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# Congressional News Media and the House and Senate Press Galleries

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## Summary

The House and Senate press galleries provide services both for journalists and for Members of Congress. The news media helps Members communicate with the public, and enables the public to learn about policy initiatives, understand the legislative process, and observe elected officials representing their constituents. In the earliest Congresses, news reports commonly provided the most comprehensive record of congressional proceedings, even for Members themselves, because few official documents were kept. To accommodate the press, and in response to its growth through the mid-19<sup>th</sup> century, the House and Senate established formal press galleries in 1877, providing resources and organization for journalists reporting from the Capitol. This report provides information about the rules and authorities that affect media coverage of Congress, current practices among the press galleries, and selected data on gallery membership since the 94<sup>th</sup> Congress. It also provides a brief discussion of considerations that commonly underlie the galleries' practices or may affect gallery operations and congressional media rules.

Although they are separate entities, the House and Senate press galleries have traditionally operated under the same governing rules, approved by the Speaker of the House and the Senate Committee on Rules and Administration. Additionally, chamber rules addressing use of electronic devices, photography, and recording or broadcasting of audio and video, also affect journalists covering Congress. Increasingly, non-journalists may also be able to effectively report news from the Capitol with handheld Internet-connected devices. Many elements of the original press gallery rules have persisted over time, and include provisions to preserve journalistic independence from encroachment by Congress. One key feature that helps preserve this independence is the delegation of many gallery responsibilities to correspondents' committees, comprised of gallery members, and to nonpartisan House and Senate staff. Requirements for press credentials, along with other gallery practices, also reflect a balance between ensuring congressional access for professional reporters while managing the limited space and resources available in the Capitol.

Today, four correspondents' committees exist to oversee the seven congressional press galleries: one for the House and Senate daily press galleries; one for the House and Senate periodical press galleries; one for the House and Senate radio/television galleries; and one for the Senate press photographers' gallery. Credentials from a correspondents' committee provide journalists with access to the relevant House and Senate galleries and office resources. Each committee's credentialing requirements, along with other gallery rules and the names of accredited journalists and news outlets, are published in the *Official Congressional Directory*.

The congressional press galleries also provide services for Members of Congress and staff. This can include distributing press releases or helping to facilitate Member communications with journalists. Members can use a number of sites around the Capitol Complex for press conferences or interviews. Some of these locations need to be reserved through a particular press gallery. Press gallery staff can also assist Members with media logistics and security for certain events.

Although the press galleries have retained similar structures and practices over the years, changes in gallery membership and broader trends in how news is produced and distributed may be relevant as the House, Senate, and correspondents' committees consider the existing rules related to media coverage of Congress and the press galleries. Since the 94<sup>th</sup> Congress, for example, the number of credentialed correspondents has grown, particularly for the radio/television galleries, but the number of outlets they represent has decreased. Cable and satellite television and the Internet allow for smaller, more specialized news outlets to exist, yet many news outlets are consolidated under larger parent companies. Additionally, journalists making use of the multimedia capacities of Internet-based journalism may find it difficult to categorize themselves under the current gallery structure.

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## Introduction and Origins of Press Galleries

Reporters have covered Congress since its earliest sessions. Press coverage of Congress and other government institutions helps inform citizens about public policy, the legislative process, and representation. It is also thought to improve government accountability.<sup>1</sup> As the number of reporters and news outlets covering Congress increased during the 1800s, the House and Senate established formal press galleries, resources, and administrative rules to help manage the Capitol press corps while preserving its access and independence.

The first congressional reporters mainly transcribed the floor debates and provided more detailed accounts of congressional proceedings than what was available in the official records maintained in the *House Journal* and the *Senate Journal*.<sup>2</sup> This information, sometimes provided by Members of Congress themselves, would be sent as correspondence to newspaper publishers outside the capital area. Known correspondents were often permitted on the chamber floors so that they could better hear the proceedings, but correspondents were sometimes restricted to the public galleries. By the middle of the 1800s, each chamber had established its own designated reporters' gallery space.

In 1877, the House and Senate decided to create a committee of correspondents to oversee press gallery membership and administration.<sup>3</sup> The *Official Congressional Directory* first published a list of 86 correspondents entitled to admission to the reporters' galleries in 1880<sup>4</sup> and published press gallery rules in 1888.<sup>5</sup> Separate galleries and correspondents' committees now exist for the daily printed press, periodical press, radio and television press, and press photographers. Correspondents' committees, often upon request of gallery members, may propose changes to their gallery rules, subject to the approval of the Speaker of the House and the Senate Committee on Rules and Administration.

Today, the congressional press galleries provide services both for journalists and for Members of Congress. For the media format and chamber it represents, each press gallery is typically responsible for credentialing journalists, maintaining Capitol workspace for correspondents, and coordinating coverage for news conferences, hearings, and other congressional events. The press galleries also distribute press releases; provide the press with information on floor proceedings, upcoming rules, amendments, and legislation; provide information on committee hearings, witness testimony, and mark-ups; and deliver messages or facilitate Member communications

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<sup>1</sup> W. Lance Bennet, and William Serrin, "The Watchdog Role," in *The Press*, eds. Geneva Overholser and Kathleen Hall Jamieson (Oxford: Oxford University Press, 2005), ch. 10, pp. 169-188; Thomas Patterson and Philip Seib, "Informing the Public," *ibid.*, ch. 11, pp. 189-202.

<sup>2</sup> Today, much of this information is officially available in the *Congressional Record* from the Government Publishing Office (GPO), but the *Record* was not published until 1873. Precursors to the *Record*, including the *Annals of Congress* (1789-1824), *Register of Debates* (1824-1837), and the *Congressional Globe* (1833-1873), were compiled by private publishers and varied in the scope of their coverage. See U.S. Senate Historical Office, "Reporters of Debate and the Congressional Record," at [http://www.senate.gov/artandhistory/history/common/briefing/Reporters\\_Debate\\_Congressional\\_Record.htm](http://www.senate.gov/artandhistory/history/common/briefing/Reporters_Debate_Congressional_Record.htm); Library of Congress, "A Century of Lawmaking for a New Nation: U.S. Congressional Documents and Debates, 1774-1875," available at <http://memory.loc.gov/ammem/amlaw/lawhome.html>; Elizabeth Gregory McPherson, "Reports of the Debates of the House of Representatives During the First Congress," *Quarterly Journal of Speech*, vol. 30, no. 1, February 1944, pp.64-71.

<sup>3</sup> U.S. Senate Press Gallery, "Gallery History," at [http://www.dailypress.senate.gov/?page\\_id=81](http://www.dailypress.senate.gov/?page_id=81).

<sup>4</sup> U.S. Congress, Senate, *Official Congressional Directory*, 2<sup>nd</sup> ed., 46<sup>th</sup> Cong., 2<sup>nd</sup> sess., corrected to January 29, 1880, (Washington: GPO, 1880), pp. 93-94.

<sup>5</sup> U.S. Congress, Senate, *Official Congressional Directory*, 1<sup>st</sup> ed., 50<sup>th</sup> Cong., 1<sup>st</sup> sess., corrected to December 3, 1887, S. Mis. 1 (Washington: GPO, 1887), p. 160.

with journalists. In addition to these regular responsibilities, the House and Senate press galleries take on additional roles during presidential elections, overseeing arrangements and credentialing for daily press at the national political conventions and presidential inaugurations.

The degree of autonomy granted to each press gallery and correspondents' committee results from responsibilities bestowed upon them by the Speaker of the House and the Senate Committee on Rules and Administration. Many rules and practices are similar across the different galleries and correspondents' committees. Additional House and Senate chamber rules that apply generally to photography, use of electronic equipment, and audio and video recording or broadcasting in the Capitol may also affect how members of the press cover Congress.

Due to the similarities across galleries, this report first presents the general rules and authorities that affect the press galleries and media coverage of Congress, followed by the credentialing requirements that the galleries typically share. Key distinctions between the daily press galleries, periodical press galleries, radio and television galleries, and press photographers' gallery are then discussed. To highlight some of the changes in gallery composition over time, data are provided comparing the number of gallery members and news outlets represented in 10-year intervals between the 94<sup>th</sup> Congress (1975-1976) and the 114<sup>th</sup> Congress (2015-2016). The report concludes with a brief discussion of some of the considerations that commonly underlie the galleries' practices and some current developments in news production and distribution that may affect the congressional press galleries.

## General Authorities for Media and Press Galleries

The House and Senate press galleries have historically operated under a unified set of governing rules, approved by the Speaker of the House and the Senate Committee on Rules and Administration.<sup>6</sup> The rules established for each press gallery type, and the names of gallery members, are published in the *Official Congressional Directory*. Because the galleries are creations of each chamber, separate House and Senate authorities are responsible for their own galleries, and each chamber hires its own administrative gallery staff. In practice, however, the galleries may often coordinate with one another on a number of matters. The sections below provide more details on press gallery rules and authorities for the House and for the Senate. A third section addresses the shared delegation of responsibilities from the chambers to the correspondents' committees, which began in 1877.

### House of Representatives

Media access to the House of Representatives is subject to the discretion and control of the Speaker of the House. This tradition was first established by a House resolution in 1838 enabling the Speaker to admit press representatives to the floor.<sup>7</sup> When the new House chamber was completed in 1857, a designated press space was created in the gallery above the Speaker's chair, and the rules of the House were amended to allow the Speaker to grant press gallery access.<sup>8</sup> The

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<sup>6</sup> The chambers have shared press gallery rules since at least 1888, when the rules pertaining to the regulation of the congressional press galleries first appeared in the *Official Congressional Directory*. See U.S. Congress, Senate, *Official Congressional Directory*, 1<sup>st</sup> ed., 50<sup>th</sup> Cong., 1<sup>st</sup> sess., corrected to December 3, 1887, S. Mis. 1 (Washington: GPO, 1887), p. 160.

<sup>7</sup> Asher C. Hinds, *Hinds' Precedents of the House of Representatives of the United States* (Washington, DC: GPO, 1907), vol. 5, ch. 148, §7305, pp. 1116-1117. The Speaker's general authority to maintain order and decorum in the House galleries or lobby is found in House Rule I, clause 2.

<sup>8</sup> *House Journal*, December 23, 1857, vol. 54, pp. 116-117; Asher C. Hinds, *Hinds' Precedents of the House of* (continued...)

press gallery was outfitted by the superintendent of the House with “desks and seats, and conveniences for taking notes,” and a room was also reserved for the use of telegraph companies and reporters.<sup>9</sup> In 1939, language was added to the House rules designating a portion of the gallery for radio, wireless, and similar correspondents, who were subject to rules similar to those that applied to print reporters.<sup>10</sup>

Today, the Speaker’s role in regulating gallery admission and floor access for daily print and periodical journalists is found in Rule VI, clause 2, of the *Rules of the House of Representatives*. This clause also states that the Standing Committee of Correspondents will supervise the daily press gallery and designate its employees, and that the Executive Committee of Correspondents for the Periodical Press Gallery will perform those same functions for the periodical gallery. The Speaker’s role in regulating gallery admission and any floor access for radio and television journalists is found in Rule VI, clause 3, which also delegates radio/TV gallery supervision and designation of its employees to the Executive Committee of Radio and Television Correspondents’ Galleries.<sup>11</sup> The professional staff who operate the House press galleries report to the Chief Administrative Officer and Committee on House Administration.

## Senate

Records indicate that in 1838, the Senate adopted rules granting floor privileges to local newspaper reporters, and in 1839, the Senate Committee on the Contingent Fund recommended that gallery seats be reserved for reporters.<sup>12</sup> Initially, the vice president oversaw the Senate press gallery. On March 12, 1873, the Senate agreed to a resolution that gave the Rules Committee jurisdiction over the Senate press gallery and authorized that the committee provide no more than one gallery seat to each newspaper. Additionally, a seat on the floor could be reserved for Associated Press reporters.<sup>13</sup> In 1939, the Senate amended its existing rules to include reporters transmitting news via radio, wire, wireless, and similar media.<sup>14</sup>

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*Representatives of the United States* (Washington, DC: GPO, 1907), vol. 5, ch. 148, §7304, pp. 1116-1117; “Rule VI: Official Reporters and News Media Galleries,” in U.S. Congress, House, *Rules of the House of Representatives, One Hundred Fifteenth Congress*, prepared by Karen L. Haas, Clerk of the House of Representatives, 115<sup>th</sup> Cong., 1<sup>st</sup> sess., January 5, 2017, p. 5, available at <https://rules.house.gov/sites/republicans.rules.house.gov/files/115/PDF/House-Rules-115.pdf>.

<sup>9</sup> *House Journal*, December 23, 1857, vol. 54, pp. 116-117.

<sup>10</sup> “Assignment of Space in Gallery of House of Representatives to Radio Reporters,” consideration of H. Res. 169, *Congressional Record*, vol. 84, part 4 (April 20, 1939), p. 4561. The evolution of these clauses from Rule VI is discussed in Sections 693-694 of U.S. Congress, House, *Constitution, Jefferson’s Manual, and Rules of the House of Representatives of the United States, One Hundred Fourteenth Congress*, 113<sup>th</sup> Cong., 2<sup>nd</sup> sess., H. Doc. 113-181, (Washington: GPO, 2015), at <https://rules.house.gov/HouseRulesManual114/rule6.xml>.

<sup>11</sup> “Rule VI: Official Reporters and News Media Galleries,” in U.S. Congress, House, *Rules of the House of Representatives, One Hundred Fifteenth Congress*, prepared by Karen L. Haas, Clerk of the House of Representatives, 115<sup>th</sup> Cong., 1<sup>st</sup> sess., January 5, 2017, p. 5, available at <https://rules.house.gov/sites/republicans.rules.house.gov/files/115/PDF/House-Rules-115.pdf>.

<sup>12</sup> Information on the early Senate press is reported in U.S. Congress, Senate Committee on Rules, *Use of Reporters’ Galleries in Senate*, report to accompany S. Res. 117, 76<sup>th</sup> Cong., 1<sup>st</sup> sess., April 21, 1939, Report No. 317 (Washington: GPO, 1939).

<sup>13</sup> Sen. Henry Anthony, “Duties of Committee on Rules,” *Congressional Record*, vol. 1 (March 12, 1873), p. 48; F.B. Marbut, *News from the Capital: The Story of Washington Reporting* (Carbondale, IL: Southern Illinois University Press, 1971), p. 135.

<sup>14</sup> “The Senate Press Gallery,” consideration of S. Res. 117, *Congressional Record*, vol. 84, part 5 (April 25, 1939), pp. 4721-4723. See also U.S. Congress, Senate Committee on Rules, *Use of Reporters’ Galleries in Senate*, report to (continued...)

Under the current *Standing Rules of the Senate*, Rule XXV, paragraph 1(n)(1), provides the Committee on Rules and Administration with the general authority to make rules and regulations for the Senate floor and galleries.<sup>15</sup> Further directives providing the Committee on Rules and Administration with authority to make rules and regulations for the reporters' galleries and related press facilities on the Senate side of the Capitol are found in Rule XXXIII, paragraph 2.<sup>16</sup> Rule VI of the *Rules for Regulation of the Senate Wing* provides additional details on admission to and administration of each of the Senate press galleries, and notes that the Sergeant at Arms is responsible for maintaining order in the galleries.<sup>17</sup> The professional staff who operate the galleries report to the Senate Sergeant at Arms and the Senate Committee on Rules and Administration.

## Correspondents' Committees

Since 1877, the Speaker of the House and the Senate Committee on Rules and Administration have provided for the correspondents' committees to make many of the decisions related to the operation of the galleries.<sup>18</sup> One correspondents' committee exists per gallery type, which helps ensure that gallery practices are consistent between the chambers, even as the House and Senate maintain separate gallery facilities. Four correspondents' committees exist today: one for the House and Senate daily press galleries; one for the House and Senate periodical press galleries; one for the House and Senate radio/TV galleries; and one for the Senate press photographers' gallery.

A main responsibility of each correspondents' committee is determining which journalists receive congressional press credentials. Press credentials may be offered on a temporary or permanent basis,<sup>19</sup> and they entitle journalists admission to a particular gallery type in both the House and the Senate, along with access to the resources provided by the gallery's office. Changes to press gallery rules or credentialing requirements may be suggested by the correspondents' committees on behalf of gallery members, but are subject to the approval of the Speaker of the House and the Committee on Rules and Administration.<sup>20</sup>

Correspondents' committee members must be members in good standing of the gallery they oversee. They are selected by fellow gallery members in accordance with the rules set by that gallery. This system is thought to help preserve the independence of the press corps by removing it from direct congressional influence. It is also thought to help maintain journalistic integrity in

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accompany S. Res. 117, 76<sup>th</sup> Cong., 1<sup>st</sup> sess., April 21, 1939, Report No. 317 (Washington: GPO, 1939).

<sup>15</sup> Rule XXV, paragraph 1(n)(1) in U.S. Congress, Senate Committee on Rules and Administration, *Standing Rules of the Senate*, revised to January 24, 2013, 113<sup>th</sup> Cong., 1<sup>st</sup> sess., November 4, 2013, Doc. 113-18 (Washington: GPO, 2013), p. 26, available at <http://www.gpo.gov/fdsys/pkg/CDOC-113sdoc18/pdf/CDOC-113sdoc18.pdf>.

<sup>16</sup> Rule XXXIII, paragraph 2, in *ibid.*, pp. 59-60.

<sup>17</sup> See Rule VI of the *Rules for the Regulation of the Senate Wing* in U.S. Congress, Senate Committee on Rules and Administration, *Senate Manual*, 113<sup>th</sup> Cong., 1<sup>st</sup> sess., S. Doc. 113-1 (Washington: GPO, 2014), pp. 211-217.

<sup>18</sup> U.S. Senate Press Gallery, "Gallery History," at [http://www.dailypress.senate.gov/?page\\_id=81](http://www.dailypress.senate.gov/?page_id=81); Marbut, pp. 154-156.

<sup>19</sup> Permanent press credentials are only valid for the Congress during which they were issued. At the start of a new Congress, each journalist who had permanent credentials for the preceding Congress must reapply to retain them.

<sup>20</sup> U.S. Congress, Joint Committee on Printing, *Official Congressional Directory*, 114<sup>th</sup> Cong., 1<sup>st</sup> sess., corrected to February 12, 2016, S.Pub. 114-1 (Washington: GPO, 2016) (hereinafter cited as *Official Congressional Directory*, 114<sup>th</sup> Cong., 1<sup>st</sup> sess.). For daily press galleries, see p. 982; for press photographers' gallery, see p. 1003; for radio/TV galleries, see p. 1016; and for periodical press galleries, see p. 1064.

the congressional press corps, as the rules agreed upon by gallery members reflect commonly held professional norms and standards of the news industry.<sup>21</sup>

As gallery members themselves, correspondents' committee members must remain primarily employed as journalists. The day-to-day management of the gallery facilities is instead tasked to professional, nonpartisan staff members hired by the House and Senate to operate the press facilities for each media type. Press gallery staff for each chamber report to the Chief Administrative Officer and the Committee on House Administration or the Senate Sergeant at Arms and the Senate Committee on Rules and Administration.

## Related Rules Affecting Media in Congress

In addition to the House and Senate rules that directly address the operation of the press galleries, other provisions in each chamber's rules affect media coverage of Congress. For more information on these topics, see CRS Report R44665, *Video Broadcasting of Congressional Proceedings*, by Sarah J. Eckman. Many of these provisions address photography or the broadcasting or recording of audio and video. The press gallery rules regulate these activities for credentialed correspondents, yet handheld electronic devices, like smartphones, have made it technologically possible for individuals who are not reporters to capture and transmit visual and/or audio materials.

Some of these rules prohibit certain activities to preserve decorum in the chamber, like photographing or broadcasting proceedings, or prohibit use of particular electronic devices on which these activities might occur. In the House and Senate galleries, for example, use of cameras and electronic devices is generally prohibited.<sup>22</sup> These provisions apply to any individual, including accredited journalists. The widespread ability to report news from smartphones and other handheld Internet-connected devices may be a relevant consideration for broader chamber rules and policies like these regarding photography, broadcasting, or use of electronic devices.

Other rules enable the House, the Senate, and committees within each chamber to broadcast their own proceedings. Live audio and video feeds and past recordings of floor proceedings have been produced by the House since 1977,<sup>23</sup> and by the Senate since 1986.<sup>24</sup> Employees of the House

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<sup>21</sup> For some examples of these journalistic values, see Robert M. Entman, "The Nature and Source of News," in *The Press*, eds. Geneva Overholser and Kathleen Hall Jamieson (Oxford: Oxford University Press, 2005), ch. 3, pp. 48-65.

<sup>22</sup> For the House, see Rule XVII, clause 5, and its interpretations as discussed in Section 945 of U.S. Congress, House, Constitution, Jefferson's Manual, and Rules of the House of Representatives of the United States, One Hundred Fourteenth Congress, 113<sup>th</sup> Cong., 2<sup>nd</sup> sess., H. Doc. 113-181, [compiled by] Thomas J. Wickham, Parliamentarian (Washington: GPO, 2015), at <https://rules.house.gov/HouseRulesManual114/rule17.xml>. For the Senate, see "Rule IV: Taking of Pictures Prohibited; Use of Mechanical Equipment in Chamber," U.S. Congress, Senate, Rules for Regulation of the Senate Wing of the United States Capitol and Senate Office Buildings, in Senate Manual, 113<sup>th</sup> Cong., 1<sup>st</sup> sess., S. Doc. 113-1, prepared by the Committee on Rules and Administration (Washington: GPO, 2014) p. 193; "Use of Tablet Computer Under Interpretative Ruling 444," Dear Colleague letter from Sen. Barbara Boxer, chair, and Sen. Johnny Isakson, vice-chair, Senate Select Committee on Ethics, and Sen. Charles E. Schumer, chair, and Sen. Lamar Alexander, ranking member, Senate Committee on Rules and Administration, June 12, 2012, at [http://www.ethics.senate.gov/public/index.cfm/files/serve?File\\_id=A25EEB37-8A15-44E2-A9C9-FC47756047C1](http://www.ethics.senate.gov/public/index.cfm/files/serve?File_id=A25EEB37-8A15-44E2-A9C9-FC47756047C1); Brian Friel, "Calculated Move," National Journal, March 24, 2007.

<sup>23</sup> H.Res. 866 (95<sup>th</sup> Congress), agreed to October 27, 1977; "Providing for Radio and Television Coverage of House Proceedings," *Congressional Record*, vol. 123, part 27 (October 27, 1977), pp. 35425-35437; "Rule V: Broadcasting the House," in U.S. Congress, House, *Rules of the House of Representatives, One Hundred Fifteenth Congress*, prepared by Karen L. Haas, Clerk of the House of Representatives, 115<sup>th</sup> Cong., 1<sup>st</sup> sess., January 5, 2017, p. 4, available at <https://rules.house.gov/sites/republicans.rules.house.gov/files/115/PDF/House-Rules-115.pdf>.

<sup>24</sup> S.Res. 28 (99<sup>th</sup> Congress), agreed to February 27, 1986; *Congressional Record*, vol. 132, part 3 (February 27, 1986), (continued...)



Recording Studio and the Senate Recording Studio are responsible for operating the recording equipment for each chamber. Accredited radio/TV correspondents may request access to these audio or video feeds to rebroadcast, as long as the footage is used for news or public affairs programs, not for commercial or political purposes. The Legislative Reorganization Act of 1970 enabled the House and Senate to allow photographic, radio, and television coverage of proceedings, subject to additional rules established by each committee.<sup>25</sup>

Today, the House and Senate also provide live and archived video of floor proceedings on their websites, enabling anyone with an Internet connection to access these official video feeds. Beginning in 2010, the House made floor videos available under the direction of the Clerk of the House.<sup>26</sup> The Senate began providing floor videos on its website in January 2012 under the direction of the Sergeant at Arms.<sup>27</sup>

## Typical Press Credentialing Requirements

Press credentialing requirements are published in each edition of the *Official Congressional Directory*, and are often available on the press gallery websites. Press credentials admit individual journalists to the congressional press galleries and allow journalists access to the resources provided for their medium, like workspace in the Capitol. The *Official Congressional Directory* also lists the names of the individuals who hold current permanent credentials for each gallery and the news organizations represented.<sup>28</sup>

Each correspondents' committee administers its own credentialing requirements at the start of every Congress, subject to the approval of the Speaker of the House and the Senate Committee on Rules and Administration. Journalists seeking press credentials must submit a new application at the start of every Congress to continue their gallery membership. Temporary credentials may be available to journalists who do not meet all of the gallery's regular requirements. These

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pp. 3130-3158; Nancy J. Schwerzler, "Leaders of Senate Agree on TV Plan, Rule Reforms," *The Sun*, February 21, 1986, pp. 1A-13A; Standing Order 69, "Television and Radio Broadcast of Senate Chamber," U.S. Congress, Senate, *Senate Manual*, 113<sup>th</sup> Cong., 1<sup>st</sup> sess., S. Doc. 113-1, prepared by the Committee on Rules and Administration (Washington: GPO, 2014) pp. 129-133.

<sup>25</sup> P.L. 91-510, 84 Stat. 1140. See §116(b) for House committees and §116(a) and §242(a) for Senate committees. For the House, also see Rule XI, clause 4, in U.S. Congress, House, *Rules of the House of Representatives, One Hundred Fifteenth Congress*, prepared by Karen L. Haas, Clerk of the House of Representatives, 115<sup>th</sup> Cong., 1<sup>st</sup> sess., January 5, 2017, pp. 23-24, available at <https://rules.house.gov/sites/republicans.rules.house.gov/files/115/PDF/House-Rules-115.pdf>. For the Senate, also see Rule XXVI, paragraph 5(c) in U.S. Congress, Senate Committee on Rules and Administration, *Standing Rules of the Senate*, 113<sup>th</sup> Cong., 1<sup>st</sup> sess., November 4, 2013, Document 113-18 (Washington: GPO, 2013), pp. 32-33.

<sup>26</sup> HouseLive is available at <http://www.houselive.gov>. See also U.S. Congress, House Committee on House Administration, *Oversight of the Clerk, Sergeant at Arms, Chief Administrative Officer, and Inspector General of the House of Representatives*, hearing, 111<sup>th</sup> Cong., 2<sup>nd</sup> sess., April 28, 2010 (Washington: GPO, 2010), pp. 5-13, 164; U.S. Congress, House Committee on Appropriations, Subcommittee on Legislative Branch, *Legislative Branch Appropriations for 2015, Part 2 - Fiscal Year 2015 Legislative Branch Appropriations Requests*, 113<sup>th</sup> Cong., 2<sup>nd</sup> sess., March 4-6, 26 2014 (Washington: GPO, 2015), p. 233.

<sup>27</sup> Senate floor webcast is available at <http://www.senate.gov/floor>.

<sup>28</sup> The most recent gallery rules, along with the names of gallery staff, correspondents' committee members, gallery members, and news organizations represented for each gallery is found in the *Official Congressional Directory*, 114<sup>th</sup> Cong., 1<sup>st</sup> sess. For daily press galleries, see pp. 981-1002; for press photographers' gallery, see pp. 1003-1010; for radio/TV galleries, see pp. 1015-1062; and for periodical press galleries, see pp. 1063-1082.

requirements are typically similar across the galleries and have been consistent over time. Generally, to receive a press credential from a congressional gallery, an individual

- must be a correspondent for that medium, in good standing at a reputable employing organization;
- must be primarily employed as a journalist;
- cannot pursue any claim before Congress or another department of government;
- cannot be employed by the U.S. government or a foreign government; and
- cannot engage in direct or indirect lobbying activity.

Every four years, each correspondents' committee is also responsible for providing press credentials for the presidential nominating conventions and inauguration. Beyond these basic parameters, each gallery may set additional credentialing requirements.

## Daily Press Galleries

The original House and Senate press galleries were established in the 1800s for members of the daily printed press, which today includes newspapers, wire services, and electronic news organizations. Correspondents seeking daily press credentials must work for a publication that either (1) publishes daily and holds general publication periodicals mailing privileges from the U.S. Postal Service; or (2) has been in publication continuously for 18 months and has as its principal business “the daily dissemination of original news and opinion of interest to a broad segment of the public.”<sup>29</sup>

The daily press galleries are overseen by the Standing Committee of Correspondents. The Standing Committee of Correspondents is comprised of members of the daily press gallery who are elected to two-year terms.<sup>30</sup> Day-to-day operations of the daily press galleries are managed by professional staff members from each chamber. The House press gallery offices are located in H-315 - H-319 and employ four professional staff. The Senate press gallery offices are located in S-316 and employ seven professional staff.<sup>31</sup>

Although the Standing Committee of Correspondents is responsible for accreditation decisions, the Senate press gallery office serves as a liaison between the committee and the journalists, receiving applications, supporting materials, or fees submitted by journalists. In addition to other credentialing requirements, journalists in the daily press galleries must reside in the Washington, DC, area.

## Periodical Press Galleries

The periodical press galleries of the House and Senate include correspondents working for magazines, newsletters, and non-daily newspapers or online publications. These periodicals must “regularly publish a substantial volume of news material of either general, economic, industrial, technical, cultural, or trade character” and “require Washington coverage on a regular basis.”<sup>32</sup>

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<sup>29</sup> *Official Congressional Directory*, 114<sup>th</sup> Cong., 1<sup>st</sup> sess., p. 981.

<sup>30</sup> Three members of the daily correspondents committee are elected by gallery members in January of odd-numbered years, and two members are elected in January of even-numbered years.

<sup>31</sup> *Official Congressional Directory*, 114<sup>th</sup> Cong., 1<sup>st</sup> sess., p. 981.

<sup>32</sup> *Ibid.*, p. 1063.

The periodical press galleries are overseen by the Executive Committee of Correspondents, which is comprised of seven periodical press correspondents. The Executive Committee of Correspondents is elected by periodical press gallery members every two years, coinciding with the start of a new Congress. Credentialing responsibilities rotate between the administrative staff of the House and Senate periodical galleries every four years.<sup>33</sup> The House periodical press gallery offices are located in H-304 and employ four professional staff. The Senate periodical press gallery offices are located in S-320 and employ three professional staff.

## **Radio and Television (Radio/TV) Galleries**

The radio and television galleries provide credentials for members of broadcast media outlets. The Senate radio/TV gallery coordinates the application process, but credentialing decisions are made by the Executive Committee of the Radio and Television Correspondents' Galleries. The Executive Committee is comprised of seven members.<sup>34</sup>

Electronic recording or broadcasting equipment is generally prohibited in the chamber galleries, but radio/TV gallery credentials enable journalists to rebroadcast the floor audio and video footage produced by the House and the Senate. The radio/TV galleries also maintain broadcast and recording studio spaces, which can be used by any correspondent with congressional credentials.

In addition to the services provided to journalists, the radio/TV galleries also provide assistance to Members of Congress. The radio/TV galleries manage reservations from Members and congressional staff seeking to hold press conferences in various locations around the Capitol Complex. The radio/TV galleries can also assist Members with media logistics and security for these events.

## **House Radio/TV Gallery and Related Resources**

The House radio and television gallery is located in H-320 and employs seven professional staff. The House radio/TV gallery manages reservation requests for Members' press conferences at the "House Triangle,"<sup>35</sup> and provides information about other press conference locations suitable for radio or television coverage.<sup>36</sup> Upon the invitation of an accredited journalist, and subject to other gallery rules, Members may host press conferences in the House radio/TV gallery's Capitol Visitor Center (CVC) studios.<sup>37</sup> Any of the three House studios may be used by journalists seeking exclusive interviews with Members, subject to gallery rules.<sup>38</sup>

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<sup>33</sup> U.S. Senate Periodical Press Gallery, "Congressional Press Accreditation Application Process," at <http://www.periodicalpress.senate.gov/accreditation/>. Credentialing responsibilities are currently handled by the Senate periodical gallery.

<sup>34</sup> "Election Bylaws," U.S. Senate Radio & Television Correspondents Gallery, at <http://www.radiotv.senate.gov/executive-committee-bylaws/>.

<sup>35</sup> The "House Triangle" is a popular location for media availabilities, is located outside near the southeast corner of the Capitol.

<sup>36</sup> Information on media spaces available for Members and their staff is available from House Radio Television Correspondents' Gallery, "Press Conference Locations," at <https://radiotv.house.gov/for-press-secretaries/press-conference-locations>. For a full list of locations where journalists may broadcast live from the House, see House Radio Television Correspondents' Gallery, "House Complex Live Locations," at <https://radiotv.house.gov/for-gallery-members/house-complex-live-locations>.

<sup>37</sup> Media events in the HVC studios may only be attended by accredited journalists and staff of the Members involved. For HVC Studio A, located in HVC 117, a Member must be invited by a broadcast journalist who attends and covers (continued...)

Other locations throughout the Capitol may be used by Members for broadcast media events, but are not managed by the House radio and television gallery. Committee rooms, for example, may be available by contacting the committee of jurisdiction; events in HC rooms on the House-side of the Capitol may be available by contacting the Speaker's Office. Gallery staff can assist Members with logistics for events in these locations.<sup>39</sup>

## Senate Radio/TV Gallery and Related Resources

The Senate radio and television gallery is located in S-325 and employs six professional staff. The Senate radio/TV gallery manages reservation requests for Senators' press conferences outside the Capitol building at the "Senate Swamp,"<sup>40</sup> and provides information about other press conference locations suitable for radio or television coverage.<sup>41</sup> Upon the invitation of an accredited journalist, and subject to other gallery rules, Senators may host press conferences in the Senate radio/TV gallery's Capitol Visitor Center (CVC) studio.<sup>42</sup> The Senate studio may also be used by journalists seeking exclusive interviews with Senators.

Senators may use other locations in the Capitol for broadcast media events that are not managed by the Senate radio and television gallery. Committee rooms, for example, may be available by contacting the relevant committee. Rooms in the CVC, including SVC-200/201 may be available from the Committee on Rules and Administration; S-211 may be available from the Secretary of the Senate; and S-207 may be available from the Sergeant-at-Arms. Gallery staff can assist Members with logistics for events in these locations.<sup>43</sup>

## Press Photographers' Gallery

The Press Photographers' Gallery provides credentials for news photographers and assists in facilitating photographic coverage of the House and the Senate. The photo gallery offices are located on the Senate side of the Capitol, in S-317, and employ three professional staff. There is no separate House photo gallery facility. The press photographers' photo studio is located in 151 Dirksen. Requirements for press photography credentials are found in Senate Rule XXXIII.

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(...continued)

the duration of the event; for HVC Studio B, located in HVC 110, a Member may be invited by a print or broadcast journalist. Ibid.

<sup>38</sup> House Radio Television Correspondents' Gallery, "Exclusive Interview Locations," at <https://radiotv.house.gov/for-gallery-members/exclusive-interview-locations>.

<sup>39</sup> House Radio Television Correspondents' Gallery, "For Gallery Members," at <http://radiotv.house.gov/for-gallery-members>.

<sup>40</sup> The "Senate Swamp," a popular location for media availabilities, is located outside near the northeast corner of the Capitol.

<sup>41</sup> Information on media spaces available for Senators and their staff is available from the Senate Radio and Television Correspondents Gallery, "For Press Secretaries," at <http://www.radiotv.senate.gov/for-press-secretaries/>. For a full list of locations where journalists may broadcast live from the Senate, see Senate Radio and Television Correspondents Gallery, "Senate Complex Live Locations & Other Connectivity Details," at <http://www.radiotv.senate.gov/senate-complex-live-locations/>.

<sup>42</sup> The Senate Majority and Minority Leaders can make studio reservations without an invitation from a journalist. Media events in the SVC studio, located in S-325, may only be attended by accredited journalists and staff of the Senators involved. Ibid.

<sup>43</sup> U.S. Senate Periodical Press Gallery, "Using the Gallery," at <http://www.radiotv.senate.gov/using-the-gallery/>.

The Standing Committee of Press Photographers is a six-member board that is responsible for the administration of the photographers’ gallery. Members of the photo gallery elect standing committee members each year, no later than March 31. The Press Photographers’ Gallery rules also state that the standing committee must include one member from Associated Press Photos; Reuters News Pictures or AFP Photos; a magazine; a local newspaper; and an agency or freelance photographer. No organization may have more than one representative on the standing committee at any time.

## Gallery Membership in Selected Years

The news media environment has changed in a number of ways over the last several decades, and some of these changes are reflected by the composition of the congressional press galleries. Data regarding press gallery membership was collected from the *Official Congressional Directory* for 10-year intervals representing Congresses between 1975 and 2015. The changes in gallery membership and the current composition of the galleries may be relevant to consideration of the rules governing the press galleries or the resources allocated across different galleries.

**Table 1** provides the number of credentialed congressional correspondents in selected years, subdivided by gallery type. Credentials provide correspondents with access to the galleries and associated offices, but at any one time, it is unlikely that all eligible correspondents would be working from the Capitol. Between the 94<sup>th</sup> and the 114<sup>th</sup> Congresses, the overall number of accredited congressional journalists more than doubled, growing from 2,588 credentialed correspondents in 1975 to 6,016 in 2015. These findings suggest that, consistent with other measures to increase congressional transparency since the 1970s, more journalists have access to Congress today than in the past.

**Table 1. Number of Credentialed Correspondents in Selected Congresses**

	94 <sup>th</sup> Congress (1975-1976)	99 <sup>th</sup> Congress (1985-1986)	104 <sup>th</sup> Congress (1995-1996)	109 <sup>th</sup> Congress (2005-2006)	114 <sup>th</sup> Congress (2015-2016)
<b>Daily Press</b>	1,125	1,375	1,699	1,417	1,162
<b>Periodical Press</b>	723	1,219	1,668	1,244	1,106
<b>Radio/TV</b>	571	1,393	1,942	2,577	3,515
<b>Press Photographers</b>	169	287	362	307	233
<b>Total</b>	<b>2,588</b>	<b>4,274</b>	<b>5,671</b>	<b>5,545</b>	<b>6,016</b>

**Sources:** U.S. Congress, Joint Committee on Printing, *Official Congressional Directory*, 94<sup>th</sup> Cong., 1<sup>st</sup> sess., updated through March 10, 1975, (Washington: GPO, 1975), pp. 870-950; U.S. Congress, Joint Committee on Printing, *Official Congressional Directory*, 99<sup>th</sup> Cong., 1<sup>st</sup> sess., updated through April 5, 1985, S.Prt. 99-39 (Washington: GPO, 1985), pp. 896-1004; U.S. Congress, Joint Committee on Printing, *Official Congressional Directory*, 104<sup>th</sup> Cong., 1<sup>st</sup> sess., updated through May 5, 1995, S.Pub. 104-14 (Washington: GPO, 1995), pp. 969-1035; U.S. Congress, Joint Committee on Printing, *Official Congressional Directory*, 109<sup>th</sup> Cong., 1<sup>st</sup> sess., updated through July 11, 2005, S.Pub. 109-12 (Washington: GPO, 2005), pp. 929-1031; U.S. Congress, Joint Committee on Printing, *Official Congressional Directory*, 114<sup>th</sup> Cong., 1<sup>st</sup> sess., updated through February 12, 2016, S.Pub. 114-1 (Washington: GPO, 2015), pp. 981-1082.

**Note:** Counts represent the number of individual names listed under “Members Entitled to Admission” in the *Official Congressional Directory* for each gallery.

**Table 2** provides the number of credentialed news outlets in selected years, subdivided by gallery type. Correspondents may be credentialed as representatives of multiple news outlets, and although the number of accredited correspondents has increased, the number of media outlets

they represent has diminished by more than half, decreasing from 1,272 in 1975 to 581 in 2015. This may reflect broader trends in the news industry, including the consolidation of smaller media outlets into larger entities.<sup>44</sup>

**Table 2. Number of Credentialed Media Outlets in Selected Years**

	94 <sup>th</sup> Congress (1975-1976)	99 <sup>th</sup> Congress (1985-1986)	104 <sup>th</sup> Congress (1995-1996)	109 <sup>th</sup> Congress (2005-2006)	114 <sup>th</sup> Congress (2015-2016)
<b>Daily Press</b>	858	624	336	246	192
<b>Periodical Press</b>	160	259	218	190	143
<b>Radio/TV</b>	125	116	160	204	194
<b>Press Photographers</b>	129	98	79	84	52
<b>Total</b>	<b>1,272</b>	<b>1,097</b>	<b>793</b>	<b>724</b>	<b>581</b>

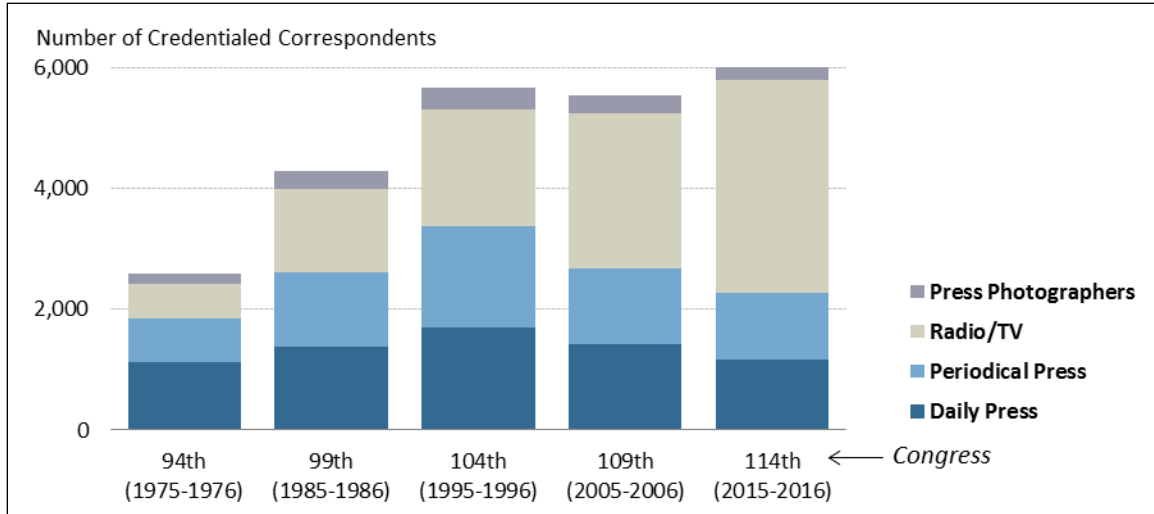
**Sources:** U.S. Congress, Joint Committee on Printing, *Official Congressional Directory*, 94<sup>th</sup> Cong., 1<sup>st</sup> sess., updated through March 10, 1975, (Washington: GPO, 1975), pp. 870-950; U.S. Congress, Joint Committee on Printing, *Official Congressional Directory*, 99<sup>th</sup> Cong., 1<sup>st</sup> sess., updated through April 5, 1985, S.Prt. 99-39 (Washington: GPO, 1985), pp. 896-1004; U.S. Congress, Joint Committee on Printing, *Official Congressional Directory*, 104<sup>th</sup> Cong., 1<sup>st</sup> sess., updated through May 5, 1995, S.Pub. 104-14 (Washington: GPO, 1995), pp. 969-1035; U.S. Congress, Joint Committee on Printing, *Official Congressional Directory*, 109<sup>th</sup> Cong., 1<sup>st</sup> sess., updated through July 11, 2005, S.Pub. 109-12 (Washington: GPO, 2005), pp. 929-1031; U.S. Congress, Joint Committee on Printing, *Official Congressional Directory*, 114<sup>th</sup> Cong., 1<sup>st</sup> sess., updated through February 12, 2016, S.Pub. 114-1 (Washington: GPO, 2015), pp. 981-1082.

**Notes:** Counts represent the number of entities listed as the media services represented in the *Official Congressional Directory* for each gallery. Records available in the *Official Congressional Directory* can vary across years; in some years and for some outlets, a news organization and its parent organization are listed separately, resulting in some duplication and overestimation of these counts. Freelance reporters are listed as a category in the *Official Congressional Directory* but are excluded from the counts of radio/television and press photographer organizations.

**Figure 1** and **Figure 2** illustrate how the proportion of journalists and outlets holding credentials from the daily press, periodical press, radio/TV, and press photographers galleries compare between the 94<sup>th</sup> Congress (1975-1976) and the 114<sup>th</sup> Congress (2015-2016). The number of accredited correspondents increased for all the press galleries during this time period, but the number of radio/TV correspondents grew most substantially, as shown in **Figure 1**. In the 114<sup>th</sup> Congress, a majority of the congressional correspondents (58%) held radio/TV credentials, whereas only 28% of correspondents held radio/TV credentials in the 94<sup>th</sup> Congress. This change likely reflects the growth of video-based cable and satellite news that occurred during the same time period. The same dynamic may also be reflected in the larger proportion of credentialed radio/TV news outlets, relative to outlets in other gallery types, as shown in **Figure 2**.

<sup>44</sup> Amy Mitchell, Jesse Holcomb, and Rachel Weisel, *State of the News Media 2016*, Pew Research Center, Washington, DC, June 15, 2016, at <http://assets.pewresearch.org/wp-content/uploads/sites/13/2016/06/State-of-the-News-Media-Report-2016-FINAL.pdf>.

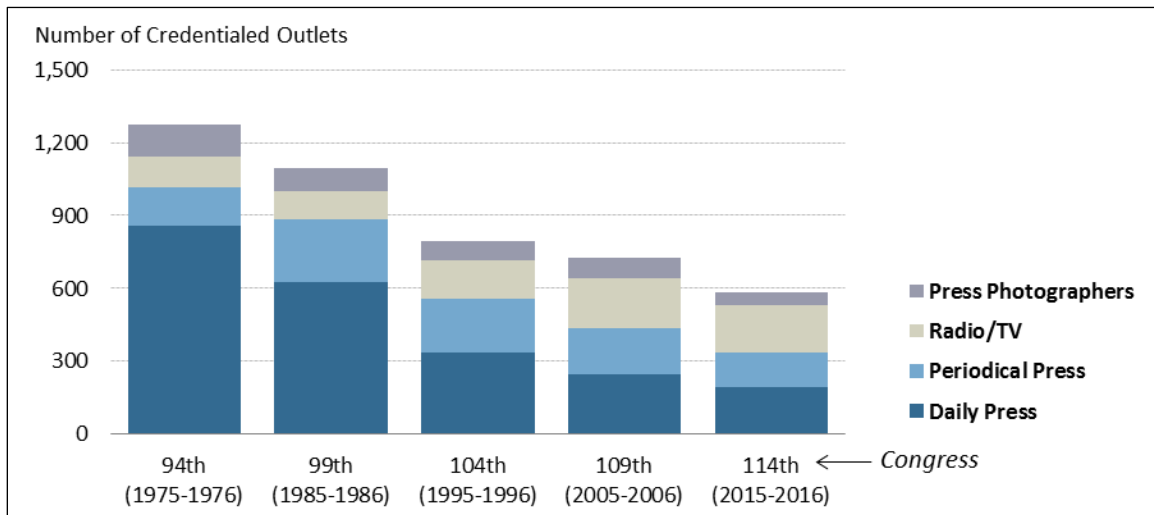
**Figure 1. Number of Credentialed Correspondents in Selected Congresses**



**Sources:** U.S. Congress, Joint Committee on Printing, *Official Congressional Directory*, 94<sup>th</sup> Cong., 1<sup>st</sup> sess., updated through March 10, 1975, (Washington: GPO, 1975), pp. 870-950; U.S. Congress, Joint Committee on Printing, *Official Congressional Directory*, 99<sup>th</sup> Cong., 1<sup>st</sup> sess., updated through April 5, 1985, S.Prt. 99-39 (Washington: GPO, 1985), pp. 896-1004; U.S. Congress, Joint Committee on Printing, *Official Congressional Directory*, 104<sup>th</sup> Cong., 1<sup>st</sup> sess., updated through May 5, 1995, S.Pub. 104-14 (Washington: GPO, 1995), pp. 969-1035; U.S. Congress, Joint Committee on Printing, *Official Congressional Directory*, 109<sup>th</sup> Cong., 1<sup>st</sup> sess., updated through July 11, 2005, S.Pub. 109-12 (Washington: GPO, 2005), pp. 929-1031; U.S. Congress, Joint Committee on Printing, *Official Congressional Directory*, 114<sup>th</sup> Cong., 1<sup>st</sup> sess., updated through February 12, 2016, S.Pub. 114-1 (Washington: GPO, 2015), pp. 981-1082.

**Note:** Counts represent the number of individual names listed under “Members Entitled to Admission” in the *Official Congressional Directory* for each gallery.

**Figure 2. Number of Credentialed Media Outlets in Selected Congresses**



**Sources:** U.S. Congress, Joint Committee on Printing, *Official Congressional Directory*, 94<sup>th</sup> Cong., 1<sup>st</sup> sess., updated through March 10, 1975, (Washington: GPO, 1975), pp. 870-950; U.S. Congress, Joint Committee on Printing, *Official Congressional Directory*, 99<sup>th</sup> Cong., 1<sup>st</sup> sess., updated through April 5, 1985, S.Prt. 99-39 (Washington: GPO, 1985), pp. 896-1004; U.S. Congress, Joint Committee on Printing, *Official Congressional Directory*, 104<sup>th</sup> Cong., 1<sup>st</sup> sess., updated through May 5, 1995, S.Pub. 104-14 (Washington: GPO, 1995), pp. 969-1035; U.S. Congress, Joint Committee on Printing, *Official Congressional Directory*, 109<sup>th</sup> Cong., 1<sup>st</sup> sess., updated through July 11, 2005, S.Pub. 109-12 (Washington: GPO, 2005), pp. 929-1031; U.S. Congress, Joint Committee

on Printing, *Official Congressional Directory*, 114<sup>th</sup> Cong., 1<sup>st</sup> sess., updated through February 12, 2016, S.Pub. 114-1 (Washington: GPO, 2015), pp. 981-1082.

**Notes:** Counts represent the number of entities listed as the media services represented in the *Official Congressional Directory* for each gallery. Records available in the *Official Congressional Directory* can vary across years; in some years and for some outlets, a news organization and its parent organization are listed separately, resulting in some duplication and overestimation of these counts. Freelance reporters are listed as a category in the *Official Congressional Directory* but are excluded from the counts of radio/television and press photographer organizations.

## Additional Considerations and Developments

The basic operating structure of the House and Senate press galleries has remained relatively unchanged over the years. This system is comprised of independent correspondents' committees, which establish gallery rules and credentialing requirements; professional nonpartisan administrative staff who manage day-to-day gallery operations; and the House Speaker and Senate Committee on Rules and Administration, which retain authority over the galleries' operations. This division of responsibilities, along with the longstanding gallery rules, has generally addressed potential concerns regarding conflicts of interest or infringements on press freedom. Occasionally, the congressional press galleries have adapted to significant changes in the news media environment; one key example was the establishment of the radio and television galleries in 1939.

## Independence of Correspondents' Committees

Although the Speaker of the House and the Senate Committee on Rules and Administration must formally approve of gallery rules and are responsible for oversight, the galleries themselves run fairly autonomously. Nonpartisan, professional personnel operate the galleries on a daily basis, and the correspondents' committees are responsible for many decisions, including accreditation of journalists. The independence of the correspondents' committees from Congress is an important feature of how the press galleries operate, helping to maintain a boundary between the two. Prior to the 1877 establishment of the first correspondents' committee, observers were concerned that, at times, Members seemed too close to the press, and at other times, were somewhat antagonistic to the press.<sup>45</sup> Some observers continue to voice similar concerns,<sup>46</sup> but generally, this separation is thought to improve media accountability and ensure that press access to Congress is not contingent on favorable coverage.<sup>47</sup> Independence of correspondents' committees is also thought to relieve concerns about government infringements on the freedom of the press,<sup>48</sup> since the

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<sup>45</sup> The publication of congressional documents not authorized for release occurred several times throughout the mid-1800s, illustrating both the close access reporters could have to Congress and how that could lead to tension between Congress and the press. Reporters were arrested and detained by the Senate Sergeant at Arms both in 1848 and in 1871 for publishing treaties that they obtained but were not yet public. Press coverage of congressional scandals also led to greater tensions between Members and reporters. See Marbut, pp. 105-107.

<sup>46</sup> For example, see Bruce D. Collins, "Journalists as Congressional Agents—Legal Confusion and Conflict in the Radio and Television Gallery," *CommLaw Conspectus*, vol. 21, no. 2 (2013), pp. 298-335.

<sup>47</sup> Examples of tension between Members and reporters date back to the first Congress, and during these early years, sometimes affected press access to the chambers. See McPherson, p. 69. For a more general discussion of government and press relations, see also Martha Joynt Kumar and Alex Jones, "Government and the Press: Issues and Trends," in *The Press*, eds. Geneva Overholser and Kathleen Hall Jamieson (Oxford: Oxford University Press, 2005), ch. 13, pp. 226-247; Timothy Besley and Andrea Prat, "Handcuffs for the Grabbing Hand? Media Capture and Government Accountability," *The American Economic Review*, vol. 96, no. 3 (June 2006), pp. 720-736.

<sup>48</sup> Congressional initiatives that would have required honoraria disclosure from journalists, for example, have raised these types of concerns. See "Right Job, Wrong Tool," editorial, *Boston Globe*, August 15, 1995, p. F4; Debra Gersh (continued...)



press—and not any agent of the House or Senate—is largely responsible for formulating and enforcing its own rules.<sup>49</sup>

## Establishing and Maintaining Journalistic Standards

The system of press credentialing requirements and associated gallery rules can be viewed as ways to establish and maintain certain journalistic standards for congressional reporters. Many of the current rules can be traced back to the first rules created in the late 1800s. Press credentialing requirements originated, in part, as a way to ensure legitimate news reporters had access to Members of Congress while preventing lobbyists—who sometimes posed as reporters—from gaining similar access to advance their own agendas. In these early years, congressional staff sometimes also served as newspaper correspondents, leading to concerns about conflicts of interest and occasional speculation that staff might be responsible for the publication of unreleased information.<sup>50</sup>

The rules of the galleries continue to prohibit accredited journalists from participating in lobbying, paid advocacy, or advertising activity on behalf of any individual, corporation, organization, political party, or federal government agency. Credentialed correspondents must also be primarily employed as journalists, as concerns have been raised that additional sources of income may affect correspondents' impartiality.<sup>51</sup> Occasional questions have also been raised about whether the disclosure requirements are sufficient and achieve their intended aims, or if enforcement of the rules by independent correspondents' committees introduces the risk that committee members may, at times, be somewhat permissive regarding their peers' activities.<sup>52</sup>

In addition to these individual-level restrictions, the media outlets that employ congressional correspondents must be editorially independent of any entity that lobbies the federal government. By excluding individuals and organizations that have a clear connection to policy advocacy, these rules help assure Members of Congress that congressional correspondents are primarily interested

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Hernandez, "Senator Wants to Monitor Reporters' Incomes," *Editor & Publisher*, vol. 128, no. 32 (August 12, 1995, p. 9, at <https://www.editorandpublisher.com/news/senator-wants-to-monitor-reporters-incomes-p-9/>); Rep. Charles T. Canady, remarks in the House, *Congressional Record*, daily edition, vol. 141, part 23 (November 16, 1995), pp. H13135-H13136; Rep. Barney Frank, *Ibid.*, pp. H13136-H13137; David A. Schultz, "The Truth Behind the Truth in Reporting Proposal," *Editor & Publisher*, vol. 128, no. 49 (December 9, 1995).

<sup>49</sup> For example, the rules for the daily press gallery provide that the Standing Committee of Correspondents may propose rule changes to the Speaker of the House and Senate Committee on Rules and Administration only upon receiving a written petition signed by at least 100 of the gallery's members. See *Official Congressional Directory*, 114<sup>th</sup> Cong., 1<sup>st</sup> sess., p. 982.

<sup>50</sup> Donald A. Ritchie, *Press Gallery: Congress and the Washington Correspondents* (Cambridge, MA: Harvard University Press, 1991), pp. 75-77, 92-112, 121; Marbut, pp. 33, 140-141, 154.

<sup>51</sup> For a discussion of some of these issues, and whether or not journalists should be required to disclose honoraria, speaking fees, or other sources of outside income, see Howard Kurtz, "Money Talks," *Washington Post Magazine*, January 21, 1996, pp. 10-15, 22-25, available at <https://www.washingtonpost.com/archive/lifestyle/magazine/1996/01/21/money-talks/12b89778-29f6-4481-ac01-32e5e014c3fb/>; Alicia C. Shepard, "Talk is Expensive," *American Journalism Review*, vol. 16, no. 4 May 1994, pp. 20-27, at <http://ajrarchive.org/Article.asp?id=1607>; Ken Auletta, "Fee Speech," *New Yorker*, vol. 70, September 12, 1994, p. 40.

<sup>52</sup> For example, see Sen. Charles E. Grassley, "Speaking Fees and Journalists," remarks in the Senate, *Congressional Record*, daily edition, vol. 140, part 85 (June 29, 1994), p. S7879; Sen. Robert C. Byrd, "Senate Resolution 162—Relative to the Senate Press Gallery," remarks in the Senate, *Congressional Record*, daily edition, vol. 141, part 134 (August 10, 1995), pp. S12291-S12292; Rep. Gerald C. "Jerry" Weller, "Amendment Offered by Mr. Weller," remarks in the House, *Congressional Record*, daily edition, vol. 141, part 23 (November 16, 1995), pp. H13128-H13135.

in reporting the news and are not seeking access in the interest of promoting their own policy objectives.

## New Media Environment and Gallery Operations

Changes in how news is produced and distributed have sometimes led the House, Senate, and correspondents' committees to revisit the existing rules, facilities, and administration related to the congressional press. Once radio became a popular news format, for example, the House and Senate rules were amended to include radio reporters, and the chambers created the radio and television galleries.<sup>53</sup> Since the addition of the radio/TV galleries, the overall structure of the congressional press galleries has remained fairly unchanged. Within that structure, new facilities for the existing galleries became available in 2008 upon the completion of the Capitol Visitor Center (CVC). Those who study the news industry have observed several trends in recent decades that may affect the composition of congressional press gallery membership and may be relevant to consideration of congressional rules or resources related to the galleries.<sup>54</sup>

Television, for example, has become the predominant news source for most Americans and many prefer to watch cable networks, which can include more editorializing than the broadcast networks.<sup>55</sup> If it appears that journalists representing these outlets are advocating for particular interests, this might contradict the spirit of the longstanding lobbying and advocacy prohibitions in the press gallery rules. Media consolidation trends sometimes raise similar concerns, if a large corporation owns news outlets along with other holdings that may be affected by federal policies or regulations.<sup>56</sup>

Internet-based news represents another important development in news production and consumption that may receive additional consideration.<sup>57</sup> Currently, Internet-based journalists

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<sup>53</sup> "Assignment of Space in Gallery of House of Representatives to Radio Reporters," consideration of H. Res. 169, *Congressional Record*, vol. 84, part 4 (April 20, 1939), p. 4561.

<sup>54</sup> For an overview of some of these trends, see John Carey and Nancy Hicks Maynard, "The Future of News, the Future of Journalism," in *The Press*, eds. Geneva Overholser and Kathleen Hall Jamieson (Oxford: Oxford University Press, 2005), ch. 25, pp. 415-432; Samuel L. Popkin, "Changing Media, Changing Politics," review of *All the News That's Fit to Sell* by James Hamilton and *American Foreign Policy in the New Media Age* by Matthew Baum, *Perspectives on Politics*, vol. 4, no. 2 (June 2006), pp. 337-338.

<sup>55</sup> Jonathan S. Morris, "Slanted Objectivity? Perceived Media Bias, Cable News Exposure, and Political Attitudes," *Social Science Quarterly*, vol. 88, no. 3 (September 2007), pp. 707-728; Norman H. Nie, Darwin W. Miller, III, and Saar Golde, et al., "The World Wide Web and the U.S. Political News Market," *American Journal of Political Science*, vol. 54, no. 2 (April 2010), pp. 428-439; Amy Mitchell and Dana Page, Millennials & Political News, Pew Research Center, Washington, DC, June 1, 2015, at <http://www.journalism.org/files/2015/06/Millennials-and-News-FINAL-7-27-15.pdf>.

<sup>56</sup> Dell Champlin and Janet Knoedler, "Operating in the Public Interest or in Pursuit of Private Profits? News in the Age of Media Consolidation," *Journal of Economic Issues*, vol. 36, no. 2 (June 2002), pp. 459-468; Pamela Taylor Jackson, "News as a Contested Commodity: A Clash of Capitalist and Journalistic Imperatives," *Journal of Mass Media Ethics*, vol. 23, no. 2-3 (June 2009), pp. 146-163.

<sup>57</sup> Michael T. Heaney, "Blogging Congress: Technological Change and the Politics of the Congressional Press Galleries," *PS: Political Science & Politics*, vol. 41, no. 2 (April 2008), pp. 422-426; Ryan Witte, "It's MY News Too!," *Yale Journal of Law & Technology*, vol. 12, no. 1 (January 2010), pp. 208-347; Amy Mitchell, Jeffrey Gottfried, Michael Barthel, et al., The Modern News Consumer, Pew Research Center, Washington, DC, July 7, 2016, at [http://assets.pewresearch.org/wp-content/uploads/sites/13/2016/07/08140120/PJ\\_2016.07.07\\_Modern-News-Consumer\\_FINAL.pdf](http://assets.pewresearch.org/wp-content/uploads/sites/13/2016/07/08140120/PJ_2016.07.07_Modern-News-Consumer_FINAL.pdf); Kristen Purcell, Lee Raine, and Amy Mitchell, et al., Understanding the Participatory News Consumer, Pew Research Center, Washington, DC, March 1, 2010, at <http://www.pewInternet.org/2010/03/01/understanding-the-participatory-news-consumer/>; Norman H. Nie, Darwin W. Miller, III, and Saar Golde, et al., "The World Wide Web and the U.S. Political News Market," *American Journal of Political Science*, vol. 54, no. 2 (April 2010), pp. 428-439.

apply to the gallery that best matches how they report the news and must meet similar employment and parent publication rules as traditional media journalists. Because websites can provide text, photographs, audio, video, or a combination of these formats, it may be more difficult to draw distinctions between media types for these outlets.<sup>58</sup> Publication can also occur immediately and may obscure differences between daily and periodical publications. The low cost to self-publish on the Internet could also present challenges to the gallery requirements that journalists must be primarily employed by a news outlet. Non-journalists may also be able to effectively report news from the Capitol with handheld Internet-connected devices, like smartphones, and the ubiquity of social media publishing and broadcasting applications. These considerations may be relevant for the congressional press galleries, or for broader chamber rules and policies regarding photography, broadcasting, or use of electronic devices.

## **Concluding Observations**

Since the 1800s, a number of changes have occurred in how news is produced and distributed. The basic structure of the congressional press galleries, however, has remained fairly consistent. Credentialing requirements originated as a way to facilitate professional news reporting from Congress, preventing congressional staff from doubling as reporters and lobbyists from posing as reporters to gain access. Today, the accreditation process continues as a measure to provide access to Congress for credible journalists and news outlets.

The system of having an independent correspondents' committee, comprised of gallery members, as the gatekeepers for congressional press credentials for that gallery, generally addresses potential concerns that Congress might infringe upon the rights of a free press or only allow for favorable news coverage. Although the Speaker of the House and the Senate Committee on Rules and Administration must approve any gallery rules, the substance of the rules often reflect measures initiated by the correspondents' committees and gallery members. Designated administrative staff in each gallery further help to insulate the press galleries from possible political pressure.

The level of administrative resources granted to the galleries has increased since their creation, but the number of credentialed correspondents has also continued to grow, particularly in the radio/TV galleries. This may be relevant to the consideration of what resources are allocated to the galleries, or how these resources are distributed across each chamber's galleries. Previously clear distinctions between media types and publication schedules, which form the basis of the current gallery divisions, may become increasingly blurred, and this may be relevant as Congress considers how to accommodate multimedia journalists and Internet-based news.

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<sup>58</sup> One scholar notes that Congress is “the only national legislature to divide its galleries among different forms of media.” See Ritchie, p. 217.