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## A Cooperative Model for Preserving Historical Television News Content

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### Abstract

*The archival profession must begin to confront the many challenges inherent in the large-scale preservation of twentieth century audio/visual resources. A significant portion of our shared cultural heritage, including historical television news recordings, is at risk due to complicated copyright issues, degradation of the original media, the cost involved in digitizing audio/visual resources, and the difficulty of preserving high resolution digital video files. Cooperation between heritage institutions and content creators facilitated by a Custodial Partnership Model is the key to overcoming these significant challenges. The University of North Texas (UNT) and the Dallas/Fort Worth (Texas) affiliate station of the National Broadcasting Company (NBC 5/KXAS) have partnered to preserve the content of the oldest television news station in Texas. This unique partnership will not only preserve over 60 years of television news content through the digitization of original 16mm film and video, but it will also result in free public access to the digitized content online. This paper will explain this partnership from the perspective of both the library and the television news station, and it will provide s possible solutions to the issues of copyright, funding and access to audio/visual collections. Examples from the UNT-NBC 5/KXAS partnership will serve to illustrate the crucial need to preserve*

*audio/visual collections and the challenges facing institutions preserving large scale audio/visual collections. Lastly, this paper introduces the Custodial Partnership Model, a new paradigm for future heritage institution/content creator partnerships and recommendations for future modes of cooperation.*

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## **NBC 5/KXAS (WBAP-TV) Partnership with University of North Texas**

In 2014 UNT and local television station NBC 5/KXAS entered into an agreement to permanently house over 50 years of historical television news footage along with accompanying broadcast scripts, still photography, reference files and log books, in the Special Collections department of UNT Libraries. This massive collection is the single largest physical collection held by the libraries and contains a variety of film and video formats that reflect the evolution of recording technology employed by the station over the years (see Table 1, “NBC 5/KXAS Collections Contents”).

<b>Series</b>	<b>Format</b>	<b>Quantity</b>
Daily news film, 1951-1979	16mm film	10,000 reels
Archive tapes, 1976-1986	¾ inch U-matic video	2,000 tapes
Archive tapes, 1986-1995	Betacam SP video	7,000 tapes
Archive tapes, 1995-2012	DVC Pro video	4,000 tapes
Broadcast scripts, 1951-1979	Paper	219,000 pages
Daily log books, 1979-2012	Paper	22 books
Still photography, 1948-1970	Slides, negatives, photo prints	5,000 images
PSA's, local advertising, reference files, miscellaneous	Film and video, all formats	500 items

Table 1: NBC5/KXAS Collection Contents. This table contains a breakdown of the content types and quantities found within each series of the news archive.

The donation of the NBC 5/KXAS Archive to UNT was spurred by the impending relocation of the television station from its original broadcast station in Fort Worth to a new broadcast facility. Station executives decided that the massive archive which had slowly accumulated in the basement since the station went on air in 1948 would not be transferred to the new facility. NBC 5/KXAS reached out to archivists and librarians at UNT, and over a period of several months, NBC 5/KXAS and UNT worked to craft a written agreement which would

address the needs of both UNT and KXAS as well as the special considerations inherent in a large, primarily audio/visual archive. The agreement between the two institutions had to take into account the needs of donor, the repository, and the extraordinary needs of the collection itself. It was clear from the beginning that a traditional custodial agreement would not sufficiently address these needs. An agreement based on a partnership model was crafted to allow physical custody and responsibility for the permanent care of the collection to be transferred to UNT, while placing mutual responsibility for fundraising and promotion on both parties. The partnership model borrows elements of both the traditional custodial model and the newer post-custodial model, while emphasizing the necessity for ongoing cooperation between partners. There is a clear cut transfer of physical ownership from the donor to the repository, mirroring a traditional custodial agreement. There is also an emphasis on digitization for public access to the collection, mirroring a post-custodial agreement. The innovative aspect of the partnership agreement is that it also provides a clear outline for the ongoing participation of the donor in activities related to the collection, and it holds each party accountable for participating in work needed to meet the shared goal of ultimately digitizing and making the collection publicly available.

The issue of utmost importance to both UNT and NBC 5/KXAS was that the collection be preserved and made publicly accessible through large scale digitization. Although the terms of the agreement granted physical ownership of the archive to UNT, NBC 5/KXAS retained ownership of the intellectual property contained within collection. The agreement further outlined the methods for providing access to the collection, specific rights granted to UNT to digitize and make footage freely available online, and the rights granted to UNT to license footage and collect fees for certain types of usage. Lastly, both institutions agreed to publicize the partnership and to cooperate to raise the funds necessary to provide free, public, digital access to the archive.

### Project Costs

Project costs have been divided into the following categories: audio/visual digitization costs, document and photography digitization cost, student wages for metadata creation, and digital storage costs. Salaried staff time spent on the project and overhead costs, such as storage of the archive, are not included in our cost estimates.

Digital storage for this project is proving to be the most difficult cost to account for in this project. We require two redundant copies of all digital content, doubling our storage cost, and although costs for digital storage is expected to continue to decrease over time, the sheer size of the predicted output is still so large as to require a significant expected investment. The typical preservation quality file size for an hour of digitized film or video, in standard definition, is 100GB per hour. Once the entire film and video archive is digitized we estimate the storage requirement to be between 1.87-2.2 petabytes data. (see Table 2, "NBC 5/KXAS Digitization Cost Estimates").

<b>Description</b>	<b>Unit Cost</b>	<b>Total</b>
10,000 reels 16mm (50,000 segments, 2,500 hours)	\$175/reel	\$1,750,000
13,000 video cassettes (260,000 segments, 18,000 hours)	\$35/tape	\$455,000
219,000 pages (50,000 items)	.30/page	\$65,700
360,000 metadata records	\$1/record	\$360,000
2,050,000 GB storage copy one	\$200/TB	\$410,000
2,050,000 GB storage copy two	\$200/TB	\$410,000
<b>Total Estimated Cost</b>		<b>\$3,450,700</b>

Table 2: NBC 5/KXAS Digitization Cost Estimates.

To date, over \$500,000 has been raised to support this project, including a \$275,000 donation from NBC 5/KXAS. It is expected that funding will come from diverse sources including grants, foundation gift and personal donations. Additionally, revenues from digitization fee and licensing, will contribute to our funding goal as well.

#### Current State of Archival Materials and Access to Footage

Access to the NBC 5/KXAS Archive is currently limited due to the fragility of the media on which much of the collection has been recorded and the difficulty in navigating the indexing tools to locate footage. Serious preservation concerns with the original media require all audio/visual content to be digitized prior to playback because “Daily News” 16mm film reels were stored for over 50 years in the basement of the new studio. This means that users may not “screen” footage from the original film or video under an circumstances. Each film reel contains multiple news stories which were aired together on a single day. Film from multiple camera operators was manually spliced together to create the reel. Following its use in the daily news the film was stored wound on its “core” with a strip of masking tape to secure it. While the condition of the film itself is generally good, time must be spent with each reel to remove the tape, inspect and repair all the splices, clean dust and debris from film and finally transfer the film to a reel before it can be digitized.

Footage recorded on magnetic media is at a much greater risk of loss due to degradation of the original media, especially ¾ U-matic tape which is subject to “sticky shed syndrome.” Camera operators began the transition to video from film in 1976, and discontinued the use of 16mm film by 1979. Video footage was compiled and edited in two different locations,

one in Dallas and one in Fort Worth, by multiple editors in each location. Once the switch to video was completed, the daily “news film” reel was replaced by an archive tape system (also known as a log tape system) in which each produced segment received an archival identifier and was recorded on an archive tape. The archival identifier, found using the daily news log book, identifies the archive tape on which that segment can be found. A single archive tape was used by an editor until it was full, which means that each tape contains stories over a period of several days. To find all the footage from a single days news broadcast usually requires pulling four or more archive tapes.

Researchers hoping to find footage in the archive are directed to use daily broadcast scripts (for footage which aired from 1951-1979) or daily log books (for footage which aired from 1979-2012). Daily log books have been digitized and are available online, and it is anticipated that the broadcast scripts will be fully digitized by the end of 2016. Users may access these tools using UNT’s Portal to Texas History.<sup>1</sup>

### Licensing Archival News Footage

Many uses of footage in the NBC 5/KXAS archive do not require permission or a license. Users may stream footage which has been digitized for personal or research purposes, for use in the classroom or as part of educational materials, and footage may be freely shared online in personal blogs and social media. Uses that go beyond standard personal or educational uses however require a license and may require the user to pay fees associated with that use. A film maker creating a documentary on the Dallas Cowboy Cheerleaders, for example, would be required to license footage for use in their film. NBC 5/KXAS has granted UNT permission to license footage from the archive and collect licensing revenue. Revenue generated from licensing requests is added to a fund which supports continued digitization efforts until the collection has been fully digitized, at which point revenues will be divided between UNT and KXAS.

Until a critical mass of content has been fully digitized, however, archival staff are somewhat hampered in their capacity to fulfill licensing requests due to the difficulty in conducting remote research in the collection and the time necessary to digitize analog media before it can be viewed. Filmmakers are generally working on a tight production schedule and have not the time or ability to visit the archive to conduct a search of broadcast scripts in order to locate potentially relevant footage. Individuals also have difficulties searching broadcast log books which use vague, sometimes inscrutable indexing terms to identify news stories such as, “robbery,” or “meeting.” It can be difficult if not impossible to locate footage using these tools if the researcher does not know the exact date that a story they are seeking would have aired. A researcher most likely will also have to pay a digitization fee to transfer the footage from the original media in addition to paying a licensing fee. This additional fee, and the time involved in

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<sup>1</sup> Log books may be accessed here:

[https://texashistory.unt.edu/search/?fq=str\\_title\\_serial:NBC%20Logbooks](https://texashistory.unt.edu/search/?fq=str_title_serial:NBC%20Logbooks)

Broadcast scripts may be accessed here:

[https://texashistory.unt.edu/search/?fq=str\\_title\\_serial:NBC%20News%20Scripts&src=ark](https://texashistory.unt.edu/search/?fq=str_title_serial:NBC%20News%20Scripts&src=ark)

research and digitization, are additional frustrations, however, it is expected that these issues will be resolved as more content is readily available online.

UNT Libraries does not publish a licensing rate card, instead licensing requests are priced individually per second based on the content requested. Typical licensing fees range from \$50-\$90 per second, and the library imposes a 10 second minimum per order.

## **NBC 5/KXAS (WBAP-TV) History**

The rise of broadcast television news in the 1940's was a natural extension of the capabilities built during the war years by the major radio broadcast networks. Surveys conducted at the end of World War II revealed that radio had surpassed print journalism to become the main source of news for many Americans, and radio journalists such as Edward R. Murrow were well respected by the public.<sup>2</sup> Of the four major networks at the time, NBC (National Broadcasting Company) and CBS (Columbia Broadcasting System) were the best situated to aggressively seek out local radio stations around the country who were moving into the new field of television to join them as affiliates. In 1946 publisher Amon G. Carter filed permits with the Federal Communications Commission for construction of a television station in Fort Worth, Texas. Carter, already a legend in the publishing world, had been successfully operating the Fort-Worth Star Telegram newspaper since 1909 and a major NBC affiliated radio station, WBAP, since 1922.<sup>3</sup> His new television station, WBAP-TV, also NBC affiliated, aired its first broadcast on September 27, 1948. WBAP was the first television station in Texas and the only television station in the entire southwest region of the country.<sup>4</sup>

For over 65 years the station, which was renamed NBC 5/KXAS in 1974 following its sale to LIN broadcasting, continued to broadcast programming from their original location in Fort Worth, Texas. In 2012 the station began construction of a new \$16 million facility centrally located in the Dallas/Fort Worth metroplex and in early 2014 the station began broadcasting from their new location.<sup>5</sup> News programming at NBC 5/KXAS has grown over the years from a daily 15 minute news reel in the 1950's to multiple daily news broadcasts by the 1970's. The station continued to be a leader in local television news by becoming the first station in Texas to feature all-color news film in 1966, and was the first station in the country to produce a monthly "news magazine" featuring in-depth, documentary style reporting.

The real innovation of WBAP and later NBC 5/KXAS was in the high quality content of their news reporting. During the 1950's and 1960's most local affiliate stations focused on live entertainment programming featuring dancers or musical performers which did not require the expense of investment in costly film technology. Furthermore many local affiliates believed that they would only be duplicating the efforts of radio and newspaper journalists in creating

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<sup>2</sup> DeLeon, Ponce. *That's The Way It Is: A History of Television News in America*. University of Chicago Press, 2015. pg.5

<sup>3</sup> Amon G. Carter. (2016, March 11). In *Wikipedia, The Free Encyclopedia*. Retrieved 15:04, July 7, 2016, from [https://en.wikipedia.org/w/index.php?title=Amon\\_G.\\_Carter&oldid=709500312](https://en.wikipedia.org/w/index.php?title=Amon_G._Carter&oldid=709500312)

<sup>4</sup> The History of Channel 5, [http://www.nbcdfw.com/on-air/about-us/The\\_History\\_Of\\_Channel\\_5.html](http://www.nbcdfw.com/on-air/about-us/The_History_Of_Channel_5.html). Accessed July 7, 2017.

<sup>5</sup> Baker, Sandra. Channel 5 to begin construction on new TV facility in CentrePort. [http://www.dfw.com/2012/06/11/636556\\_channel-5-to-begin-construction.html](http://www.dfw.com/2012/06/11/636556_channel-5-to-begin-construction.html). Accessed July 7, 2016.

news programming, so they simply relied on summaries of wire reports to provide viewers with the news.<sup>6</sup> In contrast, WBAP featured news reporting from across the Dallas/Fort Worth metro area ranging from crime, politics and current events to public interest even novelty reporting. News film from WBAP was broadcast nightly as early as 1951 (and perhaps earlier, although no footage from the years 1948-1950 was retained) in a 15 minute program called, "The Texas News." This early news format featured five to eight short news segments with live in-studio narration read from a prepared script. Most of the footage itself was silent, with sound on film occurring only for brief interviews.

By 1952 it is estimated that 32% of homes had a television set, which means that in a metroplex of over 1,100,000 people at that time, as many as 350,000 people could have been tuning in to watch the nightly local news. There is evidence which also suggests that new film produced by KXAS was selectively compiled and distributed as newsreels throughout the state. An example of a KXAS news reel located in the Library of Congress features several stories from November 1954 with narration and music added to the film which does not appear in the regular news broadcast.

A typical 15 minute news reel from the earliest extant footage in the WBAP archive contains coverage reminiscent of what today might be called "hyperlocal" news. College and high school sports, meetings of fraternal and service organizations and city council meetings were events commonly included in news coverage. Public interest stories were covered as well - one memorable segment from 1951 included dramatic footage of a horse being lifted from an abandoned well. (The horse, named Major, was returned to pasture unharmed.)<sup>7</sup> Although news coverage may have focused on local news events, it would be a mistake to assume that this coverage has no larger significance. In the decade following World War II the Dallas/Fort Worth metroplex experienced tremendous population growth fueled by the thousands of jobs available in the area. This growth however, also placed strain on many of the communities in the Dallas/Fort Worth area who suddenly felt the approach of "big city problems" into their small town lives. Secondly, as one of the largest metropolitan areas in the county, the experiences of people here are a microcosm of the issues which faced the nation at large including civil rights struggles of the 1950's.

## **Pilot Project and Cooperative Publicity Plan**

At the suggestion of a faculty member in the UNT History Department, archivists selected 6 weeks of footage spanning August 1-September 16th, 1956 to digitize as a pilot project. This period of time saw several crucial developments in the ongoing civil rights struggles in north Texas. Housing desegregation protests were happening in Fort Worth, school desegregation lawsuits were underway in Dallas and another incident, which came to be known as the Crisis in Mansfield, occurred during this time as well.

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<sup>6</sup> DeLeon, Ponce. *That's The Way It Is: A History of Television News in America*. University of Chicago Press, 2015. pg.12

<sup>7</sup> WBAP-TV (Television station : Fort Worth, Tex.). [News Script: Horse rescued], item, January 12, 1951; ([texashistory.unt.edu/ark:/67531/metadc700447/](https://texashistory.unt.edu/ark:/67531/metadc700447/): accessed July 7, 2016), University of North Texas Libraries, The Portal to Texas History, [texashistory.unt.edu](https://texashistory.unt.edu/); crediting UNT Libraries Special Collections.

When four African-American students attempted to enroll for high school classes in the small north Texas community of Mansfield in the summer of 1956 they touched off a significant episode in our nation's civil rights history. Although the school had been ordered to desegregate by the United States Court of Appeals for the Fifth Circuit, city officials and local law enforcement were determined to block their admission. Following the students unsuccessful attempt to enroll, white community members created a dangerous and threatening atmosphere with demonstrations which culminated in hanging three effigies from the trees and even from the entryway of the high school itself. This incident, although rarely mentioned in history books, was a harbinger of what would come to be widespread failures to enforce desegregation orders in public school throughout the country.<sup>8</sup>

Several days later cameramen from the Fort Worth, Texas news station WBAP were in Mansfield to capture footage of the events for their nightly news broadcast. Using a 16mm film camera on location in Mansfield the WBAP reporters recorded footage to accompany a short segment about the demonstrations in Mansfield. Establishing shots of cars parked along Main Street and white parishioners leaving church on Sunday helped to introduce the short segment, and are in visual contrast to the chilling footage of the human effigies which still hung from the flagpole and the entranceway to Mansfield High School shown later in the segment.<sup>9</sup> Although the footage is silent, the original broadcast script provides the context to the imagery. "It's a quiet Sunday in Mansfield, where angry crowds of whites gathered last week to scare off Negroes who planned to enroll in public schools... At the school, effigies of Negroes hang above the front door of the school and at the top of the flagpole."

Footage like this is powerful in its ability to help people understand the past. Although scholars know that these events took place in Mansfield 60 years ago, there was no known film footage of the demonstrations of the effigies which hung from the high school. Finding this footage clearly demonstrates the significance of the the NBC 5/KXAS Archive and the importance of preserving the archive for the future, and inspired UNT and NBC 5/KXAS to embark on a cooperative plan to publicise the archive project.

The result of the pilot project uncovered many more lost pieces of historical footage with the potential to have wide interest to scholars and community members both in Texas and beyond. These recovered news segments included (see Table 3, " Sample of Footage found in 16mm Film Pilot Project").

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<sup>8</sup> *Handbook of Texas Online*, George N. Green, "Mansfield School Desegregation Incident," accessed July 06, 2016, <http://www.tshaonline.org/handbook/online/articles/jcm02>.

<sup>9</sup> WBAP-TV (Television station : Fort Worth, Tex.). [News Clip: New Racial Strife in Fort Worth ; Mansfield], video, September 2, 1956; Fort Worth, Texas. ([texashistory.unt.edu/ark:/67531/metadc307692/](http://texashistory.unt.edu/ark:/67531/metadc307692/): accessed July 8, 2016), University of North Texas Libraries, The Portal to Texas History, [texashistory.unt.edu](http://texashistory.unt.edu); crediting UNT Libraries Special Collections.

Date	Segment
August 2, 1956	Interview with a Survivor of the Andrea Doria Shipwreck
August 13, 1956	Vice-President Richard Nixon in Dallas, Warns U.S. Losing Popularity
August 16, 1956	W. Lee O'Daniel Announces Run for Governor
August 22, 1956	Announcement that Dallas Public School will Remain Segregated
September 4, 1956	Housing Desegregation Protest in Fort Worth

Table 3: Sample of Footage found in 16mm Film Pilot Project

#### NBC 5/KXAS On-Air Promotions

A successful cooperative partnership must take advantage of each partner's unique skills and abilities. Archivists and librarians at UNT have provided expert care, cataloging and preservation for the archive collection. NBC 5/KXAS fully utilized the talents and abilities of their producers, cameramen and journalists to assist in the promotion of the archive project, and provided visibility to over 7 million people within their viewing area by featuring archive related on-air promotions.

The greatest contribution to the project made by NBC 5/KXAS was during the month of January 2015 when the news station featured a week-long series of 3-4 minute long promotions on the 6pm news, followed by short “break-bumpers” (10-15 second promotions between programming and commercials) directing viewers to go to a page on the station website created specifically for these promotions. The promotional segments were branded as being a part of the Video Vault, and the newscasters introduced each promotion with information about the archive, UNT and how to find video segments online. The first promotional segment aired on January 12, 2015 (see Figure 1, “Screen capture from NBC 5/KXAS Archive Promotion Website”), and was introduced with these words:

“Tonight we have a big announcement to share with your. NBC 5 is putting all of our old news film online. This is a unique partnership here with the University of North Texas called the Portal to Texas History. Our parent company NBCUniversal is donating \$275,000 to make this project happen. It is a Texas sized commitment to preserving our past. All this week at 6 we are opening our video vault. We start this week in the summer of 1956 when big things were already happening in DFW.”<sup>10</sup>

<sup>10</sup> <http://www.nbcdfw.com/profiles/local/DFWThe-Portal-to-Texas-History-287968361.html>



Figure 1: Screen capture from NBC 5/KXAS Archive Promotion Website

In addition to the promotional segments aired during the evening news, NBC 5 invited the Head of Special Collections and Dean of Libraries to be guests on their Saturday morning public-affairs television talk-show. NBC 5/KXAS also sent crew members to UNT to create a four minute “sizzle reel” which introduces the archive project, our goals, and the cooperative partnership established between the two institutions. This “sizzle reel” is an easy way to get people interested in the collection, and can easily be shared from our website and social media pages.

## Towards a Custodial Partnership Model

Archival literature abounds with descriptions of problems inherent to the institutional collection of archival materials. Collection practices, either consciously or unconsciously, presented a distorted view of history through a lack of representation of diverse people, communities and issues in their archives. Archival materials have been collected by institutions only to sit uncataloged and lost to the public for decades, while in other circumstances, valuable archival materials created in a born-digital format may be overlooked completely by repositories in favor of paper based records. Archivists always seem to be catching up too late to a changing world. In 1981 that State Archivist of Wisconsin, Gerald Ham said, “Concern with the uniqueness of the material in our care, and the normal expectations of our custodial role, tended to make us uncommonly introspective, preoccupied with our own gardens, and too little aware of the larger historical and social landscape that surrounded us. Our introspective proclivity has isolated us from one another and fragmented our work, obscuring the advantages of

cooperation and shared ideas.”<sup>11</sup>

The concern expressed here by Ham is still very much a concern today. There is too little cooperation between repositories, too little collaboration with outside partners, and too much concern with acquiring distinctive collections for the sake of building an institutional reputation. Ham’s response to these concerns, outlined in this 1981 article, was the introduction of the post-custodial approach to the archival profession. In this article Ham urges the archival profession to let go of our custodial mentality, and to be open to new ways of acquiring and providing access to records, for the betterment of both the archival professional and the preservation of our collective memory. Ham was especially concerned with electronic records which would be both a great challenge and a great benefit to future archivists. Electronic records could easily be copied, shared between institutions, and therefore did not require the donor to transfer custody of the records to an archive if a copy of the records could easily be made.

SAA defines the post-custodial theory of archives, as, “The idea that archivists will no longer physically acquire and maintain records, but that they will provide management oversight for records that will remain in the custody of the record creators.” Although this definition seems completely focused on the physical custody of records, I believe most archivists would agree that a post-custodial approach to collections encompasses much more than who has possession of the actual archive. The major themes that have come to define the archive profession’s understanding and expectations of the “post-custodial era” are actually *access* and *cooperation*. Since the 1990’s the focus of exploring post-custodial approaches have focused heavily on electronic archival records, digitization of physical archival records and distributed physical custody of archival records. What is missing from these discussion however, is Ham’s message to us from his original 1981 article, that by isolating ourselves from records creators we are “obscuring the advantages of cooperation and shared ideas.”

“Cohesive and reliable construction of collective memory by nations, communities, or groups of people depends upon their ability to access their own historical records in addition to the artifacts, traditions, folk histories, and other memorializations of their pasts. Access therefore is integral to the custody of those records and must be part of any debate about their care and control.”<sup>12</sup>

In this article Jeanette Bastian emphasizes the connection between control (or custody) and access. Those who have control can either hinder access to records or encourage and promote access. She also points out the importance of access to archival records in maintaining community memory. One way communities have approached this issue is by maintaining control over archival records, either fully independent of a traditional archival repository, or through limited archival services provided through the work of independent contractors. Others have explored different methods of negotiating the issues of access, control and custody through various forms of cooperative partnership such as the example outlined in this paper. (see Figure 2, “Diagram of custodial models. ”)

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<sup>11</sup> F. Ham (1981) Archival Strategies for the Post-Custodial Era. *The American Archivist*: Summer 1981, Vol. 44, No. 3, pp. 207-216.

<sup>12</sup> Bastian, Jeannette Allis (2004) Taking Custody, Giving Access: A Postcustodial Role for a New Century. *Archivaria*, *The Journal of the Association of Canadian Archivists*, Volume 53, 2004. pp. 76-94.

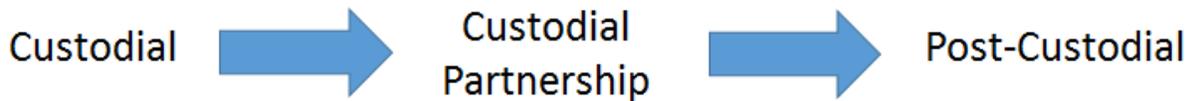


Figure 2: Diagram of custodial models showing diminished emphasis on custody

While the focus of audio/visual archives is on digitization and access, the question of custody can not be ignored, and for this reason a fully post-custodial approach may not be appropriate for all collections. These are unique materials, and as such, it is essential that the original source be preserved as long as possible. It is well within the realm of expectation that whatever digital surrogates are created today may be surpassed by future advances in technology, in much the same way that a digital surrogate created in 1996 would look very different from one created in 2016. Secondly, in the time it takes to fully digitize a collection, it is possible for any number of catastrophes such as fire, flood, or theft to irreparable damage or destroy a collection. Archives are not immune to acts of God, however, most have safeguards in place to mitigate these potential threats. Content which is digitized is also not free from danger. In the event that digital preservation safeguards fail, it may be necessary to access content again from the original source.

In the case of news content created by a publisher or broadcaster, the custody of the archive takes on additional significance due to the unpredictable nature of the business. Ownership of a media organization can change overnight, or in some cases, an organization may become bankrupts suddenly. In situations such as these the care of the archive is usually not among the top concerns for those affected by the changes, and total loss of a media archive is entirely possible.

### Custodial Partnership Model in Action

The Custodial Partnership Model is a method by which partners may continue to involved in the “life” of an archival collection past the point of its deposit in an archival repository. In this model the partner, NBC 5/KXAS, chose to transfer their collection of physical archival materials to the repository, mirroring a traditional custodial approach. The “partnership” part of this model refers to the carefully negotiated the ongoing role of the partner in archival decision making and the mutual goal of the primacy of making their records broadly accessible through large scale digitization. As a repository, UNT Libraries has made a commitment to providing access to our partner collections, in sometimes unusual ways, and to maintaining supportive, cooperative relationships which the records creators and donors long after the transfer of records to the repository. It is this quality of the partnership that places it squarely in a post-custodial approach, regardless of the fact that the repository does indeed have custody of the records.

The NBC 5.KXAS Archive project highlights the extreme difficulties in preserving 20th century television news content, but also, hopefully, demonstrates the cultural significance and importance of preserving this content for future generations. A large amount of content has already been lost. Television news staff and reporters are focused on the here and now, and

unfortunately, yesterday's news was not recorded or recorded and preserved for a short period of time. In other cases news collections have been neglected until they have reached a point of no return in their deterioration, or perhaps silent 16mm newsfilm exists for which no accompany scripts or indexes were preserved, making the content so obscure in its lack of metadata as to be virtually useless.

Other major collections of television news may be found in the holdings of the University of California Los Angeles Film and Television Archive, the Lynn and Louis Wolfson II Florida Moving Image Archive, the WGBH Media Library and Archive in Massachusetts and the University of Baltimore, among other institutions. While many of these institutions hold one or even multiple television news archives, access is limited to the collections due to factors such as minimal description of collections, limited reformatting of collections and/or unclear copyright status or licensing rights. These challenges are exacerbated by the overwhelming costs associated with processing, describing and digitizing large archival collections composed of audio/visual materials.

The traditional archival donation model is based almost entirely on a single transaction consisting of the transfer of the archival collection from a donor to a cultural heritage institution via a formal gift agreement. This model has generally been seen as advantageous to the archive since it provides a clear means for the legal transfer of property and it places no additional burden on the institution accepting the donation. Once the gift agreement has been signed, the archive is not held legally accountable to the donor under most circumstances. While this model succeeds in simplifying the relationship between the donor and donee in that single transaction, it fails to take advantage of the potential for a longer lasting, mutually beneficial partnership between the donor and donee. As suggested by this paper, a donation based on a cooperative partnership model has been key to the success of the NBC 5/KXAS Archive. Key aspects of the partnership have included:

- Mutual agreement on the long terms goals for preservation and access to the collection
- Good faith efforts on behalf of donor and donee to raise funds necessary to meet long term goals
- Agreement by the archival institution to make reasonable accommodations to facilitate the continuing use of the archive by NBC5/KXAS for business purposes
- Agreement by the donor to allow reasonable access to collection, in this case, making the collection freely available in a streaming format
- Granting the archival institution rights to license footage and collect revenue

Other characteristics of the partnership between UNT and NBC5/KXAS are less formal, yet no less beneficial. Chief among these characteristics is the willingness on the part of both parties to communicate openly and frequently. Open and frequent communication between parties is essential to ensure that the project is able to continue past obstacles both large and small.

The partnership thus far has also been defined by honest communication and clear expectations. During the negotiation period both UNT and NBC5/KXAS were able to clearly express their needs as well and what they may be able to offer. Both parties sought to accommodate the need of the other party, however, when something was outside our

capabilities we were able to say “no.” This honest communication kept us accountable to each other in a way which was reasonable and realistic. Having these discussions in advance also prevented many problems from popping up further in the future. For example, we clearly defined the way in which the station would request archival footage for their own future broadcast purposes. We have a timeline in place for how far in advance a request must be made, who is responsible for reformatting fees, and a procedure for situations where we can not digitize footage within that time line (during Christmas break, or other periods when the library may be closed, for example.)

Partnerships have big benefits for the institution and the records creator. Oftentimes the records creator or the community stewards of collection have a strong desire for ongoing interaction with records. Partners want to ensure that their collections will not just be “shelved” in a back room and forgotten, and furthermore they are likely looking to ensure that access to the records is enhanced beyond the capabilities they are currently able to provide. In earlier times of archival administration, archivists were reluctant to acquire collection with any kinds of “strings attached.” However, borrowing from the cooperative spirit of the post-custodial approach encourages us to see records creators and community stewards as active participants in archival administration regardless of who becomes the final custodian of the records themselves. In the examples shared here, the benefits of the partnerships for the records creators, NBC 5/KXAS, came from the ability of the station to retain copyright to their content, the validation of an association with an academic institution, the services and skills of professional archivists managing the collections, the increased access to the collection and the ability to maintain an active “presence” in the archival decision making process. For the archive, our partnership with NBC 5/KXAS has allowed UNT to further our mission to preserve historically significant cultural materials. Additionally, partnership with a major news station has provided the library with access to the skills and abilities for promotion, outreach and fundraising that would otherwise be too far out of our reach.