

THE OMAHA DIGITIZATION PROJECT¹

The American Folklife Center (AFC)², part of the Library of Congress of the United States of America, is charged with helping to preserve and present American folklife, defined as the “traditional, expressive, shared culture” of various groups in the United States³.

Since 1979, the AFC has been closely collaborating with the Omaha Tribe⁴, within the context of the “Federal Cylinder Project”, to gather together a large number of fragile wax-cylinder field recordings of Native American songs and stories made between 1890 and 1942, and make preservation recordings of them⁵. The Federal Cylinder Project aims to preserve, document, catalog, and disseminate the information contained in these early field recordings⁶.

According to Dr. Peggy Bulger, the AFC’s Director, “the recordings of Omaha songs were the first to have been recorded on the reservation, the range of the songs was wide, the quality of the sound was outstanding, and the people who made the recordings were important folklorists. Because of these factors, the AFC approached the tribe to produce a record album. Members of the Omaha tribe also assisted by providing information about the songs”⁷.

An online presentation of the Omaha Indian Music was also an agreed output of the project⁸. At the end of the project, the AFC provided the Omaha Tribe with a complete

¹ The views expressed in the resource and practices referred to in this summary do not necessarily constitute the views of WIPO or any of its Member States.

² See <http://www.loc.gov/folklife/>

³ See http://www.aurorahistoryboutique.com/ahb_historyCD.cfm?a=Y000366

⁴ See <http://www.mnisose.org/11.html>

⁵ Intervention by the Delegation of the United States of America to the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore, Ninth Session, April 2006 (see document WIPO/GRTKF/IC/9/14).

⁶ See http://www.aurorahistoryboutique.com/ahb_historyCD.cfm?a=Y000366

⁷ Supra, footnote 5.

⁸ See <http://memory.loc.gov/ammem/omhhtml/omhhome.html>

tape copy of all the Omaha cylinder recordings in Federal repositories for the Tribe's own archives, and as a tool for the Tribe's educational and cultural enrichment⁹.

Dr. Bulger continues: "The key to the success of these two endeavors—the album and the online presentation—has been close collaboration with the owners of the cultural materials; an attitude where showing respect, carefully listening to tribal concerns, working together toward common goals, and taking the time to do things properly has been fundamental".

The Omaha Tribe has stated as part of its Copyright Policy that "the written permission of the copyright owners and/or other rights holders (such as publicity and/or privacy rights) is required for distribution, reproduction, or other use of protected items beyond that allowed by fair use or other statutory exemptions"¹⁰. Thus the Omaha Tribe has the final say on any possible uses of its music.

For more information, see WIPO, "Towards IP Guidelines and Best Practices for Recording and Digitizing Intangible Cultural Heritage: A Survey of Codes, Conduct and Challenges in North America"¹¹, by Martin Skrydstrup, 2006.

⁹ See WIPO, "Towards IP Guidelines and Best Practices for Recording and Digitalizing Intangible Cultural Heritage", written by Martin Skrydstrup (October 2006), p. 72

¹⁰ See <http://memory.loc.gov/ammem/omhtml/omhres.html>

¹¹ http://www.wipo.int/tk/en/folklore/culturalheritage/casestudies/skrydstrup_report.pdf