

Carter would not mind if the format were less rigid and permitted the candidates to address each other. He said Mr. Carter has always favored a less structured plan.

Mr. Jagoda and Gerald Rafshoon, the Carter advertising director, meet in Atlanta Thursday with representatives of the league, including James Karayn, debates project director; Ruth Clusen, league education fund chairman, and Peggy Lampl, league executive director.

The purpose of the meeting was to hold a critique on the first debate. Said Mr. Jagoda: "We were anxious to respond to public criticism about the dullness of the first debate." There were no specific proposals for renovating the format, however, and for that reason, and because of other duties to the President, Mr. Duval said he did not attend. With no representative from the President, no major changes were agreed to in Atlanta.

Both sides did agree on one possible alteration: eliminating the follow-up question unless it is really a follow-up. Both sides agreed the follow-up question in the first debate more often was just a second question on a similar topic rather than it was a request for clarification. That gave the opponent more to respond to in the allotted two-minute rebuttal, and for that reason tended to put the opponent at a disadvantage, they agreed.

In the first debate, the candidates were given three minutes to answer the first question, two minutes to answer a follow-up and the opponent then had two minutes to rebut.

The second debate, as the first, will last 90 minutes. The panel of three questioners and moderator—all journalists—had not been selected as of last Friday.

The site, the Palace of Fine Arts is an ornate, domed building from the 1915 Panama-Pacific Exposition near the foot of the Golden Gate bridge.

The theater was pronounced "good" last week by Jack Kelly, producer for the CBS News special events unit, who is serving as producer for the four-network pool broadcasting the event. CBS has the pool this debate, the Public Broadcasting Service has it for the vice presidential debate Oct. 15 and NBC has it for the last presidential debate.

Mr. Kelly said there are no changes in the coverage of this debate, nor are there any in the staging. The league shipped to San Francisco the same backdrop and props it used in the first debate.

The only difficulty with the San Francisco theater is that it has no air conditioning, Mr. Kelly said. The league is providing portable air conditioning units for the candidates' comfort.

The league did not relent last week on its prohibition against TV shots of the audience during the debate. ABC News President William Sheehan, in a telegram to Mr. Karayn last week, requested that the candidates be asked again about audience coverage. They were and again rejected the idea, arguing as they did before (BROADCASTING, Sept. 27) that periodic cutaways from the candidates would distract and possibly influence home viewers.

Copyright is out of Congress

Bill is voted out after 10 years of trying; under it, cable will have to pay a fee for TV signals

The first revision of copyright law in 67 years passed Congress last Thursday. Under it cable television and public broadcasting will for the first time have to pay copyright royalties.

After a decade of trying, both houses moved final passage swiftly. The vote in the Senate was 75-0. The House passed it by voice vote. It now goes to the President, who is expected to sign it into law.

The cable TV and public broadcasting sections are those of the House's version of the bill. The following are the major provisions:

■ Cable systems get a compulsory license requiring them to pay flat semiannual royalty fees based on the number of distant signals they carry and on their subscriber receipts. Under a fee scale, written into the bill, cable systems will pay 0.675% of their gross receipts for the first distant signal, 0.425% of the second, third and fourth and 0.2% for each signal over four.

Systems with less than \$80,000 semiannual income get a break from the standard fee schedule, but they would always have to pay at least \$30 a year. Systems with from \$80,000 to \$160,000 semiannually, get a lesser break. The top-25 multiple-system cable operators are not entitled to these small and medium-system exemp-

tions.

■ A five-member royalty tribunal is established to review the cable and other rates. It would convene immediately for review of the cable rates if the FCC changes its syndicated exclusivity rules or adds to the number of signals cable systems can carry. Except for these extraordinary meetings, the regular cycle for reviews is five years.

■ The bill prohibits cable systems from substituting their own commercials on imported broadcast signals, and permits local TV and radio stations to sue them if they violate that.

In addition, the broadcasters won in the House's report, which explains that body's intent behind its language, the admonition to the FCC that nothing in the copyright bill should be taken as encouragement to change its pay cable or distant signal rules. The same language is not in the House-Senate conference committee report.

■ The cable compulsory license applies to signals imported from Mexico and Canada, but with restrictions. In the case of Mexican signals the cable system carrying them has to be within reach of the Mexican station's over-the-air signal. In the case of Canadian signals, the cable systems have to be within 150 miles of the Canadian border or above the 42d parallel.

■ The bill makes it legal for archives and libraries such as Vanderbilt University's TV news archives to copy news programs—local, regional and network—for lending out to researchers, but with restrictions preventing the borrowers from using copies for profit or politics.

It also sets up the American TV and Radio Archives in the Library of Congress

NAB offers figures to prove harm done by imported signals

House Communications unit gets data showing reduction of audience in markets with significant cable penetration

The National Association of Broadcasters has more data that, it believes, demonstrates that distant-signal importation into a TV market reduces the audience and, consequently, the revenues of stations in the market.

In a letter to the House Communications Subcommittee, which two weeks ago concluded hearings on cable TV regulation, NAB President Vincent Wasilewski offered figures purporting to show that in three-station TV markets that are served by cable, the average viewer loss is 21.6%. There are 23 such markets, said Mr. Wasilewski, and they have an average cable penetration level of 33.7%.

In markets with fewer than three stations (54), the average audience loss to cable is 34.3%; average cable penetration is 37%. In markets with more than three stations (22), the average audience loss is 13.2%; average cable penetration is 19.7%.

Mr. Wasilewski also offered data that

fleshed out earlier testimony given by broadcasters from the Palm Springs, Calif., market, who claimed the market is particularly hard-hit by cable television.

Palm Springs is the 190th market, with two TV stations, KMIR-TV and KPLM-TV. Cable penetration in the market is 62.9% and the cable systems there typically import nine Los Angeles stations, according to NAB. The association's analysis of Arbitron 1975 county coverage figures concludes that two stations lose 45% of their audience to the Los Angeles signals. The loss is greatest in early fringe time, according to the figures, when the audience reduction is 78%. The reduction is 37% in prime time.

Mr. Wasilewski says in the letter that available statistical evidence, including computations by NAB's research department, support "the common-sense notion that a station's revenue relates directly to its audience."

KMIR-TV claims it has lost money every year since it went on the air in 1968. By NAB's figuring, however, the station would be making money if there were no distant signals imported into the market.