

cations Act, since the act precludes direct instructions to and interference in programing by the Commission.

These are just some of the questions that are raised by the fourth order and report.

Now, Mr. Chairman, I want to make it very clear I do not oppose subscription television entirely by wire with no concomitant use of frequencies. I feel if a person wishes to provide that service it is entirely appropriate that he should be allowed to do so. I believe that service would not be using a badly clogged spectrum which properly belongs to all the people of this country.

I feel very strongly that we should not convert the public airways into a device that will favor 70 percent of the people and exclude 30 percent of the people, according to figures of the FCC.

H.R. 12435, which I have authored, is presently before this committee. It would bar STV. I must confess I drafted that bill in great haste when I saw this fourth order and report. I did so in the secure hope that I would get something before this committee and I want to tell you, Mr. Chairman and members of the committee, how pleased I am to see your attention to this great problem.

I understand there have been some efforts by the persons interested in subscription television to place comments in public places and newspapers and periodicals critical of this committee. I believe this committee is carrying out a very valuable function, of oversight. This it must do to assure proper administration by the Federal Communications Commission.

I want you to know, Mr. Chairman, that I certainly applaud what the committee is doing.

Lastly, referring again to H.R. 12435, I feel very strongly that subscription television is a bit like a viper. You have to squash it in the egg and not let it get out to create mischief. I believe that vigorous action by this committee to destroy it before it is able to get into the position where it is going to cause mischief in our society is very much in order. I hope this committee will devote itself very carefully to the thought of getting out legislation, not necessarily H.R. 12435 or any other particular legislation, but just legislation which will stop subscription television for good and all. This committee, the Congress, and the Federal Communications Commission should devote themselves to matters of vastly more importance and not fiddle around with something which won't work, which is mischievous and which converts a portion of the public resources to private gain in a manner which is thoroughly inconsistent with the history and practices of the Congress, of the Federal Communications Act, and of the radio and television industry.

Mr. MACDONALD. Thank you very much, Mr. Dingell. You have made a fine presentation of your point of view.

There are two things that entered my mind when you were giving your very fine presentation. I know you have always fought very hard for the public interest as a member of this committee and as chairman of the Small Business Committee. Two things entered my mind.

I was not quite sure of the reasoning behind your endorsing pay TV by wire. Does that mean by cable?