

"Whereas there is presently a bill before the Congress designed to protect the morale and efficiency of members of the Armed Forces by making it a federal offense for anyone to make threats or harass members of the Armed Forces, their wives, widows or families: Now, therefore, be it

"Resolved by The American Legion in National Convention assembled in Washington, D.C., August 30, 31, September 1, 1966, That we support such legislation and urge its immediate passage by the Congress."

In cases falling within the purview of this proposed legislation, we are dealing with sick, deranged or depraved individuals *in most instances*. However, as the number of American servicemen fighting in Viet Nam grows, so grows the extent of harassment of their families which leads to the inevitable conclusion that mental cruelty to the dependents of members of our Armed Forces is as much a part of war as guns, bullets and bombs. It also follows that among the sick, the nuts and the pacifists, there are dedicated communists as well.

Psychological warfare against troops is not new. During World War II, it was used by the Germans and Japanese. But the harassment of the wives, children, mothers and fathers of soldiers, sailors, marines and airmen sets a new low in cruelty and barbarism. As you might presume, our primary interest in S. 375 is the protection of the families of servicemen, particularly those defending freedom in Viet Nam.

I cannot emphasize too strongly how important The American Legion feels this legislation is. May I assure you that it has the unequivocal support of our organization. If any changes were to be made, my recommendation would be that the penalties be made more severe.

I thank you.

U.S. INDEPENDENT TELEPHONE ASSOCIATION,
Washington, D.C., February 6, 1968.

HON. HARLEY O. STAGGERS,
Chairman, Committee on Interstate and Foreign Commerce,
House of Representatives,
Washington, D.C.

DEAR CHAIRMAN STAGGERS: For the record, the U.S. Independent Telephone Association (USITA) encourages the passage of legislation providing for punishment of those who make obscene or harassing telephone calls. Your Committee has under consideration S. 375, H.R. 611 and similar bills which would prohibit such calls in interstate commerce. On these bills your Committee received testimony last week from Vice President Kertiz of the American Telephone and Telegraph Company and officials of government.

The USITA represents the Independent, non-Bell, segment of the telephone industry. Although about one fifth the size of the Bell System in numbers of telephones, the Independents serve more than half the geographical area of the nation. There are Independent telephones in 48 of the 50 states, including Hawaii and Alaska which are totally Independent.

Representative Kornegay in his questioning of Mr. Hubert Kertiz of the AT&T Company developed that the testimony then being given concerned only 80 percent of the country's total telephones. There was the implied question as to the attitude of the other 20 percent, the Independents. We would like to answer that question.

When S. 375 was before the Subcommittee on Communications of the Senate Commerce Committee, I testified (February 16, 1967) as to the position of the USITA. I said: "Our Association fully supports the endeavors of this Committee in attempting to obtain federal legislation to make it a crime to originate obscene or harassing telephone calls." I added, "Like all trade associations we operate by policy declaration of our Board of Directors." Our directive is as follows:

"The USITA supports the concept that federal and state legislation should provide penalties for the origination of obscene or harassing telephone calls both in interstate and intrastate commerce. Since there is no federal legislation on the subject and since not all states have such legislation, the Association urges legislative action by the federal and appropriate state governments."

Today I am happy to note that state legislation has been enacted in the 12 States that were without legislation at the beginning of 1967. We now need legislation only for interstate calls (and for the District of Columbia which is served exclusively by a Bell System affiliate). Enactment of S. 375 will close the last loophole.