

Clark should be investigated. If I'm going to be a scapegoat, he's going to be one, too. He's on about 300 stations, I'm on one."

Clark did not take kindly to Freed's remarks. "He was furious" recalls Jack Hooke, Freed's manager who later went to work for Clark, "and he never forgave Alan for it."

From this point on, it became Dick Clark and the powerful ABC versus the lowly Freed.

Hearings into "payola and other deceptive practices" began on December 7th in Washington, D.C. . Any potential appearance by Clark was long in the offing. Edward Jones, one of seven investigators employed by the subcommittee, explains that the delay was unavoidable. "Just from the volumes of records we had subpoenaed and were forced to review, we knew that it would be months before we could bring him to Washington."

The intervening months would not be kind to ABC, as the investigation would turn up evidence of a broadcasting giant run amuck. Some of ABC's top employees not only seemed to be using their position to enrich themselves, but one Sam Clark, (of no relation to Dick) who ran a record and publishing concern owned by ABC, had used ABC funds to pay an employee of a company that he formerly owned. Even more incredible was his gift of eight songs to a publishing company owned by Dick Clark, and two to one owned by Freed. Although the subcommittee would miss it, the implications are evident today. ABC had been giving "payola" to its own employees.

On January 27th, at just past two in the afternoon, the subcommittee ushered in Tony Mammarella to testify in executive session. Considering the confidentiality of such a proceeding, the

subcommittee hoped Mammarella would be forthcoming regarding his business affairs with Clark. In two days of testimony, Mammarella, flanked by two attorneys, sat before the group and told them that yes, he did take money from record companies and distributors, but no, it had nothing to do with what records that got on the air. Classifying most of the payments as "consulting" fees, Mammarella stumbled through weak explanations of how he was hired as a expert by these many companies.

When asked about Clark, Mammarella repeated what he had already told investigators, that he had provided details of his business deals upon resigning from ABC, but insisted that Clark had not had a direct hand in the transactions. Mammarella was hardly convincing, and the high point came as Chairman Oren Harris dismissed him as a witness. "I realize that you have a problem. But I am hopeful that this is not another instance in which somebody is trying to take the fall and covering up for somebody else."

Mammarella thanked the Congressman without responding to the thinly veiled allegation. Behind this insinuation was an acknowledgment by the subcommittee that they had probably been premature in bringing Mammarella to testify and as a result may have compromised their ongoing investigation of Clark. The investigative staff was proceeding quietly, conducting dozen of field interviews with individuals connected not only with Clark, but to the many other people who became of interest to the subcommittee. But the public cry was for Clark, who sat almost helpless as the scandal continued to devour his once vibrant career.

Clark and the officials of ABC attempted to be as accomadating to the subcommittee as possible, realizing that anything less would spell certain doom. Clark met with investigators on at least three occasions, as did Goldenson. It was during one such meeting in March