

**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 ZACHARY JOSEPH BURT
IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

I, Zachary Joseph Burt, 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 Zachary Joseph Burt. 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 the DC Preservation League ("DCPL"). I have been a member since 2020. I also currently serve as the Community Outreach and Grants Manager for DCPL. In that capacity, I am the staff liaison for the Organization's Landmarks Committee and Government Affairs Committee, and work with the Historic Districts Coalition. I also manage the organization's Preservation Initiatives Grant Program and the DC Historic Sites website and cellular phone app.

3. I have a longstanding personal connection to the John F. Kennedy Center for the Performing Arts (the "Kennedy Center") in Washington, D.C. The Kennedy Center holds deep cultural significance to me and my community. I have attended various performances over the past 12 years, from Broadway musicals such as *Hamilton* to popular plays like *Clue*. I view the

Kennedy Center not only as an iconic performance venue but as a public landmark that belongs to and serves the people of this region and the nation.

4. The Kennedy Center holds particular personal significance to me because I was married at the Kennedy Center on August 1, 2020. Thus, my attachment to the building extends beyond the performances I have attended there. The physical environment of the Kennedy Center, specifically the promenade along the Potomac River, where I was married, as well as the exterior grounds and the REACH Expansion, where we took wedding photos, is part of what makes each visit special to me. Every time I visit the Kennedy Center I am reminded of one of the most important days of my life.

5. I have concrete plans to continue visiting and using the Kennedy Center in the future. I visit the Kennedy Center approximately ten times per year, and I intend to continue visiting at that frequency. I regularly exercise along Rock Creek Trail and sometimes loop through the Kennedy Center and REACH Expansion grounds. I enjoy the Kennedy Center's Modernist architecture and surrounding landscape, and I am also reminded of my wedding day on the promenade along the Potomac River in August 2020. I have no plans to discontinue these visits.

6. 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.

7. 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. Additionally, as a character-defining feature, the gold columns figured

prominently in our wedding ceremony on the promenade along the Potomac, as well as in our wedding photos.

8. The Kennedy Center Defendants installed new exterior signage placing the name “Donald J. Trump” on the facade above the name of President Kennedy. This alteration to the facade changed the character of the building as I experienced it on my wedding day, as well as at the many performances I have attended over the years, as I entered the Kennedy Center’s Hall of States or Hall of Nations from the east entrances.

9. 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.”

10. 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.

11. 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 grounds and terraces, and the REACH Expansion would alter the features that have shaped my personal experiences at the Kennedy Center, whether that be my wedding day in 2020 or my continued visits to the building and its grounds. 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.

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

13. 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.

14. 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.

15. 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 the National Capital Planning Commission ("NCPC") and the Commission of Fine Arts ("CFA") proceedings through DCPL, and I would have submitted comments or testimony regarding the proposed Project.

16. 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.

17. 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.

18. 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.

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



Zachary Joseph Burt

Executed on 03 / 27 / 2026