

**TESTIMONY FOR LIBRARY OF CONGRESS  
HEARINGS ON TELEVISION AND VIDEO ARCHIVES**

**March 26, 1996**

**N. William Jarvis**

**(approx. 10 minutes)**

**Thank you for inviting me here to testify today. Doubtless you've heard from all here that we agree on several points. First, we agree there is a pressing need to systematically record and preserve our national treasures and resources in television and video. Second, while we may be able to predict the direction of future technology, we cannot foresee the exact road which will take us there. And third, with the multitude of institutions and individuals involved in creating this resource, we have not and will not accidentally arrive at a sensible archive system.**

**So I particularly thank you for investigating this pressing need. Part of your work today, I understand, is to identify the central issues and problems in the creation of a permanent record of our television and video media. I bring to you the perspective of a station centrally involved in creating content of interest to current and future citizens.**

**W.E.T.A. is the third largest producer of programs for the public television system. We produce *The NewsHour with Jim Lehrer*, *Washington Week in Review*, David Frost's interviews with world leaders in politics and culture; a variety of multi-part series on the F.B.I., healthcare, competitive challenges in our education system; and extensive coverage of public and governmental affairs. W.E.T.A. also does its part to celebrate the cultural treasures of our nation. For all here who have sat on the Capitol lawn during the Memorial Day and Fourth of July concerts watching our crews crawl among the orchestra members, you're aware W.E.T.A. produced those concerts live for the nation, in addition to the stellar series *In Performance at the White House* and *The Kennedy Center Presents*. Among W.E.T.A.'s most renowned documentary productions are those of Ken Burns: *The Civil War*, *Baseball*, and his forthcoming series on *The West* and profiles of great Americans.**

**To put it simply, we've got a lot of tape.**

**Even now, as we are starting to produce digitally, we have amassed over 30 years of tape archives, including Congressional hearings as recent as Waco and starting with Watergate.**

**Fortunately, we have been able to archive our tape from 1966 to 1978 with the University of Maryland. In addition, some of our materials are already with the National Archives; others -- such as the Watergate hearings -- are already with the Library of Congress. Since 1978, we have stored and maintained on site all of our taped and filmed materials . We now store about 10,000 hours of programming with a rate of increase of about 400 hours per year.**

**As our primary mission is to serve audiences by producing and broadcasting quality programs, we cannot and should not be using our limited resources substantially to function as a library. On the other hand, we've created these programs because we believe they are important hallmarks of our nation; and we do feel a responsibility to maintain access to current producers, educational institutions, and individual students. So we do respond to dozens of requests each week for access to our holdings.**

**The central issues we've found are these three: indexing and access, format, and rights.**

**First, indexing and access.**

**Before 1990, we had a trickle of requests for access to our materials, primarily from other public affairs or public television producers -- or occasionally a particularly dedicated film student. Since 1990, we've had a rising flood. I can't really explain the change. Our suspicion is that the wealth of information shared via Internet or on other databases accounts for the growth. Six years ago, a call would come in with the following request, "Hey, W.E.T.A., did you guys do one of those concerts at the Capitol? I'm looking for footage of James Earl Jones doing some reading. Do you have any?" Now the call is more likely to be, "You produced the 1990 Memorial Day Concert with Colleen Dewhurst reading a Vietnam soldier's letter; and I need minutes 23 through 28 with James Earl Jones performing Aaron Copland's 'Lincoln Portrait.'" We haven't been able to account for this change, but we know that lacking a central resource service, a researcher is more likely to spend days and days chasing leads, hearing from us "it's not us, try W.G.B.H." and vice versa. And, of course, we spend time researching and redirecting those calls.**

**So need number one is a central cataloguing system. While accounting for past tape is a daunting proposition, clearly we can and must start a shared catalogue of what we are producing now.**

**Now to that messy issue of format.**

**Our tape from 1966 to 1978 was primarily quad 2" tape. It's very heavy; ninety minutes of programming weighs 27 pounds. From '78 through '96, it's primarily 1" tape, although we also have some Beta and 3/4" for promo reels, source footage and field stock. Converting that archive to digital, or even to fresh tape, is expensive in materials and time. When we are providing tape for researchers and producers now, the video must be duplicated in real time, meaning those 10,000 hours of tape would take 10,000 to store on fresh tape with current equipment. The technology to convert cheaply is also probably not going to be anyone's top priority, as such a project is by nature self-limiting; but that is an area of technological development which would greatly aide preservation. Each of us might prioritize what should be converted, but then you would probably have ten stations independently converting the State of the Union address coverage and no one converting performance programming as**

**a first priority. As you consider the technical recommendations for current archives and for conversion, the judicious use of resources in making those conversions will benefit us all.**

**A second need, therefore, is for suggested archival guidelines -- format recommendations and organized communication among producing and archival institutions about who's converting what.**

**Finally, the rights.**

**I'm an attorney, so I find this area of most interest. As your initial queries suggested, there is indeed a murky world of copyrights and ancillary rights associated with every inch of every piece of tape we have ever produced.**

**And, of course, with every cultural and technological advance, the issues become more complicated. Everyone associated with a public television production 15 years ago may have cleared the rights for educational use, but suppose today a student using the footage wants to put up his thesis on the Internet? Cable distribution, Internet distribution, video sales, and CD Roms were unanticipated by our predecessors.**

**Likewise, as an institution charged with bringing the American public the highest quality programming, W.E.T.A.'s first priority is to produce and broadcast programming. Should we be spending the limited resources entrusted to us to clear the broadest possible rights?**

**Again, suggested standard rights information, archived simultaneously with the listings in a central catalogue system, would at least be a reasonable starting point.**

**We keep a "pedigree file," as we call it, on what we produce so that at least my successors will be able to find out the details of the agreements made today. Researching past footage can be much tougher, and some general guidelines for the technological advances in educational resources would be another good step.**

**Now my caveats to all of these suggested guidelines.**

**We might make the wrong choices today. We might do the equivalent of choosing to store on**

**laser discs or create a convoluted archive process so arduous that creators would forego cataloging their works rather than precipitate the paperwork.**

**After all, as I can tell you from working with the talented producers W.E.T.A. attracts, they are artists first. The tasks of archiving are far from their minds when the film is in final edit. The responsibility for archiving must rest clearly with a specific participant in the collaborative process -- the producer or the distributor or the presenter.**

**As we develop a set of suggested guidelines for formats and rights and an established way of communicating our holdings and accessibility, the guidelines should be clear, simple and flexible to accommodate our changing media environment.**

**Every day, W.E.T.A. and public broadcasting stations throughout the country are creating and broadcasting programs of quality to share with the public. I encourage your efforts to coordinate the ways in which we can continue that service long beyond the broadcast. And I and my colleagues will gladly continue to offer our assistance.**

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