

policeman and walked into the door not knowing it was the House floor, thinking it was some other chamber——

Mr. CRAMER. Knowingly applies to the entering and remaining?

Mr. BRESS. Right.

Mr. SNYDER. How could he make a mistake with force and violence?

Mr. WALDIE. The only comment I wanted to make was, it seems to me that a fellow could wander onto the Capitol grounds—I do not even know what constitutes the Capitol grounds—carrying a weapon. And I understand some people carry weapons in Washington at night for good and proper reasons of their own. They might wander on the Capitol grounds not even knowing where they are and yet he is not required to know he is on the Capitol grounds and is thereby guilty of a felony even though his wandering on those grounds was entirely innocent and a mistake.

Mr. CRAMER. It could be limited to protect such a fellow by providing the same limitation of the condition that it was knowingly done by him.

Mr. WALDIE. I would think whenever we are creating a felony, Mr. Chairman and members of the committee, we ought to require the man to know he is committing it, but we ought to exclude any possibility or probability of a fellow mistakenly committing a felony.

Mr. BRESS. I have the first draft of the Senate bill in which “knowingly” was in there, but the Senate committee saw fit to remove the requirement that carrying the weapon be knowingly done.

Mr. WALDIE. I have no further questions.

Mr. HOWARD. Maybe someone can help me with this, not being an attorney.

On page 3 where there is no mention of force and violence, if I were to read from 3 beginning on line 3 without the word “willfully,” it would seem any constituent or citizen who might accidentally wander onto the House floor at 9:30 in the morning, and all you would have to do is walk through the doors if one of the guards happened to have his back turned, this person who accidentally wandered on the floor of the House with no violence at all would be subject to arrest and fine.

Is that true according to what I read on page 3 if the word “willfully” were not there?

Mr. BRESS. That is why the word “willfully” is there.

Mr. HOWARD. But there is no necessity for force and violence?

Mr. BRESS. That is correct.

Mr. HOWARD. Or even willfully, not knowing it is against the law, he could walk on the floor of the House at 9:30 in the morning, at which time he could be arrested and fined. It does not seem very fair to me.

Mr. BRESS. It is a way of regulating the privacy of the Chamber to prevent persons from coming in. If you want to change the rules so that persons could wander in at 9:30 in the morning, that can be done.

Mr. HOWARD. It is not necessarily what we want to do, but if a man and his wife and their children are walking through the Capitol in the morning and happen to end up on the House floor, I do not think they should be arrested or fined.

Mr. BRESS. I think the provision in 6(b)(1) is such that the rules of the House could declare that visitors may enter the Chamber at any time when the House is not in session.