

and complex pay TV program regulation, which would involve governmental interference with licensee programming responsibility is another reason that leads MST to oppose pay TV and should lead the Congress to act now to forbid the establishment of pay television. The Congress should reaffirm the principle that the future of broadcasting in this country belongs to all the people, not merely to those who are able to pay and who live in communities in which STV operators would find financial gain.

Thank you very much, Mr. Chairman.

Mr. MACDONALD. Thank you, sir.

Mr. LINDOW, I just have two questions.

On page 3 you say that "the dilemma becomes even greater because the imposition of such controls will result in an intolerable degree of Government involvement in television."

Don't you think that the Government is already quite involved?

Mr. LINDOW. Yes, sir; I certainly do.

Mr. MACDONALD. What would change?

Mr. LINDOW. As I tried to point out in the statement, sir, faced with this dilemma the Federal Communications Commission would set up complicated rules such as the sports rule that I went into in detail and this, of necessity, would involve the FCC in the type of programming regulations which they so far have not practiced.

As I think the preceding witness so aptly put it, if we are having problems here when we have been studying this thing and trying to understand it, it is very easy to appreciate that these problems would become more and more severe as a Government agency is trying to regulate the entire pay television industry. It would be intolerable.

Mr. MACDONALD. I have read the Fourth Report. Everyone hints around but I don't see anything in there that further regulates TV than it is already regulated.

Mr. LINDOW. Yes, sir; they are saying under what conditions programming can be presented by pay TV.

Mr. MACDONALD. The programming of 10 percent cultural programs which I think is a mistake, frankly, but outside of that.

Mr. LINDOW. I think you find in here a considerable number of things that they are suggesting they will look into from time to time, that they will have to regulate and provide for in a degree that they just don't do at this time, sir. I have been a licensee in one way or another of the FCC for 33 years.

Mr. MACDONALD. All broadcasters are subject to review to see whether they should have their licenses renewed. The witnesses yesterday pointed out there has not been any revoking of licenses for quite some time and certainly no major broadcasters. I don't see how the Government could get more involved by allowing pay TV to happen.

If you have some specific illustrations, I am sure the committee would like to hear them.

Mr. LINDOW. Counsel reminds me that one of the places the Commission provides for increased governmental involvement in the proposed Fourth Report is in connection with where pay TV can operate and where it cannot, where it must provide nondiscriminatory service. Do you have the citation on that, Mr. Goldberg?

We might give you that for the record.