

COMMENTS BY SAMUEL T. SURATT, Consultant, TO THE HEARING, CONDUCTED BY THE LIBRARY OF CONGRESS, ON THE STATE OF AMERICAN TELEVISION AND VIDEO PRESERVATION AND RESTORATION, March 19th, 1996, in New York City

Over the past ten years, the business of television has gone through dynamic and some times contradictory changes. It has shrunken, divided, multiplied, conglomerated, expanded, down-sized, created huge multi-media companies, destroyed at least one huge multi-media corporation, become international, and opened up local production companies. The television industry has become splintered into many narrow-casting outlets, each having a small part of the market. However the market for television collections, whether we call them archives, libraries, or inventories, has increased many times.

This should be good news for the collections of television programs and the scholars who wish to study the cultural phenomena wrought by this popular art form. But most of us who have worked in the field of television archives for many years are uneasy with this boom in the reuse of old programs for the new narrow casting channels such as the History Channel, Life time, Arts and Entertainment, USA, The Family Channel, TBS, and now even the Food Channel and the weather Channel, and on and on.

The problem, I suspect, with all this attention to the older television programs is that it is ephemeral, and will dry up and blow away when interests and styles change, and another generation's tastes dominate the television spectrum. Because there is no overall inventory of what television programs exist, who owns the rights to them, and what is the physical condition of the media they are on, there is no assurance that any organization or many organizations can pick up the job of long term preservation. The song may have ended for "Name That Tune," but the problems of preserving the its few remaining programs will linger on and on and on.

I am sure that you have been told many times the problems and the huge cost of preserving television programs, by copying them to the newest medium. The medium du jour changes every five to ten years and the number of programs produced increases as well, making an incredible snowballing of the costs to preserve even sample programs, much less most of the programs produced. It appears to be a "no win" situation !

It is by now quite obvious to all of you that the Library of Congress cannot preserve all that is worthwhile, or even not worthwhile, of television programs. The Library has done a magnificent job preserving Cinema and recorded sound and would, if given Department of Defense sized appropriations, do a wonderful job preserving television. But as "generation X" would say "let's get real." There is a feeling in the wind against larger and larger federal spending for even the most laudable of projects, so I think the Library of Congress should spend its energies, both intellectual and monetary toward leading the movement to preserve television programs rather than try to do it by itself. And to take advantage of the current boom in recycling old programs for cable distribution.

One flaw in the otherwise beautifully conceived United States copyright law, is the deposit requirement, which placed the responsibility for long term preservation in the hands of the Library of Congress. What was fine for books, maps, and sheet music 200 years ago doesn't work all that well with the tidal wave of films, recordings, and, now, television programs. Certainly such works should be registered for copyright protection, but I think the burden of the costs of long term preservation should be born by those who stand to profit from the work.

I would like to propose a three tiered solution for the preservation of television programs. First The Library of Congress should obtain an appropriation (not huge) to conduct an exhaustive survey of all television programs in the hands of archives, networks, studios, and private collectors, in order to determine the exact size and nature of the preservation project. This survey should record the type, title, series, original broadcast date, and subject matter along with the condition of the original recording and current copy. This information can be made proprietary if certain producers wish it to be, but most of it should be shared so that duplication of programs in different collections can be determined.

Second, and I know how difficult this will be, the Library should obtain a revision of the copyright law to hold the current holder of rights to a television program (not necessarily the original copyright holder) responsible for its preservation, in the most up to date format, until such time they wish to relinquish their rights to the program. It would be in the rights holders' best interest to preserve their programs while they can make a profit, and it would only be fitting that some of these profits go to the long term preservation of their programs in return for copyright protection.

At that point the third phase of my proposal would start. If an owner of rights to a television program decides that there is no more revenue to be made from it and wishes to relinquish those rights, then they may be transferred to any one of dozens of non-profit archives for permanent retention. This release of ownership rights would also carry with it an appropriate donation of funds from the rights' owners to the receiving archive to support the preservation of the program. In other words, part of the profits received from the ownership of the rights to a program would serve to assure its long term preservation. The Library of Congress would be the overseer of this system.

Nothing would prevent museums, by contract, and The Library of Congress, by copyright deposit, from accepting copies of television programs to maintain adequate study collections, Indeed, I hope that these institutions would collect by deposit those programs which will not have a profitable future, if only by saving a few samples. Programs fitting this category would probably be soap operas, talk shows, and barely-based-on-fact programs such as "Hard Copy," etc.

My remarks today have not touched on the important areas of News and Documentary materials, both programs and outtakes, and local television production. This is not because these areas do

not share many of the same problems as nationally distributed television entertainment programs. In particular, national and local news and documentary production suffers from their sheer size and the reduced possibility of profiting from the retention of these materials. The large networks, both cable and broadcast, have reached an economic equilibrium with their news archives, making them pay for themselves by reusing this material in their own productions and licensing it to other production companies. This equilibrium might be upset as the costs of preserving ever increasing collections becomes unbearable, but for now it does not suffer.

Local television production is the most endangered species of all the forms of television material. The economic situation in most local television markets will not support sophisticated archival handling and preservation. But, if these programs (and their related outtakes) are not preserved somehow, much of the nation's history of the past 50 years will be irretrievably lost. I have only to mention the series "Eyes on the Prize," with its heavy reliance on local television stations' film collections, to make this point. There is no easy answer to the problems of local television archives, but the local and regional repositories of television stations' material would be helped by an educational campaign to dissuade local station owners that the new age of multi-media and world wide web will make them millionaires! The production value of local television material is marginal, so that the station owners should donate the rights to their material to local archives for them to eke out what little potential for money there is in order to defray costs of preservation. Station owners should be more public spirited and give grants of money to the local archive for preserving the history of their community, but far too often the local station is controlled by a distant corporation, which is concerned more with stockholder equity than community memory.

I wish I had an easy answer to this last dilemma, but the only one that comes to mind is massive grants of money to local and regional archives to support their efforts toward long term preservation of local television, and I am not sanguine about that happening. One way of easing some of the pressure on local archives would be public subsidization of regional preservation laboratories, where local television could be transferred to the newest media at low cost.

Thank you for listening to my thoughts and for addressing this very important issue in the cultural history of our nation.

One Hundred Years: Television Heritage, the Mirror of Our Society

In celebration of the centennial of the projected motion picture, Moving Image Review's "One Hundred Years" column looks at the past and future of moving-image media.

by Samuel Suratt.

the studios, UCLA, the Library of Congress, or other archives.

Do you ever wonder what happens to all the television shows? Do they just die in outer space or is there some great recording organization that captures and catalogs them for future generations to wonder at or despair over?

In the United States there are over 1000 TV stations and countless cable channels, each of them transmitting television for approximately 7000 hours a year. Much of it is network programming that will continue to be recycled *ad infinitum, ad nauseam*. But a great deal of the output of television and cable channels is unique and possibly the only record of local and regional history.

Will Programs be Preserved?

How many of these millions of hours of television exist in some form of recording? What deserves preserving, how do we preserve it and who should do this monumental job?

In 1992 Congress passed the National Film Preservation Act, which funded a study, to be done by the Library of Congress and the National Film Preservation Board, on the state of American motion picture preservation. This Act also mandated that a plan be drawn up that would assure the preservation of movies in the future. The resulting document, *Redefining Film Preservation: A National Plan*, made a concise series of recommendations.

One page of the Plan dealt with "Television and Video Preservation," recommending that the Library of Congress seek legislation, similar to that which funded the study of motion picture preservation, to embark on a study of the dimensions and problems of preserving television.

This past autumn, David Francis, head of the division that oversees the collection and preservation of motion pictures and television at the Library of Congress, stated that no Congressional

authorization was necessary for a study of television, and that funding under the American Television and Radio Archive legislation would suffice.

What Will a Survey Find?

Assuming that funding is available to do a survey of television programming, what will the surveyors find?

If television had never changed from black and white to color, there would be far fewer preservation problems facing us now. But that would be like saying "if we only had horses for transportation, pedestrians would be safer."

In the days of black and white TV the method of recording was the kinescope, which was simply a black and white motion picture made of the orthicon tube or television screen. Although grainy, the kinescope had the advantage over videotape, because black and white film is the most stable long-term storage medium and the technology has not changed for almost a century. Videotape has a questionable longevity, and its technology changes every five to ten years.

Lost and "Lost" Programs

Many of the early black and white television programs no longer exist, mainly because the cost-conscious management of networks and Hollywood studios junked thousands of kinescopes to recover the silver from the films' emulsion.

But a good number of the early dramatic and comedy series still exist in vaults and are periodically "discovered" as "lost episodes." Virtually none of the early soap operas has survived, the soap manufacturers, which owned them, being even more parsimonious than the networks which broadcast them

Series Survival

Almost all color strip shows (i.e., situation comedies, action/adventure series, etc., that were produced for prime time television) are alive and well and living on your local cable channel. Likewise, many mini-series and quality dramatic programs are preserved by the networks,

Sports Programming

The professional leagues and networks have been keeping low-quality tapes of sporting events for the last 15 years or so, and NFL Films has been preserving professional football since before TV began covering it.

Network News

The most complete collections of television programs are to be found in the network news divisions, where millions of feet of film and thousands of hours of videotape document what the national news networks decide to cover. Complete runs exist of memorable programs such as *See it Now*, *Person to Person*, *Victory at Sea* and *The Twentieth Century*, preserved by the network news divisions.

The Vanderbilt University news archive has been taping nightly network news broadcasts since 1968, and the National Archives and Library of Congress have thousands of news broadcasts from the early 1970s to the present.

Local and Regional Gap

The largest gap in preserving television programming will be found in local and regional broadcasts of news and public affairs. Many local and regional archives, including Northeast Historic Film, have established programs to collect newsfilm and tape from local television stations, but many areas of the country are not included and many local programs are not taped by the broadcasting station.

Arrangements need to be made between local TV stations and local archives to tape certain programs off the air and store them for future reference by the communities.

After the Survey

Once the survey is done, the real work begins. National, regional and local policies must be established saying what programs need to be preserved and who will do what.

Funding of this multi-level approach will be very difficult to achieve, and the costs of archiving audiovisual materials are staggering. Each videotape must be

copied every 10 to 15 years in order to keep it in a format that can be played back. This means that every archives' costs will double (plus inflation) during each successive ten-year period.

Which brings us to the heart of the matter. Although everyone watches television, no one is watching over the preservation of television! And no single agency has the kind of money it will take to do the job.

Money must be found in the television industry, in private foundations and at every level of government if our television heritage, the mirror of our society, is to be preserved. ■

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