

waiver would be based: *Provided further*, That the carrier or conference agrees that if permission is granted by the Federal Maritime Commission, an appropriate notice will be published in the tariff, or such other steps taken as the Federal Maritime Commission may require, which give notice of the rate on which such refund or waiver would be based, and additional refunds or waivers as appropriate shall be made with respect to other shipments in the manner prescribed by the Commission in its order approving the application: *And provided further*, That application for refund or waiver must be filed with the Commission within one hundred and eighty days from the date of shipment."

Approved April 29, 1968.

Public Law 90-299

AN ACT

May 3, 1968
[S. 375]

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

Obscene or harassing telephone calls, prohibition.
48 Stat. 1070.
47 USC 201-222.

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 is amended by adding at the end thereof the following new section:

"OBSCENE OR HARASSING TELEPHONE CALLS IN THE DISTRICT OF COLUMBIA OR IN INTERSTATE OR FOREIGN COMMUNICATIONS

"SEC. 223. Whoever—

"(1) in the District of Columbia or in interstate or foreign communication by means of telephone—

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

"(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;

"(C) makes or causes the telephone of another repeatedly or continuously to ring, with intent to harass any person at the called number; or

"(D) makes repeated telephone calls, during which conversation ensues, solely to harass any person at the called number;

or

"(2) knowingly permits any telephone under his control to be used for any purpose prohibited by this section, shall be fined not more than \$500 or imprisoned not more than six months, or both."

Penalty.

68 Stat. 64.

SEC. 2. Section 3(e) of the Communications Act of 1934 (47 U.S.C. 153(e)) is amended by inserting "(other than section 223 thereof)" immediately after "title II of this Act".

Approved May 3, 1968.