

prosper. I think the Commission is very broadly disregarding the public interest when it ignores the real prospect and promise of public television. I think it ought to be fostering public television, seeing to it that it has the best possible climate to grow in rather than going off and making specious arguments as to its jurisdiction to create something that nobody really wants.

MR. VAN DEERLIN. Thank you, Mr. Chairman.

MR. MACDONALD. Mr. Broyhill.

MR. BROYHILL. Thank you, Mr. Chairman.

As usual, our colleague from Michigan has provided us with a great deal of information on this subject as he does on other subjects.

There has been discussion in this committee, and you have discussed it too, about the statements that the FCC has made concerning the desirability of congressional guidance. You have been a member of this committee for some time. As far as you know, has the Federal Communications Commission made any formal recommendations to the Congress or to this committee concerning STV?

MR. DINGELL. First of all, I can recall no request by the Commission for guidance from the Congress previous to the fourth order and report. They have said from time to time if the Congress does not give them guidance they will do so and so. But that is very, very different than a request for guidance.

I don't view it to be the power of the Commission to dictate to the Congress when we are going to tell them what they should do. They are an arm of Congress, and subservient to it. They have received a number of expressions from this committee, from the Senate Commerce Committee, from members of this committee, from Members of Congress generally, all of which without exception, to the best of my recollection, have been hostile to subscription television and have been opposed to the Commission taking any action without further direct instructions from the Congress.

MR. BROYHILL. You would agree with me that the FCC mistakenly assumes that congressional silence signifies some consent to the course that the Commission is presently taking?

MR. DINGELL. I would say that in my opinion it almost marks arrogance. I don't think this is the relationships that the Federal Communications Commission should have with the Congress. The Congress is the dominant arm and has delegated certain authorities to the Federal Communications Commission. The Commission not infrequently tends to lose sight of this just as it tends to lose sight of questions of public policy laid down in the act.

MR. BROYHILL. I missed the first part of your verbal statement. I don't know if you read it in that part but I was amused by your statement, in your written statement here, which says:

It is true that the Congress has not acted on the matter. It is true in the same sense that the Congress has not passed a resolution requesting the National Park Service not to put a cork on Old Faithful Geyser and sell steam to the nearest electric power producer.

MR. DINGELL. I also had in my statement, but I took it out, that the board of directors of a well-known automobile company had not felt it necessary to pass new resolutions against the issuance of unsuccessful models of automobiles. There is a certain element of commonsense in this that I think has been lost on the Commission.