

## TELEVISION PRESERVATION IN THE LIBRARY OF CONGRESS

The Library of Congress was established in 1800. It received its first film acquisition on October 5, 1893 when W. K. L. Dickson, Thomas Edison's assistant, deposited a copy of "Edison's Kinetoscopic Records" for copyright registration.

At the time there was no copyright legislation which specifically referred to moving images, so films were deposited as a series of still photographs. This practice changed when the 1912 Copyright Act was passed. This legislation specifically referred to motion pictures and required depositors to offer the Library a copy of the actual work, in other words, a 35mm nitrate print. The Library, understandably, decided not to retain these copies because they had no secure storage for flammable nitrate film. They, therefore, recorded the copyright registration and returned the physical materials to the donor.

In 1942, Librarian Archibald MacLeish instituted a policy whereby the Museum of Modern Art Film Department advised the Library which film copyright deposits should be retained. The only other film materials acquired were given to the Library as gifts.

Although television transmissions started in the late 1930's, programs were broadcast either live or from film. There was no form in which the live television experience could be acquired. The Library received its first program specifically made for television in 1949.

### 1) The Impact of Copyright Legislation on the Library's Television Collection

The Library's collections have always been formed primarily through copyright deposits. This was not an effective way of acquiring television programs. Producers did not feel that there was any long-term value in registering their programs. Even those who saw the benefits of protection had to grapple with the legal concepts of fixation and publication. The act of broadcasting does not constitute publication because the programs have not been offered to the public for sale, lease, or rental. In the early days, it was the act of syndication that led to publication. This was achieved by selling a physical copy of the program to another station. Today, syndication can occur without the purchaser actually receiving a copy of the program so the act of publication often only takes place when a copy is offered for sale or rental to the public.

Registrations were sparse in the 1950s and 1960s but the situation improved in the 1970s. By then more programs were kept on videotape or in the form of kinescopes and new markets were opening up. Consequently, more programs had a commercial life after their initial transmission, and previously unregistered programs were registered for the first time.

## 2) The Impact of Technology on the Library's Television Collections

In the early days, most television was live. What was not, originated from film that had been produced for the cinema. The first method of recording a live television transmission was by using a movie camera to record the image directly from the screen. The result was known as a kinescope recording. When 2-inch quad videotape was introduced in 1956, it was used mainly to permit the broadcasting of a program at a different time, rather than to record live transmissions for future use. In fact, the tape, itself, was so valuable that it would be wiped and re-used immediately after transmission. For several years after the introduction of tape, the only format that could be acquired was 16mm kinescope. Today, numerous analog and digital formats are used for transmission and distribution so we have to be able to play back and preserve many different types of material.

## 3) The Impact of Acquisition Policy on the Library's Television Collection

The Library's acquisition policies are largely influenced by the needs of the scholars and researchers and the fact that the Library of Congress is considered to be the library of last resort--the place to find materials that no one else has saved. Initially, the Library's view of television was as an educational medium occasionally broadcasting worthwhile dramas and documentaries. It did not sufficiently appreciate the historical and social significance of popular programming and felt that fiction television programs had no long-term value. It therefore, retained occasional examples of entertainment programs that were deposited but never bought and seldom solicited gifts of programs not deposited for copyright. In 1966, the Motion Picture Section of the Prints and Photographs Division took over the selecting of television programs. By now, there was a small but growing number of researchers interested in the study of television. More entertainment programs were retained. In 1963 the Library selected one episode of *Gunsmoke*; in 1969, three; and in 1973, 21.

## 4) The 1976 Copyright Act

In the mid-1970's, Acting Register of Copyrights, Barbara Ringer, had been concerned for some time that the Library was not receiving the television programs it wanted through copyright. She therefore managed to get in the 1976 Copyright Act a piece of legislation known as the American Television and Radio Archives Act. It required the Librarian of Congress to "...establish and maintain in the Library of Congress a library to be known as the American Television and Radio Archives (hereinafter referred to as the 'Archives'). The purpose of the Archives shall be to preserve a permanent record of the television and radio programs which are the heritage of the people of the United States and to provide access to such programs to historians and scholars without encouraging or causing copyright infringement." The Act became law in 1978 and has affected the Library's acquisition, preservation, documentation and access policies

ever since. The Act gives the Library some resources each year for the duplication of 2-inch tapes and other obsolete formats; for acquiring retrospective collections which were not deposited for copyright or be available through donation; for making access copies for researchers and for screening in the Pickford Theater; and for cataloging the collection.

The Library's collection now contains 205,000 television programs, comprising more than 290,000 items.

## 5) Television Preservation at the Library of Congress

In the Library, materials are usually separated by format. Kinescopes are therefore kept with the film collections, and videotapes, with the other magnetic media. We have two storage environments for master film materials--37°F and 25% RH for color films and 50°F and 35% RH for black-and-white film. Film copies used for access are stored at room temperature. Master videotapes are stored at 50°F and 35% RH. Access tapes are stored at room temperature. We define a master as the best material on any subject that we have in the collection.

The Library has its own preservation facilities for copying film and magnetic media. However, we make a new film master from a kinescope only if we hold negative material and the soundtrack is of particular importance. Otherwise, we make a 1-inch videotape master and a 3/4-inch video access copy. We do not use 1/2-inch VHS for access copies because, as this is a domestic (U.S.) format, it is susceptible to theft. All 2-inch quad tapes are transferred to a 1-inch master and a 3/4-inch viewing copy. We continue to consider 1-inch the current official master format because we have 1-inch equipment, tapes and spare parts guaranteed for at least another five years, and we prefer a non-cassette format for preservation purposes. Also, it is not so easy to damage tapes with a larger surface area.

Programs received on Betacam SP or D-2 are considered master material, and we do not make copies of them for preservation purposes. We have playback facilities for Super VHS, VHS, Betacam SP, Betacam, D-2, 1-inch type A, 3/4-inch U-Matic, Hi-8, and 2-inch. Our Magnetic Recording Laboratory, which is run out of a revolving fund (staff have to earn their salaries out of income) also has a 35mm/16mm Rank Cintel telecine which enables us to transfer film to most videotape formats. The Lab also has an electronic fonting capability which allows us to insert textual information for program identification or production purposes.

Our Motion Picture Conservation Center, which is situated at the WPAFB near Dayton, Ohio, can handle the duplication of 35mm/16mm black-and-white film. It can also print color film but currently sends it out for processing to a commercial laboratory. We also currently out-source sound re-recording. The facility concentrates at present on the preservation and restoration of nitrate films, although we do also copy films suffering from vinegar syndrome and dimensional instability.

## 6) Access to the Library's Television Programs

Patrons and scholars undertaking research leading to a publicly available work can view programs, free of charge, on viewing machines, Super VHS, 3/4-inch U-Matic, 1/2-inch VHS, BETAMAX, Laser videodisc, and CED videodisc. Normally, programs can be viewed only if the Library also holds master material on the same item. However, we are required to make materials deposited for copyright available to researchers. If no access copy is available, we must allow the researcher to view this unique material. The viewing equipment is operated by the researchers themselves, after simple training by the reference staff. We do not differentiate between commercial users and scholars. The former may acquire footage or whole reels through our Public Services Office at cost, plus 20% to cover handling, providing that there are no donor restrictions, that we have permission of the copyright owner in writing, and that we have access to secondary material from which we can make the duplicates. Cost estimates must be approved before work commences. Payment for the latter must always be made in advance. We currently expect a minimum of five working days notice to arrange viewings and six weeks to provide extracts. Payment for the latter always has to be made before work commences.

The Library has a number of paper collections related to television. These can be found either in the Motion Picture, Broadcasting and Recorded Sound Division (M/B/RS) or in the Manuscript Division. We also show television programs from time to time in our 65-seat Mary Pickford Theater, free of charge. Access copies are sometimes loaned, with the copyright owner's permission, to members of the International Federation of Film Archives (FIAF) and the International Federation of Television Archives (IFTA) for public viewing on member's premises.

The Motion Picture and Television Reading Room is open weekdays from 8:30 AM to 5:00 p.m.. A selection of reference books and magazines on film and television are available for consultation in the Reading Room. Other more esoteric publications are in the general collection and may be accessed through the Main Reading Room in the Jefferson Building. With some exceptions, the Library keeps copies of all published works in English as well as selected ones in other languages.

## CATALOGING AND DOCUMENTATION

M/B/RS provides at least title access to approximately 65% of its television holdings in its two major catalogs--an on-site card catalog and, since 1986, MUMS, the Library's MARC-based online catalog, which is also available through the Internet via LC MARVEL. There is no distinct television catalog, as cataloging activities have generally integrated television and video programs with other moving image holdings. However, most of the online records for television

programs include genre terms that facilitate searching (for example, Television, Made-for-TV movies, Situation comedies.)

The published catalog, Three Decades of Television: A Catalog of Television Programs Acquired by the Library of Congress 1949-1979, describes most of the television programs at the Library acquired through 1979. It overlaps substantially with the programs listed in the card catalog.

Efforts to establish collection control by maintaining title access at minimum have resulted in a preponderance of inventory-level records. However these usually carry additional data, which is searchable in the online records, such as director or cast members.

M/B/RS also supplements its MARC records with printed finding aids produced with word processing (WordPerfect) and database software (Alpha4) and plans to make them available internally through a local area network.

Attachment:            Reading Room Guidelines

Library of Congress  
Motion Picture, Broadcasting and Recorded Sound Division

Motion Picture and Television Reading Room  
James Madison Memorial Building, Room 336  
Washington, DC 20540-4805  
(202) 707-8572  
(202) 707-2371 (FAX)  
Hours: 8:30 a.m. - 4:30 p.m., Monday - Friday

## GUIDELINES FOR VIEWING FILMS AND VIDEOTAPES

1. Viewing facilities, which are available without charge, are provided for those doing research of a specific nature leading toward a publicly available work such as a dissertation, publication, or film/television production. We regret that the facilities may not be used for purely personal study or appreciation, nor in ways--such as preview--that conflict with commercial distribution.

2. Graduate students and undergraduates in advanced classes wishing to screen films should first obtain letters from their professors endorsing their individual research projects. The facilities may not be used to make up missed classroom screenings.

3. For preservation reasons, films may not be run in forward or reverse at fast speed. Viewers may stop films and rewind scenes at normal sound speed for note taking.

4. We are unable to accommodate groups. There is a limit of two persons per machine. Both viewers must be involved in the research project.

5. All viewing is by advanced appointment. Because most of our collections are stored in remote locations, an average wait of one week should be expected.

6. Viewers submitting lengthy title lists to be searched by our reference staff should expect a wait of two to three weeks. Lists should be arranged in alphabetical order.

7. A maximum of three feature films, or their equivalent, may be viewed in one day. For films of less than five minutes in length (e.g. Paper Prints), no more than fifty reels of material will be made available on a single viewing date. For video formats, no more than thirty items will be made available per day. Four consecutive weeks of viewing time may be reserved.

8. **Video cameras and tape recorders are not allowed in the viewing room.** Photographing images from the screen with still cameras for reference purposes will be permitted only when authorized by our reference staff.

9. Bear in mind that screening time is limited and must be scheduled. Cancellation without sufficient notice can prevent others from having access to the facilities. Please be considerate of others in this regard.