

MAJOR APPOINTMENTS & PROMOTIONS ANNOUNCED

ASCAP PlayBack™

VOLUME 2 ISSUE 5

PUBLISHED BY THE AMERICAN SOCIETY OF COMPOSERS, AUTHORS & PUBLISHERS

SEPTEMBER - OCTOBER 1995

ASCAP HONORS TOP WRITERS AND PUBLISHERS AT ANNUAL CELEBRATIONS

JUAN GABRIEL RECEIVES SONGWRITER OF THE YEAR AT EL PREMIO ASCAP AWARDS



IT WAS A VERY GOOD YEAR: Pictured at the El Premio ASCAP awards are (l-r) Songwriter of the Year and Pop/Contemporary Songwriter of the Year Juan Gabriel, ASCAP's Director of Latin Membership Ivan Alvarez, awards MC Raul di Blasio, and Rudy Perez who won an award for cowriting the tropical hit "Vivir Lo Nuestro" with Normandia Gonzalez.

Mexican superstar singer/songwriter Juan Gabriel was named as ASCAP Songwriter of the year at the third annual El Premio ASCAP awards at Miami's Tropigala nightclub on September 12.

The event, which honors ASCAP's top writers, composers and publishers in Latin Music from the past year, was hosted by recording artist Raul di Blasio, who joined fellow BMG record label mate Gabriel in an unprecedented duo performance of a Gabriel song. Gabriel, whose latest album, *El Mexico Que Se Nos Fue*, is at the top of the Latin charts, also was named Songwriter of the Year in the Pop/Contemporary category.

Publisher of the Year honors went to Sony Discos Music Publishing for having the highest number of songs with the most

performances in the past year.

Among the awards presenters were producer/composer Jellybean Benitez and MTV Latino VJ Ruth, who presented the top award for a new category, Spanish Rock, to Flavio Cíanciarulo (El León Music) for his song, "Matador."

A special feature added to this year's El Premio ASCAP awards was that, for the first time, the event was covered live online via the ASCAP-sponsored Latin Music web site (<http://www.lamusica.com>) on the Internet's World Wide Web. Another highlight was a performance by TropiJazz/ Sony trumpeter Humberto Ramirez.

See pages 10-11 for a complete listing of this year's winners and a full-color photo spread of the event.

ASCAP PRESENTS THIRTY-THIRD ANNUAL COUNTRY MUSIC AWARDS

THE WINNING TEAM:

Pictured at right at ASCAP's 1995 Country Music Awards Gala held on October 2nd in Nashville are (back row, l-r) Publisher of the Year Warner/Chappell's Kurt Denny; Morganactive Song's Dennis Morgan, publisher of Song of the Year "I Swear;" Warner/Chappell's Rick Shoemaker, Johnny Wright, Michael Knox, Dale Bobo and Chairman and CEO Les Bider; and Publisher of the Year Sony Cross Keys' Richard Rowe and Don Cook; and (front row, l-r) Morganactive Song's Tommy Williams; ASCAP Board member and Warner/Chappell's Jay Morgenstern; Songwriter of the Year Gary Burr; Warner



/Chappell's Barbara Behler and Tim Wiperman; Frank Myers, cowriter of Song of the Year "I Swear;" ASCAP's Vice President/Director of Membership Nashville Connie Bradley and President and Chairman Marilyn Bergman; Gary B. Baker, cowriter of Song of the

Year "I Swear;" ASCAP Board member and Publisher of the Year Sony Cross Key's Donna Hilley and Sony's Jody Graham Dunitz. See pages 6-7 for a complete listing of this year's winners and photo coverage of the event.

SENIOR MANAGEMENT GROUP NAMED - MUSIC INDUSTRY EXECS VINNIE CANDILORA AND TOMMY VALENTINO JOIN ASCAP STAFF

In September, ASCAP President and Chairman Marilyn Bergman released the names of ASCAP's new and expanded senior management group, all of whom now have new titles: John A. LoFrumento (Executive Vice President/Chief Operating Officer & Managing Director); Todd Brabec (Senior Vice President/Director of Membership); Al Wallace (Senior Vice President/Director of Operations & Systems); Peter Boyle (Vice President/Chief Economist); Connie Bradley (Vice President/Director of Membership Nashville); Jim Collins (Vice President/Chief Financial Officer); Roger Greenaway (Vice President/European Director); and Karen Sherry (Vice President/Director of Communications). Vincent Candilora, who is one of two major new appointments to the ASCAP staff, was also named to the Senior Group as Vice President/Director of Licensing.

Executive Vice President and COO John A. LoFrumento also announced the major new appointment of Thomas J. Valentino as Director of Planning. Candilora and Valentino, formerly of SESAC and BMI, respectively, are the first high-ranking staff members from ASCAP's competitors to join the ASCAP team.

As Director of Licensing, Candilora will oversee all aspects of the Society's domestic licensing oper-

ations and will actively seek to further expand its licensing of performance rights throughout the United States. He will report to LoFrumento and will be based in Nashville.

LoFrumento remarked, "Vinnie's extraordinary success within the performance rights industry stems from an intuitive understanding of the performance rights marketplace. He is a welcome addition to ASCAP."

Candilora began his tenure in the performing rights industry in 1969, where he served as a licensing representative for SESAC, Inc. He later advanced to special projects, where he was responsible for increasing the scope of SESAC's repertory. He was elected vice-president of SESAC in 1981, a post he held until he relocated to Nashville in 1985 and was promoted to Executive Vice President. Mr. Candilora later became President of SESAC.

Throughout his career, Candilora has been outspoken in his support of the rights of composers and music publishers, and has testified on a number of occasions before Federal committees in both the House of Representatives and Senate. He currently serves as Director of the Country Music Association, is on the Advisory Board of the Music & Entertainment Industry Educator's Association and is a director of the Copyright Society of the South.

He has also served as an adjunct professor at New York University's music business department and has been on the board of the Nashville Songwriters Association and the Nashville Entertainment Association.

As Director of Planning, Valentino will take an active role in the strategic development and planning of the Society. He will report to LoFrumento and will be based in New York.

"I am excited about Tommy joining the ASCAP family," states LoFrumento. "He not only brings extraordinary experience with writer and artist relations, but also a vast understanding of the legal and copyright ends of the music business."

Most recently, Valentino served as Senior Director, Writer/Publisher Relations at BMI, where he signed and worked with such artists as Alanis Morissette, Collective Soul, Seal, Ace of Base and Mariah Carey. Prior to joining BMI, he was with the entertainment law firm of Grubman, Indursky, Schindler & Goldstein, P.C., which followed a five year stint in Nashville working for music publishers Will Jennings and Willin' David Music. Valentino began his career in management as a road manager for Daryl Hall & John Oates.

ASCAP CONTINUES TO ISSUE PERFORMANCE LICENSES FOR COMPUTER TRANSMISSIONS OF MUSIC

In response to the continuing demand for ASCAP licenses by new online services, ASCAP recently issued its performance license for computer transmissions of music to two pioneering online companies: MP Music Previews of Atlanta, Georgia and Xing Technology of Arroyo Grande, California.

MP Music Previews, a service of MultiPreviews, L.L.C. offers music buyers worldwide Internet access to samples of music CD's and tapes (<http://mpmusic.com>). With the ASCAP license, MP Music Previews now has access to the several million copyrighted musical works of every form and style that are in the ASCAP repertory.

Xing Technology will use the ASCAP performance license with its newly announced StreamWorks Internet audio/video network to deliver real-time, live and on-demand music programming to listeners on the World Wide Web. StreamWorks employs state-of-the-art compression and communications technologies to deliver what Xing's president, Howard Gordon, calls, "the industry's highest standard of audio and video quality."

continued on page 16

NEW MEMBERS



Dance Hall Crashers



Toño Rosario



Squirrel Nut Zippers



Redbelly



Ricochet



Steven Kowalczyk



Gwen Mars



Tim Murphy

DANCE HALL CRASHERS – In an era when angst and frustration is dished out by numerous rock bands, the Dance Hall Crashers offer a bit of advice: Lighten up! A constant presence on the thriving East Bay music scene, the Crashers' potent brand of adrenalized ska now can be heard on their newly released album, *Lockjaw* (510 Records).

TOÑO ROSARIO – A musician from a very young age in the Dominican Republic, Toño Rosario's first success came when he co-lead a hugely popular and influential meringue act, Los Hermanos Rosario, with his brother. In 1990, after 12 years and 6 albums with Los Hermanos Rosario, Toño moved to Puerto Rico to try his hand as a solo artist. The result? Two platinum and two gold albums to date.

SQUIRREL NUT ZIPPERS – Taking their name from an old brand of chewy peanut-flavored sweets, this eclectic group has set out to introduce modern audiences to their version of "Hot Music" (a term for the more progressive swing and jazz music of the 1920's, 30's and 40's). The band is now ready to woo the world with

their new album, *The Inevitable Squirrel Nut Zippers* (Mammoth).

REDBELLY – "I knew we were getting good when I started to see people showing up at our shows who we didn't even know," says Redbelly's rhythm guitarist Eddie Wohl. Formerly known as Tractor, New York's Redbelly serves up a powerful dose of heavy metal on their self-titled debut album, which is chock full of influences – from Black Sabbath's stormy chords to an Ozzy Osbourne flair for drama.

RICOCHE – The members of Ricochet have garnered a reputation as one of the most electrifying country bands on the scene today. A popular touring act with an energetic stage show as evocative as their sound, it didn't take long for Ricochet to wow Columbia Records execs, who signed the band to the label with a debut release slated for early 1996.

STEVEN KOWALCZYK – When Steven Kowalczyk's demo tape made its way to the desk of Atlantic Records founder Ahmet Ertegun, a musical marriage was made. Ertegun agreed to coproduce the writer/ performer's first

album, *Moods and Grooves*, a work of surprising musical and lyrical twists that comments on modern life in the traditional vocal styles of great pop artists such as Tony Bennett and Sarah Vaughan.

GWEN MARS – It's a modern success story: three young guys meet, start a rock band, play some gigs and then release a demo-single. The song catches the ear of Richard Podolor (best known for Steppenwolf's "Born

To Be Wild") who is impressed by the band and comes out of retirement to produce their demo tape. From there, the band signs to Hollywood Records, who turns the tape into an album, *Magnosheen*. If the story wasn't remarkable enough, consider the fact that it all happened in the space of six months.

TIM MURPHY – Having inherited a love of music from years of listening to his father's

albums, country artist Tim Murphy intends to share his musical success with his dad. "My father missed his calling as a great singer," says Murphy. "I will be happy to share my dream with my father to give something back to him." With a major label deal making him the first act to sign with the revamped Capitol-Nashville, Murphy's dream is coming true.

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PlayBack™

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The thousands of ASCAP members who have written, called and faxed their outrage and opposition to H.R. 789, the Music Licensing bill introduced in the U.S. House of Representatives have begun to let their U.S. Senators know how they feel about S.1137, the companion bill now in the U.S. Senate. S. 1137, which is essentially identical to the House bill, was introduced by U.S. Senators Craig Thomas of Wyoming and Hank Brown of Colorado on August 9, the last day of the Senate session prior to the August recess.

Since returning to Washington on September 5, several U.S. Senators have unfortunately added their names as new cosponsors of S.1137, including Senator Ben Nighthorse Campbell of Colorado, and both Senators from North Carolina – Jesse Helms and Lauch Faircloth. The House version of the bill, H.R. 789, has 152 cosponsors as we go to press. Fortunately, two members of the House, Representatives Robert Torricelli of New Jersey and John Lewis of Georgia, have removed their names as cosponsors of H.R. 789.

The proponents of these bills, the National Restaurant Association, have clearly decided to move full steam ahead with their efforts to pass this legislation and are stepping up their campaign. They have attempted to break off negotiations with performing rights organizations while pursuing as many cosponsors as possible in the House and Senate. It is *vital* that ASCAP members and all other concerned members of the music community *continue* to communicate with Congress to stop these misguided bills.

Contact your Congressional Representative and Senators to

express your opposition to H.R. 789 and S. 1137. Should your representatives choose to co-sponsor this legislation he or she would be, in effect, taking away one of your basic rights as music creators – the right to be paid when your music is played!

These bills, if enacted, could drastically affect ASCAP's licensing of bars, taverns, restaurants and other retail stores, which account for 15-20% of ASCAP members' earnings annually – **YOUR EARNINGS**.

All of us – those who make a living from our music and those who hope to – deserve to be compensated when our music is used.

Your calls and letters DO make a difference. Let's show Congress that America's songwriters, composers and music publishers will fight to protect our copyrights – and our rights.

CONTACT YOUR REPRESENTATIVES IN CONGRESS

WRITE OR CALL TODAY:

The Honorable _____
U.S. House of Representatives
Washington D.C 20515

The Honorable _____
U.S. Senate
Washington D.C. 20510

U.S. CAPITOL SWITCH-BOARD (202) 224-3121

Points to make in your letter or call as a member of the music community:

1. Urge your U.S. Representative to oppose H.R. 789 and your U.S. Senators to oppose S.1137, or any legislation designed to eliminate payments for background music in bars, taverns, restaurants and retail stores.

Ask that they contact their colleagues in Congress to enlist opposition to this legislation.

2. ASCAP is currently in negotiations with the groups who represent bars, taverns, restaurants and retail stores to resolve our differences. As an organization of small business people – music creators and music publishers – we want the free-market system to be allowed to work. ASCAP has made significant offers to resolve differences, but the other side refuses to respond.

Urge Congress to support marketplace negotiations, not legislation.

3. Passage of House bill H.R. 789 or Senate bill S.1137 is tantamount to theft of your music by business owners. Music creators are the smallest of small business people and deserve compensation when their music is used for commercial gain.

Draft your own, unique letter from your perspective as a songwriter, composer or music publisher.

Ask your Representative and Senators to refuse to cosponsor H.R. 789 and S. 1137. If they have already become cosponsors, request that they remove their names from these bills. WRITE OR CALL TODAY!

ASCAP MEMBERS ANSWER THE CALL!

When we approached several prominent ASCAP songwriter and composer members who have written music well known to Members of Congress, They were quick to answer our call. Their "Open Letter to Congress" is reprinted at right. This letter is designed to augment your letters and calls to your own Representatives and Senators.

"THE FAIRNESS IN MUSIC LICENSING ACT OF 1995" IS NOT FAIR

AN OPEN LETTER TO MEMBERS OF CONGRESS:

We are writing to express our fervent opposition to H.R. 789/S.1137, legislation to expand the exemption for music licensing of bars, restaurants and taverns and other business establishments. We are particularly concerned about the harmful impact these bills would have on America's songwriters, composers and music publishers, both established names and the new talent who will create the music for tomorrow.

Through H.R. 789/S.1137, bar, tavern restaurant and other business owners would like Congress to mandate the free use of our private property – our songs! No Congress should agree to such "taking," particularly this Congress. These establishments are clearly using music to enhance their business. Music has a true economic benefit for these business owners. As U.S. Supreme Court Justice Oliver Wendell Holmes wrote in 1917, "If music did not pay, it would be given up." Music, like any other property, belongs to the person who wrote it. The writers and publishers of music have a right to make a living from the fruits of their labor.

These bills were introduced despite numerous good faith attempts by songwriters' representatives – ASCAP, BMI and SESAC – to negotiate with the organizations that represent the owners of bars, taverns, and restaurants. Those attempts were ignored or rejected. And now, contrary to the mood of the country, the proponents of these bills are asking Congress to sanction government intervention in the marketplace by dictating the results of a strictly commercial dispute.

American music is the most popular music in the world. This legislation is a direct attack on the long-established principle that music creators should be compensated when their music is used in a public place. The income from these performances represents the major source of income for songwriters, composers and music publishers. It will cost American music creators millions of dollars in lost income at home, and millions more lost abroad, by drastically eroding the incentives that have placed American music at the pinnacle of world popularity.

Legislation such as H.R. 789/S.1137 that denies us compensation for the use of our property will eventually impoverish all those whose lives are enriched by American music. We urge you to oppose this misguided legislation.

Sincerely,

Marilyn Bergman

Alan Bergman

Willie Colon

Bill Conti

Hal David

Phil Galdston

Morton Gould

Marvin Hamlisch

Jerry Herman

Alan Jackson

Billy Joel

Quincy Jones

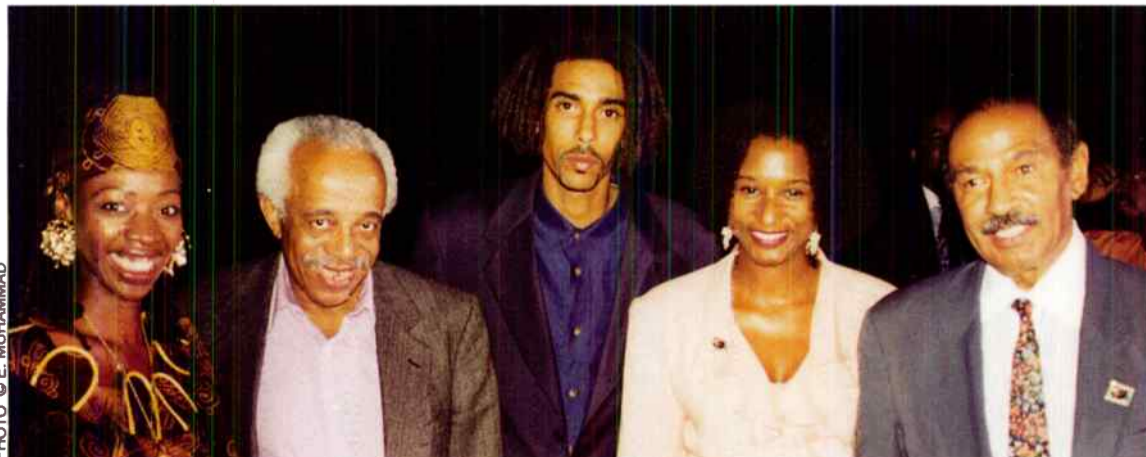
Lionel Richie

Carly Simon

Stephen Sondheim

Randy Travis

George David Weiss



ASCAP IN WASHINGTON: Congressman John Conyers, Jr. of Michigan hosted the Jazz Issue Forum and Concert during the recent Congressional Black Caucus Legislative Congress in Washington, D.C. ASCAP and GRP Records cosponsored the event and presented Conyers with a special plaque marking the 25th year of the Conference. Pictured (l to r) are ASCAP's Esther SanSaurus, jazz pianist and composer Barry Harris, ASCAP's Bill Brown, Palumbo & Cerrell's Gardine Hailes and Congressman Conyers.



PHOTO BY EVA JANEY



KEN FRIEDMAN



PHOTO BY MIKE HASTON

Green Day: In a follow-up to their gazillion-selling debut album, *Dookie*, these pop/punk pranksters from Berkeley have just released their sophomore effort, *Insomniac*.

Bonnie Raitt: After many years of touring, eight-time Grammy winner Raitt's first live recording ever, the appropriately-titled *Road Tested*, hits the streets in November.

Neil Young: With a discography twice as long as his sideburns and a new album, *Mirror Ball*, with fellow ASCAP members Pearl Jam as his back-up band, Young proves that true rock is ageless.



PHOTO BY MONDINO

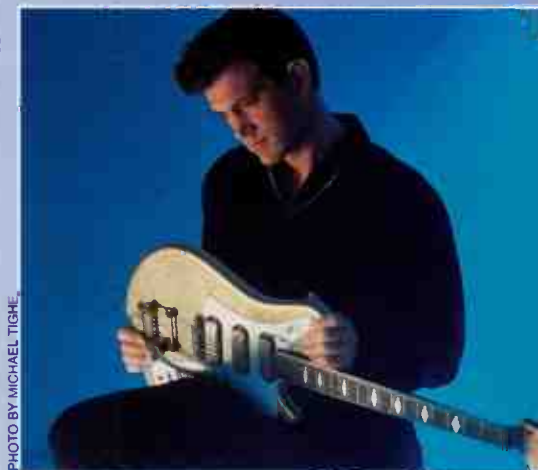


PHOTO BY MICHAEL TIGHE

Boz Scaggs' recent album, *Some Change*, contains songs that showcase his signature voice, his early Texas guitar blues and the urban sophistication of his later recordings.

Chris Isaak: This San Franciscan's eternally heartbroken persona and Orbison-like pipes make hearts swoon – and his records sell. His new album, *Forever Blue*, is ever so beautiful.



Steve Miller: He pioneered the uncharted territory of high-fidelity, expertly recorded rock and roll albums – and went on to fly like an eagle up the charts.



Grateful Dead in concert: "Our audience is like people who like licorice. Not everybody likes licorice, but the people who like licorice really like licorice." – Jerry Garcia to Geraldo Rivera in 1981

Rock of the Bay

BY ERIK PHILBROOK

When the Grateful Dead's Jerry Garcia passed away on August 9, 1995 at the age of 53, rock fans the world over mourned the loss of much more than a brilliant artist; they felt the loss of one of rock's greatest spiritual figureheads, a man who virtually embodied the ethos of the 60's era. Nowhere was this feeling more poignant than in San Francisco's Bay Area, where the Grateful Dead's long strange trip to mythical status began.

In November 1965, in San Fran's Haight-Ashbury district, Jerry Garcia, Ron "Pigpen" McKernan, Bob Weir, Bill Kreutzmann and Phil Lesh changed their band's name from the Warlocks to the Grateful Dead and, in effect, changed rock history. Their music – long, improvisatory jams drawing upon every indigenous American musical form including country, folk, bluegrass, blues, rock and jazz, and featuring Garcia's endlessly innovative guitar noodles and Robert Hunter's universally-themed lyrics –

made them instant legends in the area and helped to create what was then called the "San Francisco Sound."

The Dead, later joined by a second drummer, Mickey Hart, were the vanguard of a thriving musical movement. It is estimated that by 1967 the number of psychedelic bands in the Bay Area was more than 1,000. Other prominent ASCAP artists who either lived in or moved to the Bay Area at that time were bluesman Steve Miller (from Texas) who moved into the Haight-Ashbury district in 1966 and started a band which included singer/guitarist Boz Scaggs and singer/keyboardist Ben Sidran; Dan Hicks, formerly of the Charlatans, who started a drummerless band called the Hot Licks to back his dry, ironic lyrics in a mixture of pre-Fifties pop styles; John Fogerty's Creedence Clearwater Revival from the East Bay suburb of El Cerrito, who, for two years (1969 and 1970), were the most popular band in America; and Janis Joplin



PHOTO BY JEFFREY MAYER



THE NEW YORK TIMES

Huey Lewis and his quintessential bar band the News fueled the 80's party with one infectious R&B hit after another. Lewis is still working for a living, as he proved on his recent album of early classic rock and roll covers, *Four Chords and Several Years Ago*.

Narada Michael Walden: A formidable string of pop smash-es – "How Will I Know," "So Emotional," and "I Wanna Dance With Somebody" for Whitney Houston and "Freeway of Love" for Aretha Franklin, established writer/composer Walden as one of the finest and most successful producers in music today.

who joined up with Big Brother and the Holding Company in 1966, a year before her Monterey Pop Festival performance, which made her a star.

Although the wild activity of the greater San Francisco scene eventually dissolved by the early 70's, the Grateful Dead went on to become a cultural phenomenon. Their ever-increasing league of fans – Deadheads – became as significant and recognized as the band itself, and remained steadfastly devoted to attending concerts. Until Garcia's death, the Dead were not only one of the longest continuously-running bands in rock history but also one of the top-grossing acts, without ever having hit records. It wasn't until the late 1970's and early 1980's that the Bay Area re-emerged as a breeding ground for successful rock bands, including such ASCAP acts as Journey, Huey Lewis and the News, the Greg Kihn Band and others.

Jerry Garcia will be remembered not only for creating wonderful music, but also for creating a sense of community – and that community's spirit will continue to be felt around the world, as it has been, for generations.

ONLY ASCAP PAYS HERE.



ASCAP is the first and only to pay royalties to songwriters and music publishers for LIVE pop concerts! Think about it. ASCAP and *only* ASCAP surveys the songs of the top 100 touring acts and 10 major venues. If you want to get *paid more* for your music, there's only one smart choice.

IT PAYS TO BELONG TO
ASCAP

American Society of Composers, Authors & Publishers

A TRULY REMARKABLE EVENING

More than 1,000 music industry professionals from throughout the world joined dozens of country music stars in helping ASCAP honor its top writers and publishers of 1994 at ASCAP's 33rd Annual Country Music Awards. Attending were some of today's top artists, including George Strait, Alan Jackson, Mary Chapin Carpenter, Diamond Rio, Suzy Bogguss, Faith Hill, Michael McDonald, Little Texas, Sawyer Brown, Eddy Arnold, Shenandoah, Gary Baker and Frank Myers, David Ball, Blackhawk, Davis Daniel, George Ducas, Rodney Foster, Boy Howdy, Ty England, Mac McAnally, Eddy Raven, Restless Heart, Verlon Thompson, Travis Tritt and Bryan White.

ASCAP President and Chairman Marilyn Bergman, who presented the awards for Songwriter of the Year, Song of the Year and Publisher of the Year, noted: "It is a truly remarkable evening. These dynamic and innovative writers and publishers embody the very pulse of what is contemporary country music. We are proud to have them as part of the ASCAP family."

REACHING NEW HEIGHTS:

Pictured below (l-r) are ASCAP Publisher of the Year honorees from Warner Chappell Music Group; ASCAP Board member Jay Morgenstern, Rick Shoemaker and Tim Wiperman; artist/songwriter Alan Jackson and Warner/Chappell's Chairman and CEO Les Bider.



LOOK LEFT: Accepting awards for "If the Good Die Young," are (l-r) Almo Music's Lance Freed, Mary Del Scobey and Bobby Rymer, songwriter Craig Wiseman, ASCAP's Bradley, Almo's David Conrad and ASCAP's Chris Dubois.

LOOK RIGHT: Accepting awards for "I Never Knew Love" and "Renegades, Rebels and Rogues" are (l-r) Publisher of the Year Sony Cross Keys' Walter Campbell and Dale Dodson, songwriter Larry Boone, Sony's Dan Wilson and ASCAP's Pat Rolfe.

ASCAP

Proudly
Congratulates
our 1995
ASCAP
Country
Award
Winners

SONG OF THE YEAR "I SWEAR"



Gary B. Baker



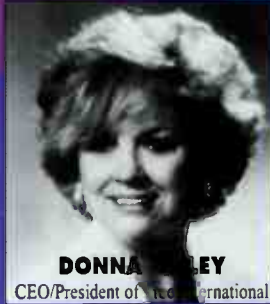
Frank Myers

SONGWRITER OF THE YEAR

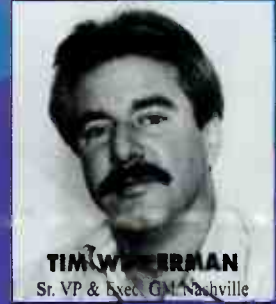


Gary Burr

PUBLISHERS OF THE YEAR



DONNA WILEY
CEO/President of Sony International



TIM WIPERMAN
Sr. VP & Exec. GM Nashville

Sony Cross Keys Publishing & Warner/Chappell Music Group

ASCAP'S MOST PERFORMED SONGS

ADDICTED TO A DOLLAR	writers	Ray Hood	Ray Maddox	DADDY NEVER WAS THE CADILLAC KIND	writer	Bemie Nelson
	publishers	Kim Friddle	Brian's Dream		publisher	Colgems-EMI Music Inc.
BE MY BABY TONIGHT	writer	Rich Fagan		DOWN ON THE FARM	writer	Kerry Kurt Phillips
	publisher	Of Music			publisher	Emdar Music Texas Wedge Music
BEFORE YOU KILL US ALL	writer	Max Troy Barnes		DREAMING WITH MY EYES OPEN	writer	Tony Arata
	publishers	Famous Music Corporation			publishers	Famous Music Corporation
THE BOYS AND ME	writers	Mac McAnally	Mark Miller			Pookie Bear Music
	publishers	Beginner Music	Travelin' Zoo Music	EVERY ONCE IN A WHILE	writer	Dave Robbins
CHATTAHOOCHIEE	writers	Alan Jackson	Jim McBride		publishers	Warner/Chappell Music Group
	publishers	Sony Cross Keys Publishing	Warner/Chappell Music Group	GOD BLESSED TEXAS	writers	Porter Howell
THE CITY PUT THE COUNTRY BACK IN ME	writer	Michael Huffman			publishers	Brady Seals
	publishers	Dixie Stars Music	Someplace Else Music			Howlin' Hits Music, Inc.
				GODDBYE SAYS IT ALL	writers	Charlie Black
					publishers	Bobby Fischer
						Johnny MacRae
						BMG Songs, Inc.
						Five-Bar-B Songs
						EMI April Music Inc.
						House On Fire Music, Inc.
						Little Beagle Music



VOICE OF MUSIC AWARD: A highlight of the evening was the presentation of ASCAP's Voice of Music Award to artist George Strait (above) for his interpretations of great songs which have touched the hearts and minds of music lovers.



ASCAP'S MOST PERFORMED SONGS

HANGIN' IN	writer publishers	Steve Bogard Rancho Bogardo Music Warner/Chappell Music Group	LIFESTYLES OF THE NOT SO RICH & FAMOUS	writers publishers	Byron Hill Wayne Tester Brother Bird Music MCA Music Publishing	T.L.C. A.S.A.P.	writers publishers	Gary B. Baker Frank Myers Oixie Stars Music Zomba Enterprises, Inc.
HARD TO SAY	writer publisher	Mark Miller Travelin' Zoo Music	A LITTLE LESS TALK AND A LOT MORE ACTION	writer publishers	Keith Hinton PolyGram International Publishing Shedhouse Music	TAKE THESE CHAINS FROM MY HEART	writers publisher	Hy Heath Fred Rose Milene Music, Inc.
HE THINKS HE'LL KEEP HER	writers publishers	Mary Chapin Carpenter Don Schlitz EMI April Music Inc. Getarealjob Music New Oon Songs New Hayes Music	LIVIN' ON LOVE	writer publisher	Alan Jackson Warner/Chappell Music Group	THAT'S MY BABY	writer publishers	Lari White Almo Music Corporation Lasongs Publishing
HEY CINDERELLA	writer publishers	Suzy Bogguss Famous Music Corporation Loyal Outchess Music	THE MAN IN LOVE WITH YOU	writer publisher	Gary Harju Spurs and Boots Music	THEY DON'T MAKE 'EM LIKE THAT ANYMORE	writer publishers	Chris Farren Curb Songs Farrenuff Music Full Keel Music Co.
I JUST WANTED YOU TO KNOW	writer publisher	Tim Mensy Miss Oot Music, Inc. Sony Cross Keys Publishing	MAN OF MY WORD	writers publishers	Gary Burr Allen Shamblin Almo Music Corporation Gary Burr Music Hayes Street Music MCA Music Publishing Allen Shamblin Music	THINKIN' PROBLEM	writers publishers	Allen Shamblin Stuart Ziff Almo Music Corporation EMI April Music, Inc. Hayes Street Music
I NEVER KNEW LOVE	writers publisher	Larry Boone Will Robinson* Sony Cross Keys Publishing	MORE LOVE	writer publishers	Gary Burr Gary Burr Music MCA Music Publishing	THIRO RATE ROMANCE	writer publishers	Russell Smith Fourth Floor Music Inc. Warner/Chappell Music Group
I SEE IT NOW	writers publishers	Larry Boone Woody Lee Sony Cross Keys Publishing Warner/Chappell Music Group	MY BABY LOVES ME	writer publisher	Gretchen Peters Sony Cross Keys Publishing	THIRO ROCK FROM THE SUN	writer publisher	John Greenebaum Major Bob Music
I SURE CAN SMELL THE RAIN	writers publishers	Walt Aldridge John Jarrard Alabama Band Music Company Rick Hall Music, Inc. Miss Blyss Music	MY LOVE	writers publishers	Tommy Barnes Porter Howell Brady Seals Edge O' Woods Music Howlin' Hits Music, Inc. Square West Music, Inc. Taguchi Music Corporation	WE CAN'T LOVE LIKE THIS ANYMORE	writer publishers	John Jarrard Alabama Band Music Company Miss Blyss Music
I SWEAR	writers publishers	Gary B. Baker Frank Myers Rick Hall Music, Inc. Morganactive Songs, Inc.	NATIONAL WORKING WOMAN'S HOLIDAY	writer publishers	Pat Terry Castle Street Music, Inc. Ears Last Music	WE DON'T HAVE TO DO THIS	writers publishers	Gary Burr Victoria Shaw BMG Songs, Inc. Gary Burr Music MCA Music Publishing
I TAKE MY CHANCES	writers publishers	Mary Chapin Carpenter Don Schlitz EMI April Music Inc. Getarealjob Music New Oon Songs New Hayes Music	NO DOUBT ABOUT IT	writer publisher	Steve Seskin Love This Town Music	WHAT MIGHT HAVE BEEN	writers publishers	Porter Howell Owayne O'Brien Brady Seals Howlin' Hits Music, Inc. Square West Music, Inc.
I TRY TO THINK ABOUT ELVIS	writer publishers	Gary Burr Gary Burr Music MCA Music Publishing	NOT A MOMENT TOO SOON	writers publishers	Joe Bamhill Wayne Perry Suzi Bob Music Zomba Enterprises, Inc.	WHAT'S IN IT FOR ME	writers publishers	Gary Burr John Jarrard Gary Burr Music MCA Music Publishing The New Crew New John Music Company Warner/Chappell Music Group
I WISH I COULD HAVE BEEN THERE	writer publishers	John Anderson Almo Music Corporation Holmes Creek Music	ONE NIGHT A DAY	writer publishers	Gary Burr Gary Burr Music MCA Music Publishing	WHAT'S IT TO YOU	writers publishers	Robert Ellis Orrall Curtis Wright EMI April Music Inc. Jude Music Strouda Various Music
I'M HOLDING MY OWN	writer publisher	Tony Arata Pookie Bear Music	PICKUP MAN	writer publisher	Kerry Kurt Phillips Emdar Music Texas Wedge Music	WHEN LOVE FINDS YOU	writer publishers	Michael Omatian Edward Grant Inc. Middle C Music
IF BUBBA CAN DANCE (I CAN TOO)	writer publishers	Bob McDill PolyGram International Publishing Ranger Bob Music	RENEGADES, REBELS AND ROGUES	writer publisher	Larry Boone Sony Cross Keys Publishing	WHEN SHE CRIES	writer publisher	Marc Beason EMI April Music Inc.
IF I COULD MAKE A LIVING	writer publisher	Alan Jackson Warner/Chappell Music Group	ROPE THE MOON	writers publishers	Aggie Brown Jess Brown James Denton Almo Music Corporation Bamatuck Music, Inc. Just A Dream Music Pearl Dancer Music	WHISPER MY NAME	writer publishers	Trey Bruce Big Tractor Music Warner/Chappell Music Group
IF THE GOOD DIE YOUNG	writer publisher	Craig Wiseman Almo Music Corporation	SHE DREAMS	writer publishers	Tim Mensy Brass Ring Music Miss Oot Music Inc. Sony Cross Keys Publishing	(WHO SAYS) YOU CAN'T HAVE IT ALL	writers publishers	Alan Jackson Jim McBride Sony Cross Keys Publishing Warner/Chappell Music Group
IF YOU'VE GOT LOVE	writers publishers	Mark Sanders Steve Seskin Love This Town Music MCA Music Publishing	SHE'D GIVE ANYTHING	writers publishers	Chris Farren Vince Steele* Curb Songs Farrenuff Music Full Keel Music, Inc.	WHY HAVEN'T I HEARD FROM YOU	writers publishers	Sandy Knox T.W. Hale Bash Music Life of the Record Music
IN MY OWN BACKYARD	writers publishers	Kerry Kurt Phillips Andy Spomer Emdar Music Texas Wedge Music	SHUT UP AND KISS ME	writer publisher	Mary Chapin Carpenter Why Walk Music	WILD ONE	writer publishers	Jaime Kyle Daniel The Oog Songs Warner/Chappell Music Group
INDEPENDENCE DAY	writer publisher	Gretchen Peters Sony Cross Keys Publishing	SOMEBODY NEW	writer publisher	Michael E. Curtis Famous Music Corporation	XOX'S AND OOO'S	writer publishers	Alice Randall Mother/Oixie Music Sony Tunes Inc.
INDIAN OUTLAW	writers publishers	Tommy Barnes Edge O' Woods Music Taguchi Music Corporation	STANDING OUTSIDE THE FIRE	writers publishers	Garth Brooks Jenny Yates Criterion Music Corporation Escudilla Music Major Bob Music No Fences Music			
IT WON'T BE OVER YOU	writer publisher	Trey Bruce MCA Music Publishing	STOP ON A DIME	writers publishers	Porter Howell Owayne O'Brien Brady Seals Howlin' Hits Music, Inc. Square West Music, Inc.			
JUKEBOX JUNKIE	writer publisher	Ken Mellons Cupid Memories						
KICK A LITTLE	writers publishers	Porter Howell Owayne O'Brien Brady Seals Howlin' Hits Music, Inc. Square West Music, Inc.						

ON THE UP AND UP: Accepting awards for "He Thinks He'll Keep Her," (above, l-r) are ASCAP Board member and EMI's Martin Bandier, songwriters Don Schlitz and Mary Chapin Carpenter and EMI's Celia Froehlig and Bob Flax

WHAT'S LEFT BELOW: Accepting awards for "Hey Cinderella" are (l-r) ASCAP Board Member and Famous Music's Irwin Z. Robinson, Famous' Ira Jaffe and Chuck Bedwell, ASCAP's Judy Gregory, songwriter Suzy Bogguss and Famous' Tammy Stuts.

RIGHT UNDER YOUR NOSE: Pictured (l-r) are ASCAP's John Briggs, songwriter Bob McDill accepting an award for "If Bubba Can Dance (I Can Too)," PolyGram Music Publishing's Daniel Hill and Billy Linn.

ASCAP



Rodney Crowell And The Mysterious Art Of The Song

BY JIM STEINBLATT

Texas, known for its oil wells and longhorns, has also produced a bumper crop of distinguished singer/songwriters. Standouts among this group include Willie Nelson, Waylon Jennings, Guy Clark, Townes Van Zandt and, with an increasingly impressive body of work, Rodney Crowell.

Crowell's songs have topped the country and pop charts for a variety of artists over the past two decades, including Bob Seger ("Shame on the Moon"), The Nitty Gritty Dirt Band ("Voila, an American Dream"), Alan Jackson ("Song for the Life") and Waylon Jennings ("I Ain't Livin' Long Like This"), among others.

As a recording artist, himself, Crowell has had a prolific and enviable career, bringing the best out of anyone's material, particularly his own – his landmark 1988 album, *Diamonds and Dirt*, for example, included no less than five number one singles, four of which Rodney wrote or co-wrote. A fine record producer, Crowell has brought the best out in such artists as Rosanne Cash (his former wife) and the aforementioned Guy Clark (a frequent songwriting collaborator). Add an imposing and charismatic stage presence to the list of Crowell attributes and one begins to understand why he is a survivor.

Crowell admittedly isn't enjoying the level of success he sustained in the late 1980's, but his artistic fulfillment, he says, is currently at an all-time high. After completing his most recent album, *Jewel of the South*, Crowell provided *PlayBack* with an inside look at his creative process.

PLAYBACK: Your 1994 album was titled *Let the Picture Paint Itself*. Does that imply that you are interested in other art forms or does it mean that you see your songwriting as "visual"?

CROWELL: My interest in all art forms has grown with my ability to accomplish what I want as a recording artist. It all overlaps – from writing poetry to film-making to painting – I'm just as excited as I can possibly be and can hardly contain myself with the thrill of being an artist and making a

living at it. What I am is a songwriter, performer and record-maker – that's an artist. Basically, an artist is someone who takes nothing and makes something. It's kind of funny, in that I'm in absolute ecstasy with the process of making music. And I'm really better at it than I've ever been. I don't know if I write any better but I don't write worse. I certainly sing and make records better than I did ten or fifteen years ago.

PLAYBACK: Is it because of practice or hands-on experience?

CROWELL: It's experience and it's maturity. It's not as angst-driven anymore as it is joy-driven. At the same time, I'm experiencing a commercial lull.

"There's only one reason to write a song and that's for the sake of the song. All other considerations are rescinded." – Rodney Crowell

PLAYBACK: Does that bother you an awful lot?

CROWELL: It bothers me in that timing is everything. Performing now is just an absolute joy, and when things were all heated up, performing wasn't an absolute joy. Wouldn't it be great if when I was really enjoying it, I could be doing it at the level I was at before. I assume the thing that you have to do is just keep on working.

PLAYBACK: Going back to earlier times, what was it that made you want to become a musician?

CROWELL: I don't think there was ever anything else for me. The first time I heard music, it triggered music inside of me and, suddenly, my whole world is music. After that, what would I do? It was a very early and primal response to music – like in the crib.

PLAYBACK: Do you remember what that music may have been?

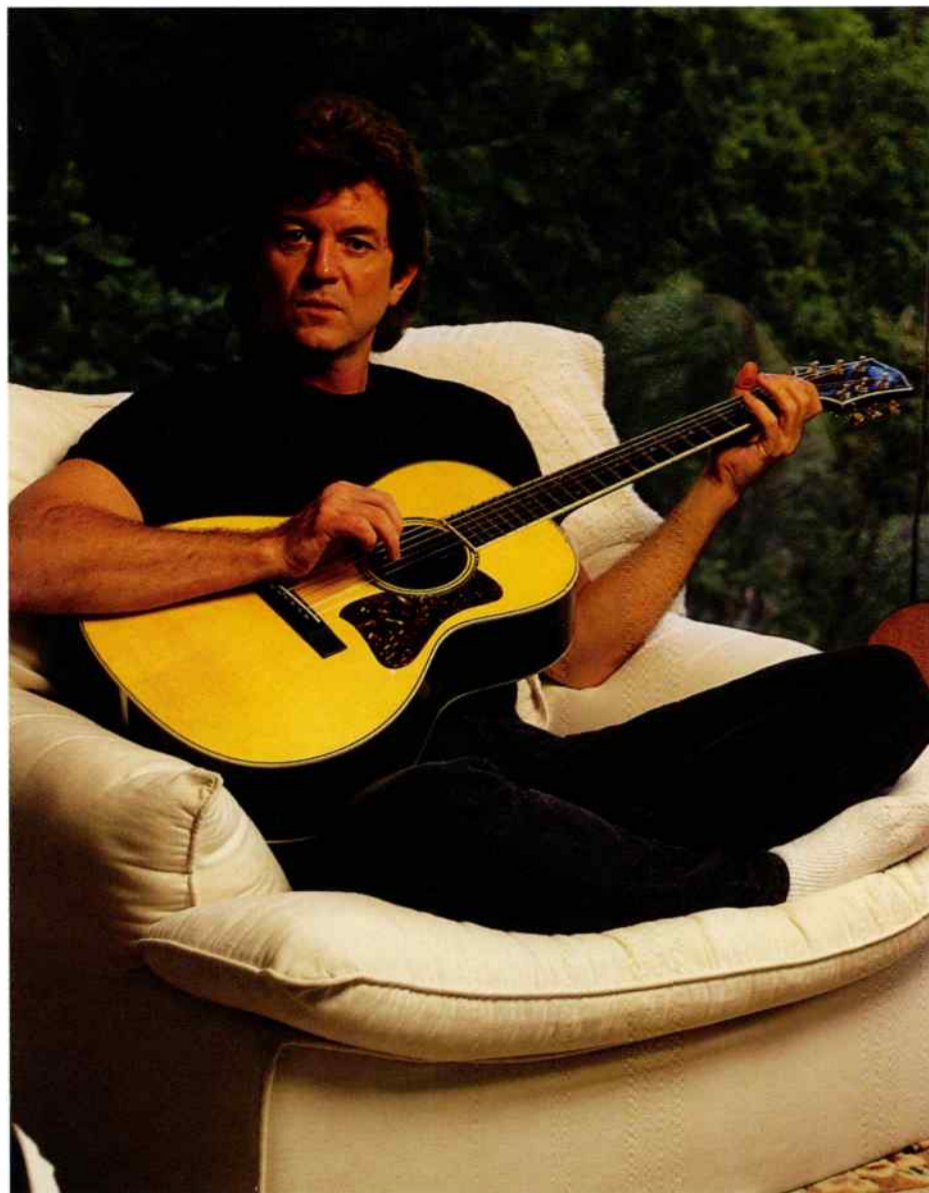


PHOTO BY BETH GWINN

CROWELL: No, but it called me. I have this vague feeling that even before I was old enough to have any consciousness of what music was, I was moved. For me, it was never an intellectual decision, like, "I know what I'll do, I'll be a musician." It's just what it was. It's never been anything other than that.

PLAYBACK: Did you start writing songs as a kid?

CROWELL: No, I started learning songs. Tons of them. Listened to records, picked the needle up, wrote out the words and the chords in a notebook. I learned songs from my dad. Finally, I was so filled with songs that I had to start writing them.

PLAYBACK: When you write a song now, are you conscious of what would be good for you to sing and what could be recorded by somebody else?

CROWELL: No. I tried that a few times and it doesn't work. There's only one reason to write a song and that's for the sake of the song. All other considerations are rescinded.

PLAYBACK: You often write with others, but it is mostly alone.

CROWELL: Some people you return to write with again and again. Like Will Jennings and Guy Clark. Most of the ones I write with again are the ones secure enough to not be polite. In writing with a stranger, manners can get in the way and you settle for less.

PLAYBACK: What's the songwriting process like for you? Do the songs just come to you or do you take a few hours each day to write?

CROWELL: My writing process is a mystery. If it ever became anything else, it wouldn't be songwriting. I can't tell you. I'll do whatever it takes. I'll stand on my head, hang upside down out the window, run around with a butterfly net. Whatever it takes. I'm sitting in this room and there's no song in it now. If I pick up the guitar and take what was nothing and make a song out of it – that's the whole deal.

BUCKS, MOOLAH, DOUGH, LOOT, BREAD.

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songwriter
and want the
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payments
for your
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performances,
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place to be.
We were the
first to pay royalties on college
radio and we continue to conduct
the most representative survey of
college radio in the USA.**



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SONG OF THE YEAR: ASCAP's Director of Membership Todd Brabec (left) is pictured with Armando Larrinaga, writer of ASCAP's Latin Song of the Year, "Vida," and Lanfranco Music's Sylvia Sumalea.



EASY AS JUAN, TWO, THREE: Songwriter of the Year Juan Gabriel (above right) holds an award he received for writing the most performed song in the Pop/Contemporary category, "Pero Que Necesidad." Pictured (l-r) are renowned producer/composer Jellybean Benitez, BMG Songs, Inc.'s Ron Solleveld, V.P. of International Music Publishing, and Gabriel.

PRIDE AND JOY: Tropical Songwriter of the Year Omar Alfanno, pictured below with his wife Carmen, has a lot to smile about after receiving awards for writing two hit tropical songs, "Ella Es" and "Qué Hay De Malo," both published by EMOA, Inc.

POP/CONTEMPORÁNEO

"Pero Que Necesidad"
JUAN GABRIEL
BMG Songs, Inc.

"Quisiera"
RICARDO MONTANER (SGAE)
ADRIAN POSSE
Cirovega Editores (SACVEN)
Latin Baires

"Luna"
JUAN GABRIEL
BMG Songs, Inc.

"Donde Quiera Que Estes"
MARCO FLORES (SACM)
Rabmat Music

SONGWRITER OF THE YEAR
JUAN GABRIEL

"Con Un Nudo En La Garganta"
JOAQUIN GALAN (SGAE)
LUCIA GALAN (SGAE)ROBERTO LIVI
First Performance, Inc.
Livi Music

"Mañana"
JUAN GABRIEL
BMG Songs, Inc.

"Tu Y Yo"
JORGE CALANDRELLI
RUDY PÉREZ
Calandrelli Music
Rubet Music

"Te Conozco"
RICARDO ARJONA (SACM)
Sony Discos Music Publishing, Inc.

SONGWRITER OF THE YEAR
POP/
CONTEMPORÁNEO
JUAN GABRIEL

PUBLISHER OF THE YEAR
POP/
CONTEMPORÁNEO
SONY DISCOS MUSIC
PUBLISHING, INC.

"Habla De Frente"
ANA GABRIEL (SACM)
Sony Discos Music Publishing, Inc.

"Detras De Mi Ventana"
RICARDO ARJONA (SACM)
Sony Discos Music Publishing, Inc.

TROPICAL
"La Gota Fria"
EMILIANO ZULETA (SAYCO)
Promotora Colombiana de Música
Unimúsica, Inc.

SONGWRITER OF THE YEAR
TROPICAL
OMAR ALFANNO

"Presencie Tu Amor"
OLGA TAÑON
WEA Latina Música, Inc.

"Mi Media Mitad"
GUSTAVO MÁRQUEZ
Sony Discos Music Publishing, Inc.

PUBLISHER OF THE YEAR
TROPICAL
UNIMÚSICA, INC.

"Ella Es"
OMAR ALFANNO
EMOA, Inc.

"Soy Culpable"
CHEIN GARCÍA
Flor de Caña Publishing, Inc.
Unimúsica, Inc.

"Quien Eres Tu"
LUIS ENRIQUE MEJIA
Lemelo Productions, Inc.



Septemb
Mian

Congratulations To

"Vivir Lo Nuestro"
NORMANDÍA GONZALEZ
RUDY PÉREZ
JKMC Music Publishing, Inc.

"Qué Hay De Malo"
OMAR ALFANNO
EMOA, Inc.

"No Hieras Mi Vida"
LUIS ANGEL MÁRQUEZ
Don Cat Music, Inc.

"En Las Nubes"
GUSTAVO MÁRQUEZ
Nueva Era Musical, Inc.

REGIONAL MEXICANO
"La Niña Fresa"
JOSÉ LUIS GÓMEZ GONZÁLEZ (SACM)
Vander Music, Inc.

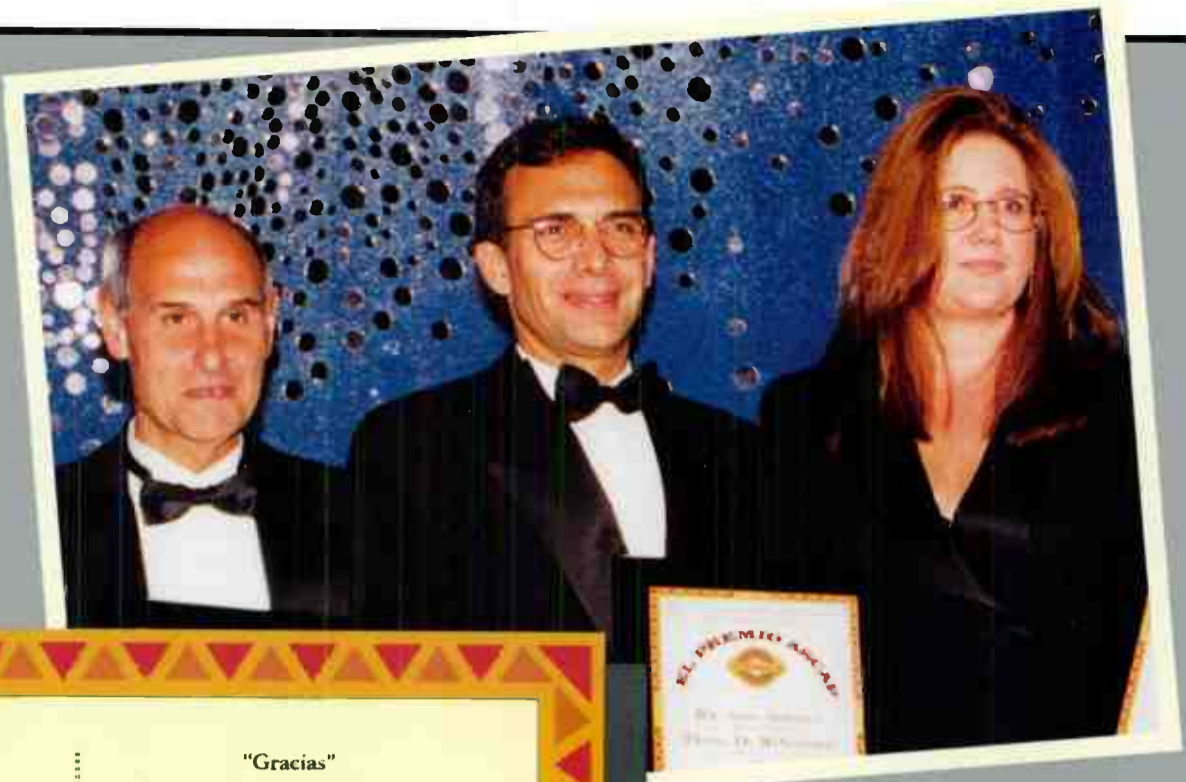
SONGWRITER OF THE YEAR
REGIONAL
MEXICANO
JOSÉ MANUEL
FIGUEROA FIGUEROA



TEJANO WRITER AND PUBLISHER OF THE YEAR: Pictured (l-r) are Zomba Golden Sands Enterprises' Senior Vice-President/General Manager David Renzer and President Robert Greever, who accepted the award for ASCAP's Tejano Publisher of the Year, ASCAP's Ivan Alvarez, and Tejano Writer of the Year Humberto Ramon.



PUBLISHER OF THE YEAR:
Accepting the award for Publisher of the Year (right, l-r) are Sony Discos Music Publishing's Harvey Shapiro, Richard Rowe and Ellen Moraskie.



er 12, 1995
i Beach
Our 1995 Winners!

"Mi Credo"
JOSÉ MANUEL FIGUEROA FIGUEROA (SACM)
Vander Music, Inc.

PUBLISHER OF THE YEAR
SONY DISCOS MUSIC PUBLISHING, INC.

"Tragos Amargos"
JOSÉ CONCEPCION VILLA (SACM)
EMI Music Publishing, Inc.

"Aunque No Me Quieras"
JOSÉ GUADALUPE ESPARZA (SACM)
Vander Music, Inc.

TEJANO
"Vida"
ARMANDO LARRINAGA
Lanfranco Music, Inc.

"El Juego Es Tuyo"
HUMBERTO RAMÓN
Zomba Golden Sands Enterprises, Inc.

SONGWRITER OF THE YEAR
TEJANO
HUMBERTO RAMÓN

"Cada Vuelta De Esquina"
LEOPOLDO TÉVEZ (SADAIC)
Sony Discos Music Publishing, Inc.

"Ya Ahora Es Tarde"
EMILIO NAVAIRA, III
Zomba Golden Sands Enterprises, Inc.

"Gracias"
JOSÉ ANTONIO CORIA (SACM)
Sony Discos Music Publishing, Inc.

"Nadie Como Tu"
JOE LÓPEZ
Zomba Golden Sands Enterprises, Inc.

"Llorando"
ALEJANDRO VEZZANI (SGAE)
Sony Discos Music Publishing, Inc.

PUBLISHER OF THE YEAR
TEJANO
ZOMBA GOLDEN SANDS ENTERPRISES, INC.

"Si Lo Quieres"
MIGUEL SPINDOLA
Tobue Music

"Linda Chaparrita"
MIGUEL SPINDOLA
Tobue Music

"Ojos Para Ti"
HUMBERTO RAMÓN
Zomba Golden Sands Enterprises, Inc.

ROCK EN ESPAÑOL
"El Matador"
FLAVIO CIANCARULO (SADAIC)
El Leon Music

SONG OF THE YEAR
"Vida"
ARMANDO LARRINAGA
Lanfranco Music, Inc.

PUBLISHER OF THE YEAR
REGIONAL MEXICANO
VANDER MUSIC, INC.

"Ni Con La Vida Te Pago"
MARIO DE JESUS (SACM)
Unimúsica, Inc.

"Dos Mujeres Un Camino"
JOSÉ GUADALUPE ESPARZA (SACM)
Vander Music, Inc.

"Te Me Vas Al Diablo"
MARTIN URIETA SOLANO (SACM)
Sociedad de Autores y Compositores de Música



ORANGE YOU ON TV?: MTV Latino VJ Rata is pictured above with El Leon Music's Tomas Cookman, who accepted the first ever award for the most performed Spanish rock song of the year, "Matador."



REGIONAL MEXICO PUBLISHER OF THE YEAR: Pictured at right (l-r) are Publisher of the Year Vander Music's Valentia Velasco, ASCAP's VP/Director of Communications Karen Sherry, Vander Music's Edmundo Monroy and Juan Sebastian.



NASHVILLE NEWS



PHOTO BY ALAN L. MAYOR

GIRLS SCORE WITH #1: The top of the charts was dominated by women as Patty Loveless' "You Don't Even Know Who I Am," written by Gretchen Peters, went # 1. ASCAP and Sony Music Publishing hosted the event at the ASCAP Nashville offices. Pictured at the festivities were (l-r): ASCAP Board member and Sony's Donna Hilley, Patty Loveless and Gretchen Peters.



PHOTO BY ALAN L. MAYOR

RED HOT CHAPMAN: Gary Chapman (right) greets ASCAP's Dan Keen during the celebrity races at the Nashville International Speedway.



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SOMEONE ELSE'S STAR: In photo at the far left, ASCAP's Connie Bradley congratulated Asylum recording artist Bryan White on his #1 song, "Someone Else's Star" at the Mix Factory in Nashville.

KEEPING UP WITH CARPENTER: ASCAP's John Briggs and Mary Chapin Carpenter (photo on right) chat backstage at the Starwood Amphitheater during her recent concert in Nashville.

CMJ SHOWCASES

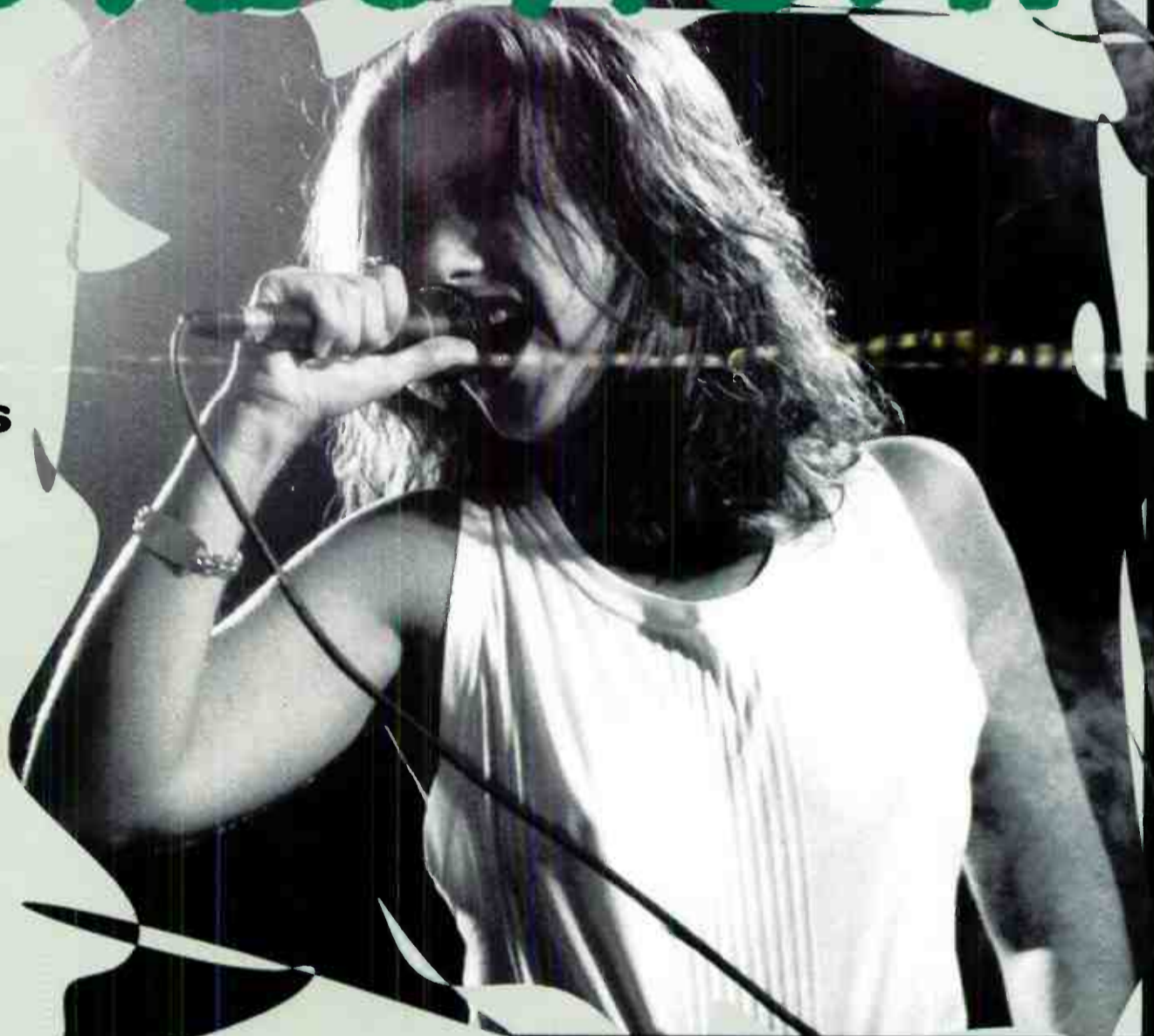


SEE 'EM JAM AT CMJ: ASCAP presented not one, but three popular showcases at this year's CMJ Music Conference and Marathon in September. Pictured clockwise from top left are: (l-r) Elyse Rogers, bassist Mikey Weiss, Karina Denike and Scott Goodell of the Dance Hall Crashers performing at ASCAP's Best Kept Secrets Show at CBGB's; (l-r) ASCAP's UK membership rep Sean Devine with (from Ireland) The Big Geraniums' Mark Molloy, ASCAP's Diane Snyder, PRA Records' Patrick Raines, The Big Geraniums' Dara O'Donoghue (sitting), Maurice Culligan, Seanin Hawthornthwaite, Neil McCartney, Sykes and Jonas Read backstage at CBGB's; (l-r) 3LG's Ahmad Deshae, Mao Clemmens, Dan Cooper and Kevin Levy at ASCAP's Soul on a Roll showcase at Don Hill's; and singer/songwriter extraordinaire Willie Porter commanding attention at ASCAP's Quiet on the Set show next door from CBGB's at CB's Gallery.

PHOTOS © JIM CARROLL

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ASCAP is the first and only to pay royalties to songwriters and music publishers for LIVE pop concerts! Think about it. ASCAP and *only* ASCAP surveys the songs of the top 100 touring acts and 10 major venues. If you want to get *paid more* for your music, there's only one smart choice.



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The following editorial appeared on the Commentary page in the October 21 issue of Billboard.

First and foremost, I am proud to call myself a songwriter. And never am I more proud than when I am in Nashville, as I was during the recent Country Music Week.

Nashville is more than the country music capital of the world. Its songs and songwriters are part of a long and continuing tradition of some of the best of American music. At last week's events, I was again moved by the community of writers and artists that exists there, and by the joy they take in each other and in each other's achievements. Speaking with fellow songwriters in Nashville, what is clear is not only their love for each other, but their love for what they do. It made me think: Maybe we let our love for what we do show too much. Maybe we make it look too easy. Maybe that tends to devalue what we do. Maybe because our work looks like fun, it doesn't always receive the respect it should.

The recent and glaring example of this devaluation of our creative output can be seen in the bills currently before Congress: H.R. 789 in the House of Representatives and S. 1137 in the U.S. Senate. These grossly misnamed "Fairness in Music Licensing" bills,

SONGWRITERS' RIGHTS NEED DEFENDING

BY ASCAP PRESIDENT AND CHAIRMAN MARILYN BERGMAN

introduced at the behest of the National Restaurant Association and others, would allow restaurants, bars, and similar establishments to use music without payment.

There is a long tradition in America – going back to our very roots – of protecting property rights. Music is a product of the factory of someone's mind – no less real than the tangible product of someone's hands or off an assembly line. The framers of the Constitution recognized this in Article 1, Section 8, clause eight, which reads: "Congress shall have power to promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries."

This language has stood the test of time and countless assaults by those who would seek to avoid fairly compensating our country's creators.

pleasure not to be had from eating a silent meal."

So much for the restaurateur who, during one of our several recent attempts at negotiation, offered this: "Music? I only use it to cover up the noise from the kitchen." Justice Holmes must have heard that argument, for he referred to it when he spoke of the use of music over rival noise!

It has taken many such cases over the years to secure the hard-won victories that are now in danger of being reversed. It seems that what our nation needs to focus on is the protection of intellectual property rights – our rights as writers, artists, publishers, producers – in the next century, in cyberspace where a new world of challenge and opportunity presents itself. The National Restaurant Association's attacks divert our energies by forcing us to fight for existing rights when we should be addressing the many matters of global significance in this information age. We need to strengthen existing international agreements and perhaps create new ones, rather than fighting to preserve copyright protection here at home.

"Hard-won victories are in danger of being reversed ... The National Restaurant Association's attacks divert our energies by forcing us to fight for existing rights when we should be addressing the many matters of global significance in this information age."

– Marilyn Bergman

I particularly admire the brilliance of Justice Oliver Wendell Holmes' opinion in this 1917 case of *Herbert vs. Shanley*. The case involved Victor Herbert, a composer and one of the founders of ASCAP, and the *Shanley Restaurant* company. In that case, the restaurant argued that customers don't come for the music, that the music was "incidental."

Justice Holmes wrote: "It is true that music is not the sole object, but neither is the food, which probably could be got cheaper elsewhere. The object is a repast in surroundings that to people having limited powers of conversation or disliking rival noise give a luxurious

By sitting together with all the parties concerned with the proposed Performance Right in Sound Recordings bill and engaging in a reasoned airing of differences and a good-faith effort to find common ground, various issues were resolved and much-needed legislation was the result. That's how it should be.


We have sought to negotiate with the National Restaurant Association and the other trade organizations involved. We have put forward many ideas and many concrete proposals, including proposals for legislation, all to no avail, without even a constructive response.

Let it be known that we are eager to meet at any time, at any place, in an effort to resolve our differences.

Yes, we love what we do. But it is also how we make a living, feed and clothe our families, send our kids to college, and enjoy a night out at a restaurant or bar.

Allow me one more quote from Justice Holmes that says it all: "If music did not pay, it would be given up. If it pays, it pays out of the public's pocket. Whether it pays or not, the purpose of employing it is profit, and that is enough."

Indeed it is.



ASCAP'S BASIC GUIDE TO COPYRIGHT DURATION AND TERMINATION

COPYRIGHT DURATION: The duration of United States copyright is:

- For pre-1978 works, 75 years from publication or (if unpublished) copyright registration.
- For post-1977 works, the life of the author (for joint works, the longest surviving co-author) plus 50 years; for works-made-for hire, anonymous or pseudonymous works, the shorter of 75 years from publication or 100 years from creation.
- For pre-1978 works which were neither published nor registered on January 1, 1978, the post-1977 terms generally apply.
- All copyright terms run through December 31 of the year in which the appropriate anniversary falls.

COPYRIGHT RENEWAL:The 75 year term for pre-1978 works exists for an initial term of 28 years and a renewal term of 47 years.

- For pre-1964 works, application for renewal had to have been filed with the Copyright Office in the last year of the initial term, or the work went into the public domain at the end of the initial term.

- For works copyrighted between 1964 and 1977, renewal is automatic. (There are still some benefits to renewal registration.)
- The renewal term belongs to the following classes of beneficiaries, in order: 1) the author; 2) if the author is not alive at the end of the initial term, the author's surviving spouse and children; 3) if there is no surviving spouse or child, the author's executor (i.e., the beneficiaries under the author's will); 4) if the author left no will, the author's next of kin.

TERMINATION RIGHTS: The Copyright Law allows certain transfers of copyright to be terminated and recaptured by the author or certain heirs, even if there are contractual agreements to the contrary, in two distinct situations:

- For pre-1978 copyrights, transfers of renewal rights made before January 1, 1978 may be terminated, and the copyrights recaptured, effective during a 5-year period beginning at the end of the 56th year of protection ("renewal termination").
- For transfers of any copyright made by the author after January 1, 1978, the transfer may be terminated and the copyright recaptured, effective generally during the 5-year period beginning 35 years from the date of the transfer ("transfer termination").
- Termination rights may be exercised only by: 1) the author; 2) if the author is dead, by the author's surviv-

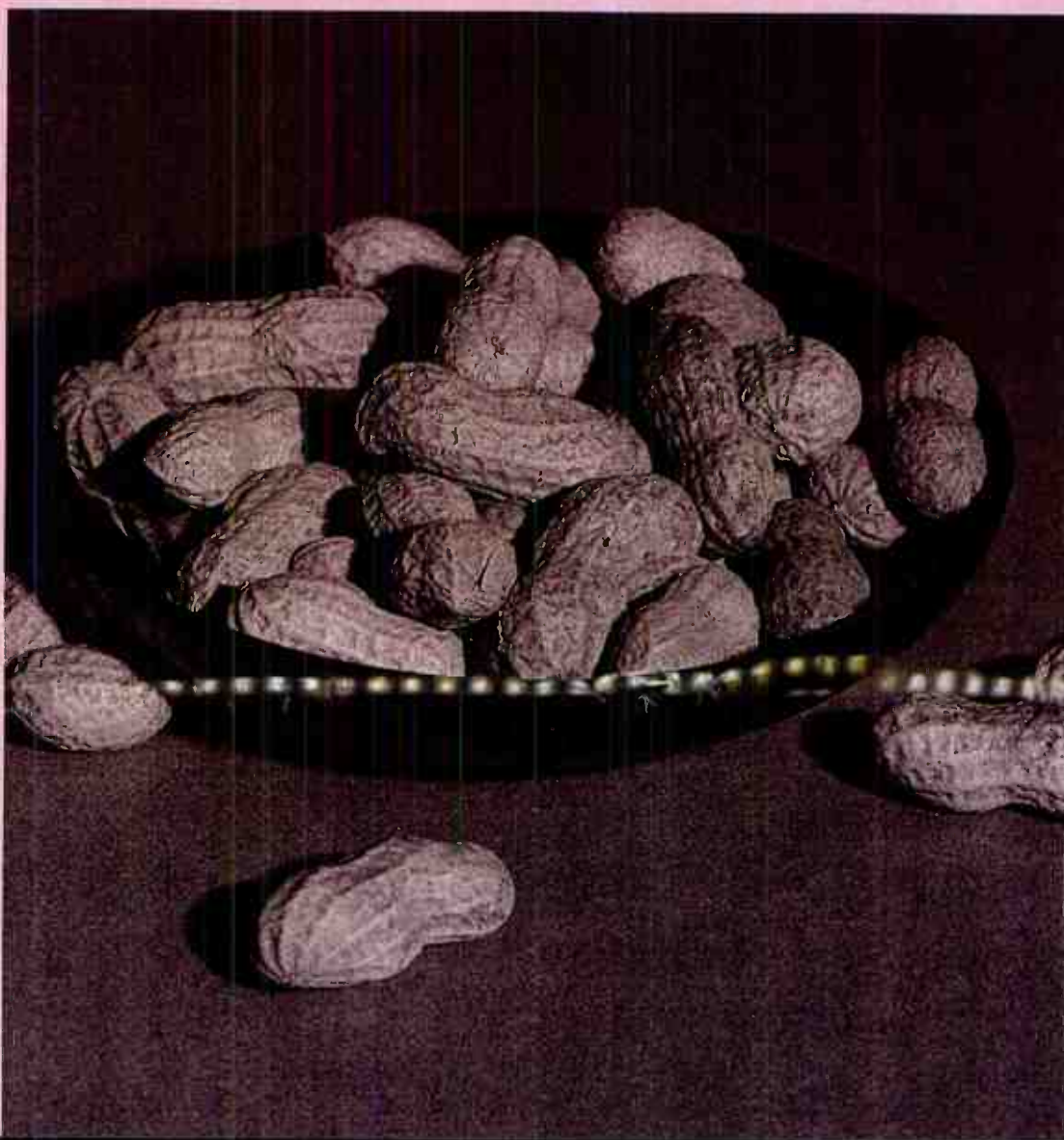
ing spouse and children (or grandchildren of a deceased child) – if the author had any children, the surviving spouse owns 50% of the termination right and the remainder is divided among the children (grandchildren own only the total share which their parent owned).

- Renewal termination rights may be exercised by those owning more than half of the termination rights for a particular author, for that author's share of the copyright. Transfer termination rights may be exercised by those owning more than half of a particular author's interest for that author; however, if the transfer was made by more than one author, termination rights representing more than half of all those authors' interests must be exercised for the termination to be effective.
- To be effective, a notice of termination which conforms to the requirements of the law must be served between 2 and 10 years before the effective date of the termination.
- The exercise of termination rights does not completely recapture the copyright – derivative works prepared under authority of the terminated grant may continue to be utilized by the original grantee.


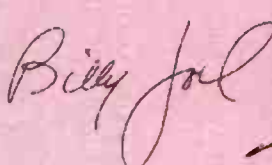
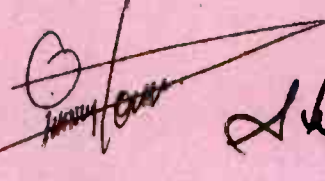

Because the requirements for the exercise of termination rights are highly technical, we highly recommend that writers and publishers seek advice on copyright termination from their attorneys.

PEANUTS!

All that restaurants and bars have to shell out to use ASCAP music is an average of \$1.58 a day. That's peanuts! Yet they've asked Congress to allow them to use our music - our private, copyrighted property - for free. We ask, should government interfere in a commercial dispute between owners and users of property? We think that's nuts!



**PLEASE JOIN US IN SAYING "NO"
TO H.R.789 AND S.1137**

Marilyn Bergman

Garth Brooks

Billy Joel

Quincy Jones

Stephen Sondheim

On behalf of the songwriters and music publishers of ASCAP.

NOTEBOOK

ASCAP 1995 DISTRIBUTIONS THROUGH DECEMBER

December 8
Writers' and Publishers' Foreign Incoming Distribution

December 21-22
Publishers' Quarterly BCO* Distribution for
2Q95 performances
(with applicable SRE** Adjustments).

*BCO=Domestic performances of Broadcast,
Cable and Other Surveyed Media

**SRE=Symphony, Concert, Recital & Educational
Performances

ASCAP DISTRIBUTES \$1,198,000 IN CASH AWARDS

Through ASCAP's Special Awards Program, \$1,198,000 in cash awards for 1995-1996 have been voted to writer members. President and Chairman Marilyn Bergman announced recently. The purpose of these special awards is to reward writers whose works have a unique prestige value for which adequate compensation would not otherwise be received, and to compensate those writers whose works are performed substantially in media not surveyed by ASCAP.

Commenting on the awards, Ms. Bergman said, "No other American performing rights organization makes this service available to songwriters. We are very proud that, for over three decades, this program has continued to provide deserving songwriters with meaningful support that combines dollars and recognition. The distinguished individuals who served on both the Popular and Standard Awards Panels have done a superb job, earning our gratitude for interrupting their own busy careers to participate as judges."

The members of the Popular Awards Panel are: Peter Filichia, drama critic for the *Newark Star-Ledger*, *Theater Week* columnist and president of the Drama Desk; Felix Hernandez, host of the WBGO (Newark) radio program, "Rhythm Revue" and producer of National Public Radio music programs; William Ivey, Director of the Country Music Foundation, the research organization which operates Nashville's Country Music Hall of Fame and Museum, and a past president of NARAS (National Academy of Recording Arts and Sciences); Peter Keepnews, pop music and culture critic, and an editor of *The New York Times Book Review*; Melinda Newman, Senior Talent Editor of *Billboard*, formerly *Billboard's* Video Music and Album Review Editor; and Peter Stone, president of the Dramatists Guild and Tony-Award book author of *The Will Rogers Follies*, 1776 and *Woman of the Year*.

The members of the Standard Awards Panel are: Harold Best, dean, Wheaton Conservatory of Music; JoAnn Falletta, music director and conductor of the Virginia Symphony, Long Beach Symphony and Women's Philharmonic Orchestras; Michael Morgan, music director of the Oakland East Bay Symphony and guest conductor of numerous orchestras and opera companies throughout the United States; Tim Page, author, radio host and classical music critic for the *Washington Post*; John Paynter, chairman of the Department of Bands at Northwestern University; and Fred Sherry, world-renowned cellist and member of the Chamber Music Society of Lincoln Center.



FORREST AND WRIGHT: George "Chet" Forrest (left) and Robert Wright recently received the ASCAP/Foundation Richard Rodgers Award at a special luncheon at ASCAP's offices in New York. The award was given to Forrest & Wright in recognition of their outstanding contributions to the American Musical Theatre. Their many credits include the musicals *Kismet* and *Song of Norway* with such standards as "Stranger in Paradise" and "Baubles, Bangles and Beads."



LONDON CALLING: Jimmy Jam and Terry Lewis were recently honored in London by the International Association of African American Music and the Black Entertainment Society. Pictured at a reception at the Dorchester Hotel are (l-r) Managing Director of EMI Music Peter Reichardt, ASCAP's Executive Vice President and COO John LoFrumento, Jam and Lewis, ASCAP's Vice President and Director of European Relations Roger Greenaway and UK Director of Membership Michael Stack.

MEET THE COMPOSER'S JOHN DUFFY OPTS FOR COMPOSING

Composer John Duffy, a proud member of ASCAP since 1967, recently announced that after 21 years as President of Meet the Composer, he has decided to step down in order to spend more time composing. Duffy founded Meet the Composer in 1974 to foster the creation, performance and recording of music by American composers and to develop audiences for their works. The program currently supports over 5,000 composer events each year and has become the blueprint for similar programs around the world. Upon his resignation, Duffy stated, "It's exciting to be alive today when such rich and varied music is all around us and to know that Meet the Composer played a part in making this so. I leave Meet the Composer with a glad heart and affection for all my colleagues in music, the arts, business and myriad walks of life. Together we created something wonderful."



John Duffy

NOTICE: ASCAP has launched EZQ, its Window-based, graphical point and click style electronic cue sheet software application. See the next issue of *PlayBack* for full details. For immediate info, contact Dave Berry (Manager, Cue Sheets) at 212-621-5149 or Sean LeMone (Film and TV Research Representative) at 213-883-1000.

IN MEMORIAM

Doris Akers
R. Alex Anderson
Shannon Hoon
Ronald White



THE NARAS® GLOBAL SONG MARKETING SUMMIT, sponsored by ASCAP and Hamstein Publishing Company, Inc., was held in Austin, Texas on July 29, 1995. In attendance were (left to right): ASCAP's John Briggs, Carlyne Majer, NARAS Texas Branch, ASCAP's Ralph Murphy and Todd Brabec, Richard Perna of Hamstein Publishing, and Cameron Randle from Arista, Texas.



BACKSTAGE WITH RICKIE: ASCAP, Reprise Records and CMJ co-sponsored a special evening with Rickie Lee Jones at New York's Alice Tully Hall on September 8 as part of CMJ week. Pictured backstage at the sold-out event are (l-r) ASCAP's Brendan Okrent and Loretta Munoz, Jones and ASCAP's Lauren Iossa. Following her solo-acoustic performance in support of her latest Reprise album, *Naked Songs*, Jones conducted a cybertalk on America Online.

COMPUTER TRANSMISSIONS – Continued from Page 1

ASCAP's innovative license agreement for computer online services, electronic bulletin boards, Internet sites and similar operations allows each service to elect from among four rate schedules. According to ASCAP Director of Legal Affairs Bennett M. Lincoff: "In this way, ASCAP is able to accommodate in a single form of license agreement the wide variety of business models and music use patterns in the computer online marketplace."

Commenting on Xing Technology's agreement with ASCAP, Gordon said, "I believe that ASCAP's flexible approach to licensing performance rights to Internet and online services will serve as a good model for this industry."

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STEPPIN' OUT



FOUNDATION GRANTS TO YOUNG COMPOSERS: Pictured at ASCAP's reception in honor of the Society's 1995 Foundation Grants to Young Composers are (back row, l-r) Oleg Felzer (juror), Dan Wanner, Benedict Weisser, Bruce Bielawa, Lisa Bielawa, Derek Bermel (partially blocked), Daniel Cooper, Peter Macek, Jason Uechi, Kevin Putz, Sean Varah (partially blocked), Nkeiruka Okoye, Fred Lerdahl and Michael Ross (jurors), Robert Tanner, Michael Gatonska and ASCAP's Frances Richard, and (front row, l-r) former ASCAP President Morton Gould, Kevin Beavers, Anna Weesner, Laurence Tai, Leo Zhurbin (Honorable Mention), Aaron Einbond, Kui Dong and Barbara Kolb (juror).

COMMISSIONED

Erik Haagen and **Paul Schwartz** by the NEA and the Goodspeed Opera House for a new musical theater work based on Edith Wharton's novel, *Summer*, to be premiered at Goodspeed-at-Chester in November, 1996.

Jonathan Holland by the Detroit Symphony Orchestra to write a composition to be premiered in December, 1995.

HONORED

Marvin Hamlisch, Alan Bergman and Marilyn Bergman with a Prime Time Emmy for Individual Achievement in Music and Lyrics for "Ordinary Miracles" featured in *Barbra Streisand: The Concert*.

Gerald Marks by the New York Sheet Music Society in celebration of his 95th Birthday and 85th year as a songwriter and performer.

Shawn Phillips for being a recording artist for 25 years and an ASCAP member since 1975.

Rick Rhodes with his third Emmy award. He won the Daytime Emmy award this past spring for the show, "Another World." The category was Outstanding Music Direction and Composition for a Daytime Drama Series. Rick's previous wins were for the NBC soap, "Santa Barbara."

Laurence Rosenthal with a Prime Time Emmy for Individual Achievement in Music Composition for a Miniseries or Special (Dramatic Underscore) for *Young Indiana Jones and the Hollywood Follies*.

David Heuser and Robert T. Smith, each with one of the three First Music 12 New York Youth Symphony commissions for 1995.

Raul Santiago Sebazco with co-writer Didier Carmier by winning 2nd place in the Latin Category of the *Billboard* Song Contest for their song "Cada Dia Mas" (Love You More Everyday). The celebrated and recently deceased singer Selena selected the top three songs. Sebazco also wrote an original Spanish lyric to a French version of the song which Sony Music International is now promoting to its artists.

Barbra Streisand with Prime Time Emmys in the following categories:

Individual Performance in a Variety or Music Program and Variety, Music or Comedy Special for *Barbra Streisand: The Concert*.

FEATURED

Thomas Newman at a "Composer to Composer" evening co-sponsored by ASCAP and the Society of Composers & Lyricists at the Directors Guild of America Theater in Hollywood on August 16, 1995.

Sven Rye's songs in a new musical written by the author, *A Woman Like Me*, based on Alexander Dumas' novel, *La Dame aux Camélias* (*Camille*).

Philip Springer's songs on a new CD, *A Song Floating*, based on his musical and featuring the cast of the Westbeth Theatre Production. The composer is also featured on the piano.

David Raksin in *The Hollywood Sound*, a new film in the award-winning series, "Music for the Movies," which airs on November 8, 1995 on PBS's "Great Performances."

PREMIERED

G. Bradley Bodine's *Concerto for Marimba and Orchestra* in its world premiere at the International Festival Institute at Round Top, Texas on June 30. Drew Lang was the marimba soloist with Edwin Outwater conducting.

Morton Gould's *Remembrance Day-Soliloquy for a Passing Century* in its world premiere by the University of Connecticut Wind Ensemble, with Jeffrey Renshaw conducting, on October 15 at UConn. The piece was commissioned for the dedication of the Thomas J. Dodd Research Center by The Raymond and Beverly Sackler Foundation. President Clinton attended the performance which preceded his dedication speech for the center.

Angelo Musolino's "Eclectic Suite" for saxophone quartet by the Adolphe Saxquartette in North Babylon, New York on June 3.

Phyllis K. Robinson's full-length musical, *Angel Levine*, on May 14 at the Jewish Repertory Theatre's Playhouse 91 in New York City. The play, based on a short story by Bernard Malamud, also had a two-week run as JRT's final offering of the 94-95 season.

Donna S. Schultz's one act musical, *Framed*, by Music Theatre Works at the annual Seattle Fringe Festival. MTW now plans to include the musical as part of their 1996 theater season.

Charles Strouse's *Concerto for Piano and Orchestra*, performed by Barbara Irvine with the Maryland Symphony Orchestra, Garry Tuckwell conducting, on October 14-15, 1995.

Daniel Waitzman's *Sonata in D Major for Flute and Continuo*, played on the baroque flute, and two other original compositions in their world premiere at the Long Island Flute Club Concert at the University of Stony Brook earlier this year.

RELEASED

Ahmad Alaadeen's *Alaadeen and The Deans of Swing Play Blues For RC and Josephine, too* on ASR Records.

Kathleen Battle's new album, *So Many Stars*, on Sony Classical featuring the title song written by **Marilyn Bergman, Alan Bergman and Sergio Mendes**.

Stephen Cohn and Dorrance Stalvey's "Eye of Chaos" and "String Quartet 1989," respectively, on the London-based Arditti Quartet's new CD on Albany Records.

John Fedchock's debut recording as a band leader, *New York Big Band*, on Reservoir Music. The album features the John Fedchock Big Band, a jazz orchestra fronted by the virtuoso trombonist.

Lee Gannon's "When My Head Spins" on the new CD, *Heartkeys: The AIDS Memorial Album*, on Rising Star Records.

Mic Gillette's *Newvo Kids* on Dancing Walrus Music. Mic was a member of the Tower of Power horn section for 18 years.

Chris Kase's debut CD, *Starting Now*, on the Mons Record Label. The album features saxophonist **Bob Mintzer**, and pianist **John Stetch**.

Rob Laufer's debut CD, *Wonderwood*, for Discovery Records.

Pamela Perelman's debut CD, *Ruby*, on Mamamusic Company.

Milos Raickovich's debut CD, *New Classicism*, featuring Margaret Leng Tan and the Moscow Symphony Orchestra, conducted by the composer. **Irwin Swack's** new recording, *Symphony No. 2*, featuring Swack with the Polish Radio National Symphony, on the CRS label.

Pat Webb's new album, *Silver Lady and the Wild Stallion*, on Flat Rock Records.

Richard Wilson's *Eight Comic Songs for High Voice and Piano* by **Peer-Southern Concert Music**.

SIGNED

J.R. Jones with Castle Records and **Cats Alley Publishing** of Nashville, Tennessee.

Adele Prosono to an agreement with DSM Producers in New York City for them to publish her children's music, "How Do You Spell Chrysanthemum?" and "Calendar Songs."

Lanny Sherwin, of Franklin, TN, to an exclusive songwriting agreement with Nashville publisher, **Buddy Killen Music**.

PERFORMED

Frederick Koch's song "It is all Music" by Lyric Opera Cleveland on July 23rd and 30th at the Cleveland Institute of Music.

Dan Locklair's *Creation's Seeing Order (A Prelude for Orchestra)* by the Chautauqua Symphony Orchestra on July 1 in Chautauqua, NY.

William Mayer's *Andante for Strings* by the Vermont Symphony in eleven concerts at festivals this fall throughout New England.

James Willey's *Concerto for Flute and Orchestra* by Richard Sherman, flute with the Music Orlando Philharmonic conducted by **Charles Delaney** at the annual National Flute Association Convention on August 29, 1995.

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