

3-9-93

LIBRARY OF CONGRESS

MAR 15 1993

Greg Luce
Committee for Film Preservation
and Public Access
2747 Shannesy Drive
Medford, Oregon 97504

MOTION PICTURE, BROADCASTING
AND RECORDED SOUND DIVISION

Dear Greg:

I have been a staunch supporter of our committee's work toward film preservation through copyright reform and I thought I was fairly sophisticated as to the issues involved.

The motion picture has been validated as the art form of the century. The long neglected issue of film preservation has been finally given some acceptance (though we all know more work is needed).

However, your recent statement, "Preservation Without Access is Pointless" was a true eye opener.

As you know, I am a major film buff. It amazes me to think that so many of the works which I had assumed were "lost" either by negligence or indifference were in fact sitting in vaults, properly preserved - at the expense of, well -- all of us.

This should be good news. But, it is very bad news when we realize that the original owners, (many of whom are "lost" themselves or could care less) still have the final say as to when or even if these films will ever be made available to the public.

It seems clear enough. If the public has to bear the expense of preserving these films, many of which are in the public domain or will soon be, shouldn't the public be given an opportunity to have reasonable access to them?

Since the original owners have in effect abandoned these works, then shouldn't entrepreneurial types, who are willing to bear the expense, have these materials made available in order to release these titles, especially to video?

The issue seems bogged down by laws which were created before the realities of the electronic revolution. Whatever the committee can do to change these law and open the floodgates has my full support.

I am looking forward to the result: access for myself and others like me to the countless films which would disappear if this issue is not resolved.

Best regards,

Matthew Weisman

Matthew Weisman
14527 Dickens Street
Sherman Oaks, CA 91403

'People that matter' bet on Monte Carlo

By Louise McElvogue

MONTE CARLO — Scrawled across the poster for a local McDonald's on the approach to Monte Carlo is the graffiti slogan "Yankee Go Home!"

But one thing that is clear from business at the Television Market here is that Monte Carlo needs the Americans and the Americans need Monte Carlo.

Business was down slightly. Attendance was probably 20%-30% under most pre-event estimates. Those attending complained about the conflict with surrounding markets. But the clubbish atmosphere still meant an important meeting place with the top European buyers. See **MONTE CARLO** on page 20

Wharton work for Obst

By Kirk Honeycutt

Is Edith Wharton hot or what?

Yet another book by the American novelist is heading for the big screen with the purchase of "The Buccaneers" by 20th Century Fox for producer Linda Obst, sources confirmed Wednesday.

The deal was completed Tuesday night between Elizabeth Gabler, the Fox executive on the project, and agent Lucy Stille of See **WHARTON** on page 21

Boam/Cuse inks with Paramount

By Anita M. Busch

Boam/Cuse Prods. has inked an overall, multiyear deal with Paramount Pictures in which screenwriter Jeffrey Boam ("Lethal Weapon 2," "Lethal Weapon 3") will likely make his directorial debut.

Boam comes to the studio after ending a seven-year, exclusive re- See **BOAM/CUSE** on page 7

CBS sees turnaround in ads buoy bottom line

By Robert Marich

CBS Inc. posted robust earnings Wednesday for calendar 1992, benefiting from improved ratings and a return to profitability at CBS Television network.

Oppenheimer & Co. media analyst Jessica Reif said the rosy CBS results also signal that a turnaround in the overall network TV

advertising market late last year — which ended a painful two-year slide — is translating into measurable financial gains. In the September-to-December fourth quarter alone, CBS earnings tripled.

Reif added that CBS and ABC Television, the Capital Cities/ABC Inc. unit, are getting a double boost because of their strong network

ratings, while General Electric's NBC Television and News Corp.'s FBC ratings are lackluster.

Smith Barney, Harris Upham & Co. media analyst John Reidy estimated CBS Television network enjoyed an operating profit of \$25 million to \$30 million (network-owned TV stations are the main, steady profit engines of network broadcasting groups). Reidy expects the CBS network to earn more than \$100 million this year, challenging ABC as the major network profit leader.

For the year, CBS said Wednesday. See **CBS** on page 20

Public pays, but can't see preserved pics, group says

Activists to press Library of Congress for access

By Kirk Honeycutt

Frustrated over lack of access to films preserved and often restored at public expense, the Committee for Film Preservation and Public Access plans to make a pitch for greater public access at Friday's hearings of the National Film Preservation Board of the Library of Congress in Los Angeles.

The hearing at Sofitel's Ma Maison Hotel will be conducted by the board to take testimony on the state of film preservation and restoration in the United States for its report to Congress under terms of the National Film Preservation Act of 1992.

The committee — whose members include noted film historians William Everson and Anthony Slide, producer-director Joe Dante and film archivist-producer Robert Harris — is concerned that written agreements between studios and See **PRESERVE** on page 21

Jackson live: Media stories 'so much trash'

Michael Jackson went public with his personal life Wednesday night with Oprah Winfrey, blasting the media for making up "so much godawful stories."

Winfrey's questions in the live ABC special focused almost exclusively on Jackson's personal appearance and rumors about the reclusive pop star. He said he has a disorder that destroys pigmentation of his skin and has had "very, very little" plastic surgery.

About 45 minutes of the "live" interview show was actually a live interview. The rest was taken up See **JACKSON** on page 7

Reid-Wallace CPB educator

Carolyn Reid-Wallace, former U.S. Assistant Secretary of Education, has been named senior vp for education at the Corporation for Public Broadcasting.

The appointment was one of several announced at CPB on Wednesday, which the organization said was part of its effort to underscore education as a top priority for public broadcasting.

CPB president Richard Carlson See **CPB** on page 19

Dame Edna Dis debutante

By Anita M. Busch

"Mother-in-Law," which was in turnaround at Paramount Pictures, has moved to Touchstone Pictures as a vehicle for the grand dame of comedy, Dame Edna Everage, to star in, sources confirmed.

The project would mark the feature. See **DAME EDNA** on page 20

IATSE warns of 'full-scale crisis'

By David Robb

The IATSE and its Hollywood locals "are confronting a full-scale crisis" and "need to change the way we do business" in order "to survive," said IATSE Camera Local 659 president George Spiro Dible in the local's latest newsletter. See **IATSE** on page 21

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Wharton

Stille and Associates. Fox's bid, said to be a substantial six-figure sum, beat out bids by Columbia Pictures and Paramount Pictures.

Stille was on a plane to Europe and could not be reached. Fox executives refused comment.

The purchase marks the second purchase by Fox for Obst since she and the studio firmed her first-year, multiyear producer deal at West L.A. lot (HR 16). Previously, the studio purchased rights to a magazine article in the October issue of the New Yorker, "Crimes in the Hot Zone," for Obst.

"The Buccaneers," unfinished at the time of the novelist's death in 1937, has been completed by Marion Mainwaring and is due for publication later this year by Viking Penguin. It will also be a Book-of-the-Month Club selection. The success of Ismail Merchant and James Ivory's period dramas based on E.M. Forster novels, "Howards End" and "A Room with a View," and Michael Mann's interpretation of James Fenimore Cooper's "The Last of the Mohicans," plus the strong opening last weekend for "Sommersby" are believed to have convinced studio executives that romantic costume dramas have a considerable punch in today's film market.

Wharton portrayed New York high society of the late 19th century as it was being displaced by the nouveau society of the post-Civil War years. "The Buccaneers" concerns two young American girls who travel to England with their earnestness to seek status through marriage. Such women were called "buccaneers" because the British they were out to pirate both their titles and their men.

The satirical look at love and money spans about 15 years.

Two other film treatments of Wharton books will be released this year. American Playhouse's "Ethan Frome," from her novel about grim frustration in a New England village, is due out from Miramax later this month. It stars Sam Neeson, Joan Allen and Patricia Arquette and was directed by John Madden. "The Age of Innocence," a tale of indiscreet romance thwarted by a rigid, older society, is coming from Columbia Pictures this fall. Martin Scorsese directed the period piece, which stars Daniel Day-Lewis, Michelle Pfeiffer and Winona Ryder.

Obst recently finished postproduction on TriStar Pictures' "Sleepless in Seattle." □

IATSE

Dibie, who said that "the cause of the present crisis" is "the loss of LATSE jobs," proposed a five-point program to reverse this "downward spiral."

He said that "our members have lost union jobs because for too long we have been standing still. We have not tailored new contracts to fit the lower license fees, falling TV advertising revenue and other drastically changed conditions in our industry. . . . We have lost sight of movie-of-the-week production, most of which we have conceded by default to non-union producers."

Dibie pointed out that prior to 1980, 80% of telefilms were made under the International Alliance of Theatrical Stage Employees' basic contract, but today less than 10% are made under IATSE contracts. "In 1992," Dibie wrote, "this alone resulted in a loss of 10,000-12,000 jobs, or 200,000 days of employment."

Similarly, he said, "we have virtually ignored the fastest-growing areas of employment such as made-for-cable movies, rock videos and low-budget features. To date, we have no agreement with Showtime, HBO or New Line Cinema, to name just a few."

Because of lost jobs, Dibie said, "our health plan lost \$25 million last year and 5,000 fewer IATSE members qualified for coverage in 1992 than in 1991."

Dibie said that "the only way of reversing this downward spiral is to launch a program to recapture lost employment opportunities."

To that end, he proposed a five-point plan aimed at organizing non-union productions.

First, he said, the IATSE must "negotiate agreements or supplements to the basic agreement designed to capture work we have lost or do not have. Following the examples of the Screen Actors Guild and the Directors Guild, these low-budget agreements may mean lower wage rates but not reductions in health and pension benefits. Simply put, the IATSE has to become competitive. . . . The choice is between becoming competitive or becoming extinct."

Second, Dibie proposed increasing the IATSE's West Coast organizing staff. "We will not achieve our goal of expanding new members' job opportunities merely by offering producers the 'carrot' of lower-budget contracts," he said. "To win the producers' respect, the IA needs more skilled organiza-

ers. To this end, West Coast studio locals should be willing to pay for the salaries and training of additional organizers. We cannot expect to maintain our working conditions and benefit plans unless we organize producers who routinely undercut them."

Third, Dibie said that the IATSE should hire an industry analyst/research specialist to work out of the union's Hollywood office. "To solve the problems we face," Dibie wrote, "we need information. Such a specialist would analyze industry trends, study the performance and production patterns of major studios, research negotiation issues, etc., and suggest where we should concentrate our efforts. Other guilds, such as the Writers Guild West, have full-time research departments. IATSE members deserve no less."

Fourth, Dibie said, the IATSE must work with this industry analyst to develop "new tactics" to deal with "designated anti-union targets." Union members, he said, must "be prepared to take our battles from the streets to the corporate boardrooms and the press; use stockholder pressure, advertisements and news stories in the trades to mobilize public and political support against known union busters."

Fifth, Dibie said that the union should make the IATSE's own members "aware of the radical changes in the motion picture and television industry and enlist their support in addressing these changes. Let them know that their job security, pension and health plans depend on our ability to bring work back to Hollywood and bring non-union producers under IATSE contracts."

To survive, Dibie concluded, "we need to transform ourselves from locals that merely administer the basic agreement into locals that actively respond to changes in the industry and thus recapture lost jobs." □

Preserve

the Library of Congress have restricted public access to the thousands of films the studios have donated to the Library.

"At all archives, many films are preserved, stored or catalogued with federal funds and no financial support from the copyright owner," the committee said in a 15-page statement released Wednesday. "Not only do the studios have exclusive access to the preservation material, but they receive all income from its exploitation."

Gregory Luce, an Oregon exhibitor, film historian and archivist, will make the presentation of the committee's concerns Friday.

"The major U.S. archives and particularly the Library of Congress have evolved into private film storage warehouses for major studios with the public footing the bill in perpetuity," Luce said. "This is an unfortunate situation in which we taxpayers are paying the bills, but have absolutely no right to these films at all. The only public benefit is the availability of certain films for occasional public showings — and that's it."

Another committee member, Ed Hulse, a journalist and current chairman of the national film society Cinecom, said that Cinecom borrows prints for its conventions from every major and most minor archives and usually donates any proceeds to the archives to use for film preservation.

"But the Library of Congress is very difficult to deal with," Hulse said. "Many films they have preserved have fallen into the public domain, yet many times it is difficult for us to borrow these films."

The group cited the donation to the Library of Congress by United Artists of its entire nitrate film elements: "A number of films included in the United Artists donation are already in the public domain, and remain completely unavailable more than 20 years after the film material became the physical property of the United States."

UA titles such as "Sante Fe Trail" (1940) and "Algiers" (1938) have fallen into the public domain. "Widely available in inferior copies, the best material is being preserved at public expense, but not for the public benefit," the statement complains.

The solution, says the committee, lies in all archival agreements for donations of films by collectors, independent producers or distributors to provide for limited-term restrictions. □

HDTV 109
Continued from page 5 —
ing to see if one is a superior system."

It appears that none of the four remaining systems has a clear-cut advantage.

DigiCipher, Channel Compatible HDTV, DSC-HDTV and AD-HDTV are all systems developed by communications giants that include General Instrument and MIT, Zenith Electronics and AT&T, Thomson Electronics, NBC and David Sarnoff Research Center. □