

Does this apply also to Congressmen in their offices?

Mr. BRESS. Under the exclusion on page 4 in paragraph 7(c) it does not apply except when they are in the performance of their official duties. It would apply otherwise unless excluded by the regulations.

Mr. SCHADEBERG. Thank you. I wanted to be sure there is not any possibility we apply one law to individuals and another one to the Congressmen.

Mr. SNYDER. Mr. Chairman?

Mr. FALLON. Mr. Snyder.

Mr. SNYDER. On section 8(d) which we were discussing earlier, am I correct in my assumption it is the general criminal law of the United States that jurisdiction for prosecution vests within the jurisdiction where the act is committed?

Mr. BRESS. Yes.

Mr. SNYDER. Is it your idea that subsection (c) of section 8 has to do with venue?

Mr. BRESS. I do not see any problem of jurisdiction or venue here.

Mr. SNYDER. Does it include a crime that takes place out of the jurisdiction of the District of Columbia?

Mr. BRESS. Yes.

Mr. SNYDER. The bill does include conspiracies to commit these crimes. You have suggested that the word "shall" with regard to the general sessions court should be changed to "may." I am wondering if we are running into some conflict. "Shall" appears a couple of sentences before that on line 16. If a conspiracy to commit one of these acts occurs in some other jurisdiction, that district court would then have jurisdiction of that crime, would they not?

Mr. BRESS. Jurisdiction where the conspiracies occurred, yes.

Mr. SNYDER. Even though the conspiracy were committed, for instance, in Kentucky, to come to Washington and go upon the Capitol Grounds there and commit some of the acts that are prohibited under this proposed legislation, then jurisdiction for prosecution of that case would fall with the district court either in the eastern or western district of Kentucky, wherever it might occur.

Are we by using the word "shall" in line 16 getting ourselves into a box in regard to the question of jurisdiction, or does this section only apply to venue?

You see the problem I have in my mind. Maybe it is all right. Can you clear it up?

Mr. BRESS. This does not supersede, I am sure, the Federal conspiracy statute and the conspiracy you are hypothesizing could be prosecuted in Kentucky, but if the conspiracy was to commit an act in violation of this statute in the District of Columbia, that is where the impact of the unlawful agreement was to occur.

Mr. SNYDER. I am not talking about the general Conspiracy Act, I am talking about 8(d), line 5, on page 5, "violations of this act, including attempts and conspiracy." So that this act calls for prosecution of people conspiring to violate this act, they be prosecuted under this particular piece of legislation.

Mr. BRESS. I understand your question.

Mr. SNYDER. Your answer was, we could prosecute them under the general Conspiracy Act and maybe that is sufficient, but we are apparently attempting in this legislation to provide for prosecution of