

ABUSIVE AND HARASSING TELEPHONE CALLS

TUESDAY, JANUARY 30, 1968

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON COMMUNICATIONS AND POWER,
COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE,
Washington, D.C.

The subcommittee met at 10 a.m., pursuant to notice, in room 2123, Rayburn House Office Building, Hon. Horace R. Kornegay presiding (Hon. Torbert H. Macdonald, chairman).

Mr. KORNEGAY. The subcommittee will come to order.

We have before us for hearing seven identical bills: H.R. 611, H.R. 1422, H.R. 5867, H.R. 6283, H.R. 7830, H.R. 13323, and S. 375.

Three of these bills have been introduced by our colleagues on the committee, Mr. Van Deerlin, Mr. Cunningham, and Mr. Murphy.

All of these bills would help us to stamp out the cowardly and vicious use of telephones to frighten and vilify innocent persons, many times children.

Equally despicable is the practice of calling families of our servicemen and giving false reports of their deaths, or gloating over their deaths which have in fact occurred.

Since these practices first became a matter of public concern, all the States enacted laws to stamp them out. However, the States have neither the authority nor the facilities to apprehend and punish persons who make such calls from beyond their borders.

This problem is particularly acute in the growing number of large metropolitan areas which straddle State borders. This gap would be filled by the enactment of one of the bills which we have before us here today.

(The bill, H.R. 611, and departmental reports thereon, follow:)

[H.R. 611, 90th Cong., first sess.]

A BILL To amend the Communications Act of 1934 with respect to obscene or harassing telephone calls in interstate or foreign commerce

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title II of the Communications Act of 1934, as amended, is further amended by adding at the end thereof the following new section:

"SEC. 223. OBSCENE OR HARASSING TELEPHONE CALLS IN THE DISTRICT OF COLUMBIA OR IN INTERSTATE OR FOREIGN COMMERCE.—Whoever by means of telephone communication in the District of Columbia or in interstate or foreign commerce—

"(a) makes any comment, request, suggestion, or proposal which is obscene, lewd, lascivious, filthy, or indecent; or

"(b) makes a telephone call, whether or not conversation ensues, without disclosing his identity and with intent to annoy, abuse, threaten, or harass any person at the called number; or

(1)