



Testimony of Harvey Mason jr.  
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To the

U.S. House of Representatives  
Committee on the Judiciary  
Subcommittee on Courts, Intellectual Property, and the Internet  
Hearing On “Artificial Intelligence and Intellectual Property: Part II – Identity in the Age of AI”

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Chairman Issa, Ranking Member Johnson, and members of the subcommittee, thank you for inviting me to testify today on the topic of Artificial Intelligence. My name is Harvey Mason jr. As CEO of the Recording Academy, I am delighted to welcome you to Los Angeles during Music’s Biggest Week.

The Academy celebrates music every year at the GRAMMY Awards, but we also support music throughout the year as a membership organization representing thousands of music creators and music professionals. I am also a music creator myself. As a songwriter and producer, I’ve worked with legends and superstars from Whitney Houston to Beyoncé, and Elton John to Justin Timberlake.

Music makers have always embraced technology to innovate. From multi-track recording and the electric guitar to drum machines and synthesizers, there are countless examples of disruptive technologies that changed the landscape of how music is made. AI is another example of a tool that can expand opportunities for different kinds of voices to follow their passion and create new music. That’s a good thing.

AI also has many valuable uses outside of the creative process, including those that amplify fan connections, hone personalized recommendations, identify content quickly and accurately, assist with scheduling, automate and enhance efficient payment systems – and more. We embrace these technological advances, and the Recording Academy is leading by example.

This year the Academy announced a new partnership with IBM that will use generative AI to create and scale customized content before and during the 66th GRAMMY Awards. The produced content will include concise social copy and additive content for Live.GRAMMY.com that will be reviewed, adjusted and supplemented by the Academy's editorial team. IBM's AI and data platform watsonx will use the Recording Academy's own trusted data and brand guidelines to generate the content. Through this partnership, we will be able to feature more insights on GRAMMY nominated artists in our coverage, drive engagement around special moments, and connect millions of music fans around the artists they love while also introducing them to new ones.

Importantly, AI will be a tool that our editorial team will use to enhance and expand their work, not to replace it, and they will be involved in everything that is produced. In addition, the AI will be drawing from our own content and data with our permission and oversight.

The Recording Academy is in the business of celebrating human excellence and human creativity. That was the biggest concern when we crafted our GRAMMY Award policies – we understand that AI is a part of our industry and here to stay, but our award guidelines stay true to our mission to honor the people behind the music we love so much. Only human creators are eligible to be submitted for consideration for, nominated for, or win a GRAMMY Award. A work that contains no human authorship is not eligible in any category.

So, as we embrace the tremendous potential of AI, we're also mindful of the risks. And more than any other issue involving AI, the artists and creators I talk to are concerned that there's very little protection for artists who see their own name, likeness, and voice used without their permission to create, market, promote and distribute AI-generated music.

Artists in every genre have seen their voices mimicked using AI without their permission. Iconic artists who are no longer with us have also had their voices reproduced without the involvement of their families. This misuse hurts artists and their fans alike.

Recently, we saw the extreme dark side of AI fakes as some of the most famous and recognizable artists in the world have been the target of explicit, AI generated images that were circulated online.

And AI fakes don't just target artists and celebrities. They impact all of you, too. Before New Hampshire's presidential primary, a robocall impersonating the President of the United States discouraged people from voting. While it's not clear if this fake call was generated with AI, the potential for AI to be used to spread dangerous misinformation is obvious.

Many issues involving AI are complex, and the path forward uncertain. But the problem of AI fakes is clear to everyone. Right now, there is a patchwork of state laws that address the "right of publicity" for individuals. These laws are inconsistent with each other, they're out-of-date, they are limited in application and don't address the AI problem, and many states don't have them at all. This is a problem that only Congress can address to protect all Americans.

For this reason, the Academy is grateful for the introduction of the No AI FRAUD Act, supported by many members of this committee. The bill establishes in federal law that an individual has a personal property right in the use of their image and voice. That's just common sense, and it is long overdue. The bill also empowers individuals to enforce this right against those who facilitate, create, and spread AI frauds without their permission.

Importantly, the bill has provisions that balance these new protections with the First Amendment to safeguard speech and innovation. Freedom of expression is essential to the music we create, but freedom of expression must also include the ability to protect your own individual expression from being misappropriated by others.

Last year, the Recording Academy joined other organizations representing the music industry and all the creative industries to launch the global Human Artistry Campaign. Today, the campaign includes over 170 Organizations in 30 countries. This morning, the Campaign published an ad in USA Today featuring the names of hundreds of artists and actors asking Congress to support the No AI FRAUD Act. On behalf of the Academy and our over 20,000 members, I urge you to do the same.

Technology has and always will play a part in amplifying creativity. But human creativity is the ultimate expression of creativity. Creative works shape our identity, values, and worldview. People relate most deeply to works that embody the lived experience, perceptions, and attitudes of others. Art cannot exist independent of our humanity.

On Sunday we will gather to celebrate and honor music at the GRAMMY Awards. The members of this committee may not be on stage playing with the band or performing for the crowd, but you have an essential role to play in keeping the music going. Please act now to protect artists and creators. Thank you.