

Mr. WALDIE. With the qualification, unless such a person is authorized pursuant to the rules, that person would not be authorized and you could evict him.

What is the case under the present law in this hypothetical situation you pose?

Mr. BRESS. Under the present law his entry would constitute a misdemeanor for which the maximum penalty would be \$50 as was recently exemplified by those who threw leaflets over the gallery of the Senate.

Mr. WALDIE. You mean if he just entered? Does the present law have the qualification with intent to disrupt the orderly conduct of business?

Mr. BRESS. There is no present law—by law, you mean statute. I do not know about any rule within the House itself but there is no law that deals with anything within the Capitol.

Mr. WALDIE. Those fellows who threw the leaflets onto the Senate floor, did they not break the law?

Mr. BRESS. Only the District of Columbia disorderly conduct statute.

Mr. WALDIE. Does that not require their conduct be disorderly?

Mr. BRESS. Yes. But it was felt in the Senate whether or not it was disorderly or disruptive, there had to be a rule from the point of view of the Senate committee that would prohibit persons from coming in willfully on to the floor of the House or Senate without permission, and making it a misdemeanor was the solution.

Mr. WALDIE. If they come in without permission, is it not thereby assumed they have disrupted the orderly conduct of business?

Mr. CRAMER. Suppose it is not in session.

Mr. WALDIE. I do not presume the "orderly conduct" requires actual business, I presume it is not defined as a session of Congress or committee, is it?

Mr. BRESS. No, sir.

Mr. WALDIE. It is just the operation of the facility of the U.S. Capitol?

Mr. BRESS. This (b)(1) does not relate to the offense being limited only to situations when the House is in session. The House may be out of session and the offense may still be committed.

Mr. WALDIE. If the House is out of session and a fellow comes in there and sits down, should he be subject to arrest and fined \$500?

Mr. BRESS. The Senate felt there ought to be areas in the Capitol—

Mr. WALDIE. Even though not committing any disorderly conduct, the person is just tired and wants to rest.

Mr. BRESS. The converse would be that every person could with impunity walk into the Chamber of the House or Senate at any time when it is not in session and congregate there.

Mr. WALDIE. Yes, I suppose that would be the converse, but it does not desperately offend me as long as they behave themselves. The Capitol belongs to them—it is not the exclusive property of the members of Congress.

Mr. BRESS. I can visualize situations where it could become a club-room and might be inconvenient for Members of Congress the following day or when the session resumed.

Mr. FALLON. Mr. Bress, back on March 1, 1954, we had some Cuban nationals demonstrate in the gallery. At that time they shot five