

BANS --- THEN AND NOW

Diskers Join In NAB Call Over Petrillo

Trade Association May Evolve

NEW YORK, Oct. 25.—Disk biz response to the National Association of Broadcasters (NAB) call for a record company committee to join an over-all industry music committee—FM, AM, tele, e.t.'s, waxers—on November 5 is expected to lead to a trade association representing the bulk of the platter firms, including the major companies.

Such an association was one of the few concrete proposals at the NAB-sponsored meeting of disk firm reps who met Tuesday (21) mainly to name the companies and spokesmen who would carry the representation ball at the broadcasters' over-all session. At a follow-up meeting of the diskeries Monday (27) a disk-biz association is virtually certain to evolve, with waxers agreed that their committee to sit in on the over-all music huddles will be valueless unless truly representative of the entire industry. That the association will be formed is considered almost certain, altho trade veterans are skeptical about how unified the org will remain after, or during, the Petrillo-ban period. Not only do the diskers qualify that decisions reached by the NAB-over-all group need not be binding on individual waxers nor affect their rights to settle with Petrillo, but it is recalled that in the past the record firms never have been able to maintain a pattern of common action as regards the American Federation of Musicians (AFM) let alone other biz interests which might be properly within the province of an association.

Events of the Week

From last week's meeting to the one due Monday, however, the waxers have worked rapidly to complete formative details necessitated by the NAB bid for diskers to join an over-all group. Events of the week included the following:

(1) At the Tuesday (21) meeting the diskers appointed James W. Murray, RCA Victor veepee and record division boss, to take over as temporary chairman. Murray called on Frank Walker, MGM Records boss, to nominate companies who would send reps to the November 5 over-all meet. It was decided that the four majors, Columbia, Decca, Capitol and Victor, and three others, Signature, Majestic and Musicraft, would name spokesmen. Discussion of an association's value raised the question of whether the phonograph record manufacturers' association (representing about
(See Diskers Respond on page 22)

AFM CONVENTION IN JUNE

NEW YORK, Oct. 25.—The 1948 American Federation of Musicians (AFM) convention is set for Asbury Park, N. J., June 6-12, according to an announcement today. Representatives of AFM conferred with Chamber of Commerce officials and representatives of Asbury Park's Beach Front Hotel prior to the announcement. Fifteen hundred delegates are expected to meet at the Jersey seaside resort in June, with the union planning to present nightly concerts by a 35-piece band on the boardwalk.

What's New?

NEW YORK, Oct. 25.—Cycle theorists and historians may point to the similarities between the Petrillo ban that threatens for 1948 and the musicians' walkout in 1942. But tradesmen are quick to point out the many differences in the tactical situation today. For a summation of some of the Petrillo-ban angles which may have no precedent in the past, see the adjoining double-column paragraphs.

Industry Set For Confabs On Disk Ban

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lating definite united policy on all matters common to the various industries. "The music industry committee meeting will give everybody an opportunity for the first time to explore the areas of agreement and see where there is common ground for the diverse segments of all the industries in facing the problems raised by AFM."

Willard declared that, altho some of the industries are facing some difficulty in organizing representation, he has met "generally great willingness" on the part of industry spokesmen to participate. Willard indicated that he was not expecting the industry music committee to "run to the government for help," and he emphasized that the confab is not intended as a "battle" against Petrillo. He pointed out that the music industry committee itself will be invited to "determine its own agenda and a course of procedure."

Permanent Agency Re AFM

At the present outlook, the industry music committee is not expected to seek immediate negotiations with Petrillo. One of the chief benefits expected to be gained from the meeting is a permanent agency for policy-making and procedure in respect to AFM. A corollary to this is expected to be an effort toward bringing about agreement by all the industries to avoid "rival negotiations" with Petrillo. It is recalled that Petrillo made some of his chief gains in previous record bans by inducing some industries to make agreements at the expense of others.

Representative Kearn's House Labor Subcommittee has been unable to formulate specific recommendations for remedial legislation to deal with AFM problems despite the fact it has held a series of hearings, including one at which Petrillo himself testified. Because of the far-reaching impact of Petrillo's disk-making ban, however, some sort of action is expected to develop within Congress and the executive branch. Congressmen are expected to return to Washington with numerous complaints against Petrillo from broadcasters, music stores and others affected by the Petrillo ban in their constituencies.

Taft's Look-See

Sen. Robert A. Taft (R., Ohio), chief GOP strategist in the Senate, just before embarking by plane for his Ohio home after a White House conference, indicated that he had "not yet had time to examine the latest Petrillo situation," but he said he has "every intention of doing so."

NOW... Petrillo's '48 Battle Tougher With Taft-Hartley Law, No War, GOP Congress

More Ways To Beat the Ban Than in 1942... Maybe?

Compared to his 1942 recording ban, Petrillo faces tough opposition in 1948; that is, if he aspires to gain from his work-stoppage anything other than his announced objective of "never to record again." Realistic music industrialists can't believe that Petrillo wants to battle technological progress endlessly. Like the Gilbert and Sullivan operetta, "what, never?" is figured as leading to "well, hardly ever" and is considered inverse strategy—bargaining by pretending no interest in bargaining whatsoever. The recording ban is only one symptom of this no-bargaining approach. On February 1 the AFM is expected to yank musicians off networks. The resultant yelps by the commercial users of musicians will flood Congress; senatorial committees will hear Jimmy P. present the humane, if unscientific, arguments against canned music and will demand he settle the issues. And the outcome will be settlement, but when and who wins will depend undoubtedly on who puts up the best fight.

Bootlegging Easier

What makes it tougher for Petrillo on certain scores now than in '42 is this: the resistance power of the entire disk biz is unquestionably greater than before. Hundreds of new diskers have mushroomed into existence, as have the pressing plants that spew out the platters. In '42 there were probably no more than three or four independent pressing firms, each of which was easily policed by Petrillo's union. Yet at that time non-union wax shifted out in some quantity.

In 1948 the bootlegging can be expected to top anything seen six years ago (see story on next page).

Taft-Hartley Points

Today, too, there's a Taft-Hartley law which specifically prohibits secondary boycotts. Support of a work stoppage, not a strike, would in itself be a problem for sympathetic unions without a T-H law. With a T-H law there comes doubt that the AFM could get help from the United Electrical Union workers in diskery plants, etc. Where will the small labels get non-union musicians (the majors concededly may not resort to such search) is a problem which seemingly does not bother the companies. Their claim is that the dollar lure can readily turn up AFMers who will cut bootleg sides under nom de plumes.

Imports Likely

Imports to beat Petrillo's ban are another issue. In 1942 the war blocked diskers from wholesaler dabbling in imported wax. In 1948 the platter makers can comb Britain, Mexico, France, etc., for musicians required to fight a protracted battle. The possibilities of Petrillo's getting aid from the British Musicians' Union (BMU) this time also seems slim. With a Socialist government in power in England, with the dollar situation so critical, it is doubtful that the BMU would refrain from cutting platters for companies such as the newly formed London label, which will sell records of pop tunes by British artists in this country. Those platter sales here will bring dollars into England which may confound any AFM representations to BMU.

Representatives of several top name recording artists and a good number of smaller diskeries called *The Billboard* this week seeking information regarding the recording scales for tootlers in England and other parts abroad. Artists' representatives pointed out that they could easily book their attractions for foreign work and that over there they would be able to cut masters with musical backing which in turn could be sent back to the States if the ban should last any reasonably long period. Tootler scale for recording in England only runs around \$14 per man per three-hour session. But in Britain disk performances on the British Broadcasting Corporation (BBC) air are paid for by the station, with part of the kitty going to the BMU and the remainder going to the disk company.

Congressional Action

In Congress Petrillo faces even more resentful opposition than in 1942. Press reaction to his recording ban has been no more sympathetic than six years ago and a Republican House and Senate echo the sentiment. That the same bunch that pressed thru a Taft-Hartley Act and a Lea-Vandenberg Act can possibly tack on a specific hunk of legislation aimed at curtailing Petrillo even further is not unlikely.

Talent and Tunes

Talentwise and tunewise, the struggle also becomes more arduous for the AFM. Bands today are not the selling factor they've been. Instrumental music backing is in the end essential to recording, but a cappella ersatz might prove to be a more effective stopgap in '48 than before. The backlogs of the major companies are the greater for the six years since the last ban. And the current plethora of revivals stands to keep disk company profits going at good pace despite Petrillo.

Industry Front?

If the efforts of the National Association of Broadcasters bind together an over-all music industry group which holds firm on the Petrillo line, Jimmy P.'s battle must toughen. But whether the networks, e. t.-ers, FM-ers and record people with varying degrees of financial interest can stave off whetting private axes and keep together is plain moot. In 1942 there was no comparable industry front such as the one that appears to be shaping now, but even this front, if it follows an historical pattern, can vaporize at the sound of a cash register.