and correct.

Amy Ballard

Amy Ballard

Executed on 03 / 27 / 2026