

of up to \$500 or imprisonment for 6 months or both to make obscene or harrassing telephone calls in interstate commerce or within the District of Columbia. According to witnesses from the telephone company, most of the abusive calls are intrastate or local in nature and thus would come within the prohibition of State or local law. My bill does not replace the action already taken by the several States. However, in those cases where the State cannot act because the call originated in another jurisdiction, enactment of my bill would supplement the State and local law. Thus, under section 3237 of title 18 of the United States Code, prosecution would be permitted where most convenient for the witnesses, either in the district where the call originated, where it continued, or where it was completed.

This legislation is long overdue. In metropolitan areas such as the District of Columbia where a number of jurisdictions are combined in one central telephone system, the local and State statutes are not fully effective. This bill will close that loophole; it will permit prosecution of those individuals who use the telephone in interstate commerce to harass or frighten others; it will have a deterrent effect on the making of such calls; it will set an example for the States to revise or enact, where needed, State statutes pertaining to such abusive activities; it will extend the prohibition to the District of Columbia; and it will bridge the interstate gap in such matters.

I hope that this committee will quickly approve my bill and that this needed legislation will be enacted at an early date.

Thank you for giving me this opportunity to appear here today in support of this legislation.

Mr. KORNEGAY. Thank you for your testimony, Mr. Brasco.

I take great pleasure in calling as our next witness the Honorable Rosel H. Hyde, Chairman of the Federal Communications Commission.

Mr. Hyde, you are welcome. And you bring with you other members of the Commission?

Mr. HYDE. I have Mr. Henry Geller, the General Counsel of the Commission to my right, and to my left Mr. Kelley E. Griffith, Chief, Domestic Rates Division, Common Carrier Bureau.

Mr. KORNEGAY. It is a pleasure to have you before us this morning, and we welcome you and the members of your staff.

You may proceed in any fashion you want.

STATEMENT OF HON. ROSEL H. HYDE, CHAIRMAN, FEDERAL COMMUNICATIONS COMMISSION; ACCOMPANIED BY HENRY GELLER, GENERAL COUNSEL; AND KELLEY E. GRIFFITH, CHIEF, DOMESTIC RATES DIVISION

Mr. HYDE. My statement is very brief. I will present it orally, if that is agreeable.

Mr. Chairman, I am Rosel H. Hyde, Chairman of the Federal Communications Commission. I appear here today at the committee's invitation to discuss bills to amend the Communications Act of 1934 with respect to obscene or harassing telephone calls in interstate or foreign commerce—H.R. 611, H.R. 1422, H.R. 5867, H.R. 6283, H.R. 7830, H.R. 13323, and S. 375. For convenience, I shall refer by number only to S. 375 which passed the Senate on April 24, 1967. However, because all these bills under consideration are identical, my comments are equally applicable to all.