

Nov. 5, 2010

As a professional ethnomusicologist and archivist concerned with the ethical treatment of historical field recordings of Native American music, I believe it is imperative that recordings made prior to 1972 be brought under the rubric and protection of federal copyright law in order to establish fair and lasting bases for making archival collections both publicly available, and to protect the rights and interests of the many indigenous and traditional artists and cultures represented on pre-1972 field recordings. Many of those recordings were made under unfair and unethical conditions, and in many cases known authorship was not recorded in favor of a designation of “oral tradition” or “public domain,” something now being substantially challenged by scholars such as myself and by Native American artists, activists, and communities seeking the repatriation of their cultural heritage materials and the protection of those materials from the rampant commercial exploitation that has been permitted under current statutes. I would be delighted to testify in person on this issue. I strongly support the move to extend federal copyright protection to pre-1972 sound recordings.

Sincerely,

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