

Mr. HOWARD. I believe the latest ruling on that came down from the Speaker's office about 2 weeks ago and precluded anyone from being on the House floor when Congress is not in session unless accompanied by a Member of Congress. In fact, an administrative assistant or staff member may not bring people on to the floor during the morning as they could have up until a couple of weeks ago.

Mr. CRAMER. On this same point, the bill says "pursuant to rules adopted by that House," and they are rather restrictive, relating to the present gallery, et cetera. Some are set aside for families and, as I read last night, the balance is by permission of the Members. So that supposedly regulates the galleries.

We are talking here, however, about the floor of the House and "pursuant to authorization by the House" means, as I understand, whatever rules and regulations the Speaker, who has the delegated authority, might wish to promulgate.

Mr. BRESS. Yes.

Mr. CRAMER. Actually, this gives the Speaker the flexibility to promulgate regulations. They have policemen there at all times at the Cloakroom and other doors to see those regulations are carried out. So under those circumstances, I think the Speaker would continue to have the proper surveillance available to make sure of this. If somebody with the policeman there forces his way in contrary to regulations, we cannot help it.

Mr. HOWARD. You said forces his way in. If he does not force his way in and just wanders in, he is still subject to arrest?

Mr. BRESS. Not if he wanders in because it is then not willfully.

Mr. HOWARD. Suppose when he walks in on the House floor, he does not know he is not permitted to go there and the policeman just is not there?

Mr. BRESS. If it is willful and if he does not come under the exception or the proviso in the rule that unless such person is authorized pursuant to rules adopted by the House or pursuant to authorization given by the House, then technically that would be a misdemeanor.

Mr. HOWARD. Mr. Chairman, I would hope with all the lawyers in the House of Representatives and on this committee and downtown and everywhere else, we would be able to write the bill so we would be able to prevent any arrests due to accidental wandering onto the floor.

Mr. CRAMER. That is why "willfully" and "knowingly" are in there. Nobody is going to prosecute anybody if he accidentally walks into the House.

Mr. HOWARD. He just said they could.

Mr. CRAMER. But there would be no prosecution.

Mr. BRESS. I think the Congressman meant that he would like to see the same limitation put in (b)(1) that we have in (b)(3) and (4), that is, with intent to disrupt proceedings. That would certainly do it.

But the Senate preferred to have a ban on entry in violation of rules when that entry was willful and whether or not there was an intent to impede or disrupt proceedings.

Mr. HOWARD. I think you have to realize, too——

Mr. CRAMER. If you do it willfully, you have to know you are doing it against the regulations, right? You have to be aware of the regulations, have to know you are not supposed to be in there and go there anyway. So that takes care of the gentleman's question, I think.

If you go in accidentally, you do not knowingly violate the rules, do you?