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Moving Image Materials

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I. Scope

This Collections Policy Statement for moving image materials is a distillation of Congressional mandates and collecting traditions of the Library that have evolved since the 19th century. It deals with moving image materials, in all their manifestations, as subjects and formats. It covers the content and physical formats that constitute the roots, trunk and branches of the on-going developmental record of motion picture, television broadcasts and cable dissemination, video, born digital and other moving image technologies, from the time of their inception. It includes the array of historical, cultural and aesthetic subject content recorded on and publicly disseminated via those formats and technologies. More recently, emphasis has been given to films produced for educational, industrial, or promotional purposes, known generally as "ephemeral film." In addition, it includes related production and corporate records, and materials such as photographic stills, lobby cards, programs, press books, animation, cutting continuities, scripts, and all other materials that are ancillary and, for archival preservation purposes, collected by other divisions.

This Collections Policy Statement is written on the cusp of new acquisition and preservation capabilities afforded the Library with the opening of the National Audio Visual-Conservation Center (NAVCC) in Culpeper, Virginia. These new capabilities will be addressed throughout the document.

II. Research Strengths

Legislative Mandates. The Library's first formal codification of acquisition criteria for moving image materials was published in the Library's annual report to Congress in 1943. Known as the Canons of Selection, that policy statement was developed in concert with the Library's declared intention of establishing a comprehensive national motion picture research collection. With passage of the Copyright Reform Act of 1976, Congress broadened that mandate by founding the American Television and Radio Archives (ATRA), directing the Library to acquire and preserve for posterity television and radio broadcasts. The National Film Preservation Act of 1988, passed in recognition of the Library's leadership in preserving motion pictures, created additional mandates for conducting nationwide studies of the state of preservation of America's motion picture and television legacies, and to write national plans specifying strategies to ensure the survival of America's motion picture heritage.

Motion Pictures. The Library of Congress has the largest collection of American created motion picture, television, video and digitally produced moving image materials in the world. Due to the deposit requirements of U.S. copyright law, the Motion Picture, Broadcasting and Recorded Sound Division (MBRS) is particularly strong in American moving image items commercially produced for news, entertainment and public information purposes. MBRS has the world's largest collection of films produced and distributed in America in the silent era (1893-1929), and is particularly strong in American films produced prior to 1915. Because the Library did not demand copies of motion pictures registered for copyright between 1912 and 1946, in the past forty years MBRS has aggressively pursued acquisitions of nitrate film to cover this gap. Today, MBRS houses (and preserves) more than 140 million feet of nitrate film, one of the largest collections in the world. The Division takes in more every year, including 10 million feet in 2007.

In recent years, MBRS has focused more on "ephemeral" film, those produced for educational, industrial, or promotional purposes, and for which frequently there is no owner (these films are frequently categorized as "orphan" works). Major collections include those from Rick Prelinger (approximately 150,000 reels of mostly 16mm film) and the American Archive of the Factual Film (70,000 reels). In recognition of the growing archival and academic interest in small gauge formats, the Library has recently entered into partnership with the Center for Home Movies, which will bring home movies of national interest to the Library, while promoting the preservation of these valuable cultural documents to a global audience.

Overall, the collection of foreign language film remains relatively weak, but is growing due to copyright acquisitions after 1976 and robust collecting by the Library's Overseas Operations Division (OvOp). Still, MBRS retains the largest, most comprehensive holding of foreign films and television broadcasts in the United States, and is especially strong for the last quarter of the 20th century.

Television and Video. In the area of public and commercial television broadcasts, the Library of Congress has the largest collections in the world. Due to the copyright law, MBRS is particularly strong in American network and cable news and entertainment television. But as with motion pictures, there are gaps, particularly until the 1970s when the MBRS policy towards retaining copyrighted television for the collection became more enlightened. Retrospective collections include those from NBC (over 20,000 kinescope reels dating from 1947), NET/PBS (an ongoing collection now numbering more than 60,000 items), and game shows from Goodson-Todman Productions. Through copyright, MBRS also receives a wide variety of entertainment and documentary programs aired on cable networks like A&E, HBO, Discovery, the History Channel, MTV, ESPN, and more.

News programming is particularly strong, not only because of copyright deposits from the networks (including 24 hour feeds from CNN), but also due to the relationship between the Library and the Vanderbilt Television News Archive. Vanderbilt has been recording the evening news from the major networks since 1968, and the Library hosts a complete digital archive of these shows, more than 100 terabytes (TB).

MBRS collections of foreign television continue to grow through such relationships with organizations like SCOLA, which receives and re-transmits television programming from 120 countries around the world in 80 native languages. As of March 2008, Library has received over 1.25TB of digital files from SCOLA.

Video games have become an established, popular medium of moving image entertainment which demand inclusion in the collections of MBRS. The Division is developing new approaches for the more

systematic acquisition of video games, including playback consoles and platforms, the multiplicity of formats and their equipment needs, and the technical challenges in preserving the digital source files. The collection will encompass a wide range of examples of video game culture, to allow historians decades hence to fully understand this as a popular phenomenon, and not have simply a few games which seemed significant at the moment of release.

III. Collecting Policy

The Library of Congress strives to acquire for its permanent collections: (a) motion picture, television and cable broadcasts, video, video games, works originating on and distributed via internet, and born digital moving image materials recognized for their historical, cultural and aesthetic importance; (b) a comprehensive collection of such materials that contribute to the knowledge and understanding of all cultures and countries, and (c) a generous representative sampling of other moving image materials not covered by the above general categories, such as educational, instructional and advertising productions.

MBRS, through its Moving Image Section staff, functions as the Library's primary specialist division in areas dealing with the history, development and production of motion pictures, television broadcasts and cable dissemination, video, born digital and other moving image formats. It also acts as the Library's custodial division for audiovisual formats, with responsibilities for serving the public research community, cataloging and archival preservation of moving image materials acquired by all divisions for the permanent collection.

It is acknowledged that many significant publications, in all fields, are created in audiovisual formats, exclusively. MBRS welcomes collections in subjects and areas outside of its primary areas of expertise and encourages recommending officers throughout the Library to help build the Library's audiovisual holdings in all fields. The Division is dependent upon the expertise of the Library's subject and area specialists to ensure that audiovisual recordings of high research, historical, or cultural value in all fields are held by the Library. MBRS welcomes written guidelines on selection of moving image materials outside its own fields of expertise, as well as active involvement from selecting officers in all subject and area studies fields.

IV. Acquisition Sources: Current and Future

Current. Moving image items and related materials are acquired through copyright, gift, exchange, interdivisional transfer, direct digital delivery and purchase. The Library does not permit copying of any moving image material protected by copyright or other restriction, without the permission of the copyright owner, donor and other rights holders.

MBRS staff selects from the copyright deposits on a regular basis guided by the Division's collection policy statement, and by employing extensive knowledge of the Division's existing collection. In this manner, selecting staff can make decisions to acquire new material that will both enhance and expand the national collection. In general, MBRS tends to keep complete runs of primetime television programming submitted for copyright, while sampling syndicated programs such as talk shows, daytime reality programming (e.g., Judge Judy), soap operas, and game shows. It is important to remember, however, that MBRS cannot select what is not registered for copyright, which is the reason why there are so few episodes of Oprah in the collection. MBRS selects every film element-almost exclusively

35mm prints of theatrical releases-it receives through copyright.

As a custodial division, MBRS receives material from other areas of the Library. Area and subject divisions provide staff assistance to MBRS in selecting and cataloging copyright materials specific to indicate their collecting interests. Staff from the area and subject divisions coordinate their selection requests with MBRS selectors and provide timely follow-up in assisting with foreign language interpretation and required descriptive cataloging activities. The staff of the Overseas Operations (OvOp) field offices selects moving image materials available in their respective regions based on guidelines provided by MBRS.

MBRS also actively pursues collections through gift and purchase. In contrast to the passive nature of acquisition via copyright, the Division seeks new collections to both enhance and fill gaps in its existing holdings. Particular emphasis is paid to television programming from the 1940s through the 1970s, video games and their legacy hardware platforms, and "ephemeral films" (see section II, above). An ongoing relationship with PBS adds hundreds of educational programs to MBRS every year. Because of its unique storage requirements and historical value, MBRS accepts all nitrate film in good condition for its collections.

Born digital acquisitions have also been a focus the past several years, and promise to be even more important at the NAVCC. In addition to the SCOLA and Vanderbilt Television News Archive examples noted in section II, MBRS has also received digital copies of Coca-Cola television advertising since 1950-more than 20,000 commercials from around the world.

Future. While MBRS has used the ATRA legislation to engage in some off-air taping (mostly of PBS programs that were not being submitted for copyright), new capability in the NAVCC will allow for much more robust digital off-air capture. By the end of calendar 2008, a "live capture" room using software designed by Snapstream Media will allow MBRS to record up to twenty-five simultaneous content streams from DirecTV and Dish, and deliver that digital content directly to servers that can later be accessed by patrons. Eventually, MBRS will be able to capture 120 individual streams by this method. MBRS will use this exciting technology to acquire programming not otherwise received through copyright, and also to record complete broadcast days, something that is of great interest to scholars studying the "flow" of television programming.

It is certainly possible that the copy acquired by MBRS in this fashion could replace the copyright registration version the Division currently receives on videotape, but this remains a subject for conversation with the Copyright Office. Nonetheless, the NAVCC is able to receive direct deposits of video files (including digital cinema), which could also take the place of the hard copies the Division currently receives. However, it should be noted that 35mm will continue to be the preferred format for feature films well into the future.

NAVCC capability will also allow MBRS to systematically capture born digital content on the web, a project of particular importance given the cultural ubiquity of sites like You Tube.

V. Collecting Levels

Motion Picture Film

American feature films, short subjects, newsreels and documentaries (5 = Comprehensive Level)

Since feature films, short subjects, newsreels and documentaries are widely recognized as a vital part of America's cultural heritage, the Library collects them as comprehensively as possible. MBRS also collects pre-print materials, such as master positives, negatives, color internegatives, and other such materials as it deems important.

American educational films (4 = Research Level)

Some of these have artistic, cultural, or historic value, but the sheer number of these types of films precludes any comprehensive collecting. MBRS selects a large and well-balanced sample of this material.

Foreign features and shorts (4 = Research Level)

These are collected where and when possible, if they are deemed to have particular artistic, cultural or historic merit. MBRS tries to obtain viewing copies of particularly important works in the best format available, where possible. The Division does not usually try to obtain foreign pre-print material, taking the position that this material is the responsibility of foreign archives. However, if foreign archives ask our aid in preserving their heritage, MBRS helps to the extent that it is able.

U. S. Government Agencies (2 = Basic Information Level)

MBRS cooperates with the National Archives, the primary archive for U. S. government material, wherever possible in obtaining government foreign image material, so as not to overlap with their holdings.

Home Movies (4 = Research Level)

In partnership with the Center for Home Movies, MBRS collects home movies deemed to have a particular historic, artistic or cultural significance of national interest.

Non-moving image material (4 = Research Level)

MBRS collects non-moving image material like scripts, photographs, posters, and lobby cards where the material is rare and useful, and where it pertains specifically to the Library's moving image and audio materials.

Television and Video

Commercial prime time television (5 = Comprehensive Level)

Prime time television is defined as network programming or new major programs appearing on cable appearing between 8-11 pm. The Library collects as comprehensively as possible.

Commercial non-prime time television (4 = Research Level)

MBRS collects a broad sampling of non-prime time programming genres, such as religious shows, quiz shows, soap operas, talk shows, sports, morning shows, commercials, and infomercials.

American news and public affairs television (5 = Comprehensive Level)

MBRS collects this material comprehensively, both through its relationship with the Vanderbilt Television News Archive and via copyright selection.

American educational television (4 = Research Level)

Because of its relationship with PBS and its tremendous collection of historic educational programming from NET, MBRS collects very deeply in this area.

Children's programs (4 = Research Level)

MBRS collects the children's shows that have particular artistic, cultural or historic relevance, and a representative sampling of other shows.

Foreign television (3 = Instructional Support Level)

The partnership with SCOLA and the advent of digital capture allows MBRS to be more comprehensive in its collection of foreign television.

Video games (4 = Research Level)

MBRS both selects via copyright and purchases video games, their associated hardware, and magazines about them that reflect the breadth and depth of gaming culture.

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