

"(5) The term 'act of physical violence' means any act involving (1) an assault or any other infliction or threat of infliction of death or bodily harm upon any individual, or (2) damage to or destruction of any real property or personal property."

SEC. 2. Section 15 of the Act of July 29, 1892 (27 Stat. 325; 40 U.S.C. 101; D.C. Code 4-120, 22-3111), is amended by deleting "shall, upon conviction thereof, be fined not more than \$50."; and inserting in lieu thereof: "shall be fined not more than \$500, or imprisoned not more than six months, or both."

SEC. 3. Prosecutions for violations of the Act of July 31, 1946 (60 Stat. 718; 40 U.S.C. 193a et seq.; D.C. Code 9-118 et seq.) and of section 15 of the Act of July 29, 1892 (27 Stat. 325; D.C. Code 4-120, 22-3111), occurring prior to the enactment of these amendments shall not be affected by these amendments or abated by reason thereof. The provisions of this Act shall be applicable to violations occurring after its enactment.

Mr. FALLON. Our witness this morning is the Honorable David G. Bress, U.S. Attorney for the District of Columbia.

STATEMENT OF HON. DAVID G. BRESS, U.S. ATTORNEY, DISTRICT OF COLUMBIA, ACCOMPANIED BY MARY C. LAWTON, ATTORNEY ADVISER, OFFICE OF LEGAL COUNSEL, DEPARTMENT OF JUSTICE, AND W. CAREY PARKER, SPECIAL ASSISTANT TO THE ASSISTANT ATTORNEY GENERAL, CRIMINAL DIVISION, DEPARTMENT OF JUSTICE

Mr. FALLON. Mr. Bress, do you have a copy of the bill introduced by Mr. Cramer and myself and Mr. Boggs yesterday?

Mr. BRESS. Yes, Mr. Chairman.

Mr. FALLON. Does that bill cover everything that their conference intended to cover and, in addition, is it compatible with the Senate bill that was reported from the committee?

Mr. BRESS. It is, from my limited examination of it, consistent with the Senate bill. I do not believe that it is any different from the final print, print No. 3, of the Senate bill as I have seen it.

Mr. FALLON. As I understand it, the only change that was made, we added the Rayburn Room to one section of the bill. The fact was that the Marble Room was in the Senate bill and we included the Rayburn Room in the House bill in 6(b)(1).

Mr. BRESS. I note that has been added to paragraph (6)(b)(1).

Mr. CRAMER. Mr. Chairman?

Mr. FALLON. Yes.

Mr. CRAMER. We will discuss the necessity of enacting this bill later, so I would like to address specific questions to the witness now.

I think there was discussion in our preliminary conference yesterday that, as I understand it, the Justice Department supports this bill?

Mr. BRESS. Yes, sir.

Mr. CRAMER. I base this question on remarks that appeared in the Congressional Record of August 22, 1967, referring to H.R. 10957 by Congressman Poff. Are you familiar with those remarks in which he analyzed the present law in the District and on Capitol Hill relating to this subject matter, pointing out prosecution problems, such as who prosecutes under the present law where you have both fine and prison-term penalties; particularly when you have inconsistencies in the amount of money penalty?

Mr. BRESS. I have read Mr. Poff's address in the House.

Mr. CRAMER. Is it your opinion that this legislation is needed to clarify that much-confused situation?