

strained in style, context and time by the program practices divisions of the networks," according to Harlan Kleiman, vice president of programming for HBO.

The success of an earlier HBO program, *An Evening with Robert Klein*, prompted production of the upcoming series, the first of which features David Steinberg and was taped at the Playboy Club, New York, to premiere March 20, 23 and 28. Other *On Location* shows and locales will be: Rodney Dangerfield, Dangerfield's, New York; Mort Sahl, U.C.L.A.; Myron Cohen, Rainbow Grill, New York; John Byner, Frontier Inn, Las Vegas; Phyllis Diller, Royal York hotel, Toronto; Henny Youngman, Friars Club, New York; David Brenner, MGM Grand hotel, Las Vegas; Freddie Prinze & Friends, Improv, Los Angeles, and Joey Bishop, Sahara hotel, Las Vegas).

The agreement with Columbia was significant in that the two firms had had some difficulties in the past in interpreting deals they had made. The understanding reached contains the terms and conditions applying to licensing of features, particularly with the reporting, advertising and promotional uses of the film. It was stressed that the pricing and the availability of specific films are to be negotiated on a picture-by-picture basis.

The two companies said the first motion pictures licensed under the new understanding are "Shampoo," "Breakout," "Aloha, Bobby and Rose," and "Lies My Father Told Me."

Disqualification of RKO lawyers in WNAC-TV case hangs on filings by Burch, law firm

The question of whether the Washington law firm of Pierson, Ball & Dowd will be allowed to continue representing RKO General Inc. in the Boston channel 7 proceeding hinges on the responses former FCC Chairman Dean Burch, now a member of the firm, and the firm itself file in affidavits the commission has requested. In requesting the affidavits, the commission indicated the standards it will follow in determining whether to require disqualification will be those laid down last week by the American Bar Association through its Standing Committee on Ethics.

Essentially, the commission wants to know whether Mr. Burch shared in any fees earned by the firm from the Boston channel 7 case. Mr. Burch has already filed an affidavit asserting he has not discussed the case with members of the firm or participated in the case since leaving the commission.

The disqualification issue was raised in the Boston case by Community Broadcasting of Boston Inc., one of two applicants seeking to supplant RKO as licensee of channel 7, on which WNAC-TV now operates. Community said that in view of Mr.

Schoenbrun defends CBS's Dan Schorr while calling for self-policing; Rather adds ominous note

The press must "do a better job of policing ourselves or we are going to be policed," TV newsman David Schoenbrun told a luncheon meeting of the New York chapter of the Academy of Television Arts and Sciences. "If ever the idea that government can regulate the press becomes accepted," he said, "freedom of the press will be gone."

He saw several recent steps in that direction, notably the Nebraska court gag rule and the Supreme Court's decision last week narrowing press defenses against libel and slander suits in the Mary Alice Firestone-*Time* magazine case (story page 36). He characterized President Ford's proposed legislation for control of intelligence information as clearly embracing unconstitutional principles of prior restraint, and said the pending revision of the criminal code (S-1) contains provisions that are "the worst gag rule I've ever read."

Mr. Schoenbrun, a long-time CBS News correspondent, now a news analyst for WPIX(TV) New York, conceded that "the press in many ways has abused its privileges." He made clear, however, that in his view no such abuse occurred in the current Daniel Schorr case. He devoted a substantial part of his talk to Mr. Schorr—whom he described as "the outstanding newsman of the TV community today"—and the furors surrounding his

Burch's active participation in matters affecting the case while he was FCC chairman, between 1969 and 1973, Pierson, Ball & Dowd should be disqualified.

The new ABA ethics committee standards appear in an interpretation of the association's disciplinary rules governing private attorneys formerly employed by the government. And they were developed in response to expressions of concern over the effect of those rules on the part of government agencies and private attorneys who once worked for the government.

One of the rules prohibits a lawyer from participating in a matter in which he had "substantial responsibility" while in government. Another rule bars his partners or associates from the matter also.

The commission said that Mr. Burch's participation in the case while at the commission effectively bars him from representing RKO in the Boston case. But as for whether the firm is also barred, the commission said the ABA's new interpretation of the rules recognizes that there are "weighty policy considerations that favor a realistic construction" of the rules.

The commission said a broad interpretation would limit the potential employment of former government attorneys and restrict the government's ability to recruit competent attorneys, deter litigants from

acknowledged passing of a secret copy of the House Intelligence Committee's report to the *Village Voice* (BROADCASTING, Feb. 29, et seq; see also page 34).

Schorr did not one but seven broadcasts on CBS Radio and CBS-TV dealing with the report, Mr. Schoenbrun said, and produced "not one word of protest" from the White House, the Central Intelligence Agency or anyone else." Now, however, Mr. Schoenbrun continued, Mr. Schorr has been attacked not only by the public and the Ford administration but—and most unaccountably—by the press.

Another who joined Mr. Schorr's corner last week was historian Henry Steele Commager, who in a letter to the *Times* compared the CBS correspondent's actions with those of Benjamin Franklin two centuries earlier (in releasing private letters written by the royal governor). Mr. Commager compared Mr. Schorr's actions favorably with Mr. Franklin's, saying he had remained "loyal to the principle that the American people have a right to know what their government is about."

CBS correspondent Dan Rather told the Associated Press last week that "There's no question he [Mr. Schorr] is in trouble. One of the key questions will be whether he discussed it with CBS before he dealt with a third party and whether he told the company the truth from the beginning." Mr. Rather was quoted as saying "I don't subscribe to a double standard for journalists, and I've always said if I break a law, I expect to be held accountable.

"But," he added, "the government does like to take the heat off itself by putting it on someone else."

seeking specialized counsel, and permit one party in a case to deprive his opponent of knowledgeable counsel. Accordingly, the commission said it agreed with the ABA's views that if other means of accomplishing the goal of the rule were available, disqualification of the firm was not required.

CBS will institute tripartite plan for children's programs

CBS-TV's Saturday schedule for fall will divide the morning and early afternoon into thirds, devoting 8-10 a.m. to animated comedy; 10-12 to adventure and 12-2 p.m. to variety entertainment and film festivals.

Four new series, announced by Jerry Golod, vice president, children's programs, CBS-TV, are: *Clue Club* (Hanna-Barbera Productions) and *Tarzan: Lord of the Jungle* (Filmation Associates), both animated; and *Ark II* (Filmation) and *Way Out Games* (Barry and Enright Productions with MGM Television), both live.

Programs headed off the air at the end of the 1975-76 season are: *Pebbles and Bamm Bamm*, *Scooby Doo*, *Valley of the Dinosaurs*, *The Ghost Busters*, *The Harlem Globetrotters Popcorn Machine* and *U.S. of Archie*.