

trust funds administered by the trustees of the National Gallery of Art." Is that satisfactory?

Mr. WALKER. That is fine.

Mr. GRAY. Mr. Denney from Nebraska.

Mr. DENNEY. Mr. Walker, the title of the bill provides for the authorization of the National Gallery of Art to construct the building and it says for making the provision thereof, for maintenance. Where in the bill is the maintenance thereof?

Mr. WALKER. I will defer to Mr. Feidler.

Mr. FEIDLER. The section 2 provides that all the provisions of the original statute setting up the National Gallery of Art shall be applicable to the new buildings so this becomes an integral part of the National Gallery of Art and in that original statute it is provided that the faith of the United States is pledged to provide funds for the maintenance of the National Gallery.

Mr. DENNEY. Is that an open end authorization in that statute that you referred to?

Mr. FEIDLER. Yes, sir.

Mr. DENNEY. You are going to run into trouble on this on the floor and I would make a suggestion to the committee that if it is some specific way we can handle this, and I am not sure unless legal counsel can come up with something, but when you say making provision for the maintenance thereof that you can incorporate by reference to the previous statute that refers to something not in existence at the time that statute was enacted. I do not think that is good legislation.

Mr. SULLIVAN. I think we can work that out for you, Mr. Denney. Leave it up to Mr. Enfield and myself.

Mr. DENNEY. Understand, I think this is a fine program but let us write a good law while we are doing it.

The second thing is why do you need authority to construct when you already have the land as originally set out under this provision of law that you refer to?

Mr. FEIDLER. The reason for that is title 40, section 68 of the United States Code which provides that before any building can be built on a reservation of the United States in the District of Columbia there must be express authorization from Congress. The language in the basic charter legislation of the National Gallery referred to this property as "reserved."

Mr. DENNEY. Not for the purpose of construction of additions?

Mr. FEIDLER. Reserved for the purpose of future additions to the gallery. Since it was "reserved" it becomes a "reservation" and the other statute, that is, U.S. Code, title 40, section 68, requires authorization; express authorization. That is why we are here.

Mr. DENNEY. Thank you. That is all I have, Mr. Chairman.

Mr. SULLIVAN. In connection with section 2, the original law as drafted and unfortunately we do not have a copy before us, simply authorized the Government to maintain only those buildings and no others as was set forth in the 1937 statute in connection with Mr. Denney's question.

Mr. FEIDLER. It pledges the faith of the United States, on the completion of the National Gallery of Art, to provide such funds as may be necessary for the upkeep of the National Gallery of Art and the administrative expenses and costs of the operation thereof, including the protection and care of works of art acquired by the Board so that