

Statement of Randy Travis and Mary Travis
Testimony before the U.S. House of Representatives Committee on the Judiciary
Subcommittee on Courts, Intellectual Property, and the Internet
Hearing on “Radio, Music, and Copyrights: 100 Years of Inequity for Recording Artists”
June 26, 2024

Chairman Issa, Ranking Member Johnson, and Members of the Subcommittee, thank you for this opportunity and honor to testify today on behalf of all artists and musicians in support of the American Music Fairness Act.

What would sheet music sound like without a voice... and what would the radio sound like without a song?

This piece of legislation is essential to correct a 100-year-old issue regarding artists and non-payment for their work performed on the most prominent music platform in America — one in which they help build and sustain.

My name is Mary Travis, wife and voice of Randy Travis. (Kind of like a bad version of AI, but with consent). Even though a massive stroke, in 2013, left him with Aphasia, making it difficult to speak, his commitment to music is clear and resolute.

11 years ago at age 54, he was stricken with viral cardiomyopathy, leading to pneumonia, flatlining, life support, massive stroke, coma, brain surgeries, intubation, tracheotomies, feeding tubes, collapsed lungs, staph, sepsis, Serratia, pseudomonas, aphasia, right side paralysis, 6 months hospital stay, loss of 1/3 of his body weight, followed by years of daily rehab. All this, after being told he had 1-2% chance of survival, and if he did survive, he would be in and out of the hospital and bedridden the rest of his life. Sometimes we just don't hear the things we don't want to hear, and instead of walking away from music, as soon as he mentally grasped the fact that what was, would never be again, he rolled right back into the industry he loves so much. In a different way now but wanting to be a Point of Light to other musicians and the fans he desperately missed. Duane Allen of The Oak Ridge Boys told him, “Well, I guess the devil don't want you and God ain't ready for you yet.” Music is his lifeline.

In the early '80s before streaming, social media, and downloading, Randy would pack a car or a converted bread truck and trek thousands of miles across the country to visit radio stations and deliver copies of his newest cuts on cassette, in hopes of having his music heard. He loved his visits, the DJs, the owners, the radio family... many we run into today and they speak of the old days and the good times. Times when radio needed the artist and the artist needed radio to succeed. The landscape is different today. Radio receives its downloadable music in digital form and programmers build playlists for rotation from top-charting artists, on streaming platforms. Have you tried calling in on a request line lately?

Who, when, why, how... did someone determine that writers and publishers would get paid for terrestrial radio play, but artists, musicians, and producers shouldn't? The ones that create the sound, the melody, the emotion that keeps the listeners coming back and the advertisers buying in. Why wouldn't you compensate the ones that keep the wheels on the machine?

Artists have numerous other paying platform options, today, for sourcing their work. Granted, they love their work so much that they often do it for free... children's hospitals, fundraisers, benefits, fan fairs... but should we take advantage of that gift? They, too, have bills, payroll, expenses, insurance, travel, overhead — for themselves and for their band and crews' families. They are indeed a small business entity trying to make ends meet while reaching a heart, evoking a memory, reviving a soul...at concerts, weddings, funerals, births, first dates, and last dances. Songs like He Walked on Water (for dad, granddad, or husband)... Angels or When Momma Prayed (for Mom)... Diggin' Up Bones or I Told You So (for the one you let go)... Forever and Ever Amen (for the one will never let go of)... On The Other Hand or Spirit of a Boy, Wisdom of a Man (for good choices in life)... or, Three Wooden Crosses (for the difference we can make in the lives of others). These are like hymns of country music, and Randy left a piece of his heart in each song that he sang.

The landscape and business models have changed tremendously the last 100 years, in the music and broadcast industries... the laws haven't kept pace.

Of all the things we do differently than we did 100 years ago, one thing remains the same—the voice is still the mandatory bridge between the writer and the listener.

To pass the AMFA bill now would make many old wrongs finally right.

- a) Artists, musicians, and producers would receive a gratuity for their work,
- b) Artists would be much more inclined to collaborate with stations on projects and events,
- c) All other platforms would be more understanding with a level 'paying' field,
- d) Artists can spend more time with family and less time on the road,
- e) The size and nature of the radio station would determine the scaled-fee, starting at \$10/yr, structured to protect and assure continued success for stations of all sizes.

The 'do or die' promotional aspect provided by radio to artists, long argued as the reason to keep the status quo, no longer holds water. The advent of streaming has all but replaced physical record and CD sales, and there are no guarantees that listeners are running out to buy concert tickets and t-shirts. Folks can hear all the music they want, on demand, for pennies a day.

Randy has never said why me, only why not me—since the stroke changed his life and borrowed his voice. We were packing the bus for a 2-week tour of the Midwest and Canada when he said he didn't feel good that July 6th afternoon. He had worked out a couple hours that morning, but knowing we were leaving town and trying to be proactive, we went to the closest care clinic 30 minutes away and were given meds for walking pneumonia. We returned the next day to the clinic as his condition had considerably worsened. We never returned home until Thanksgiving. Viral cardiomyopathy had taken its' toll and was shutting down his heart.

Needless to say, touring halted, merch sales disappeared, and performing was a thing of the past. His prior management had cancelled his life, disability, and long-term care insurance after his divorce, unbeknownst to him. We depend on the royalties his music generates to provide and save for long-term care. Currently, I am his sole caregiver, but we are both 65 and looking at most of our life in the rearview mirror. For so many young artists coming up behind him, looking through their windshield at the careers ahead of them, this bill will make an important difference in their lives.

In 2018, Congress began "Diggin' Up Bones" and passed the landmark Music Modernization Act, significantly reforming longstanding issues in music copyright and royalty distribution in the digital age – namely correcting the payment of digital royalties to songs released prior to 1972. What's the difference between hearing a song on radio waves broadcast on land vs. digital signals via satellite and internet? Perhaps this AMFA bill has never been passed because the vast majority of the population rightfully assume and believe artists ARE paid for radio play. Why would laws fix digital royalties but not radio royalties? 88%, some 300 million people, listen to the radio a week. It's not a dying media contrary to opposition's opining sympathies. The largest radio companies posted \$15 billion in revenues last year. It sounds like a business we should all get into when you can use someone else's Intellectual Property, at will, and offer no compensation, to produce your own income!

Royalties are critical for a musician's survival. Being a working-class musician is a tough and taxing job with long days and longer nights. Randy is blessed to have had some band members with him 30 and 40+ years — they were family on the road. It hurt him deeply to know that his stroke unraveled that comfort in their careers. They gave their souls to the songs... it was a work of heart and a labor of love. Musicians and vocalists, whose songs are exported and heard around the world, miss out on royalties every day that this issue isn't corrected.

You have the power to change this. And, better sooner than later as we are staring AI technology squarely in the face. Artificial Intelligence, I call Artistic Intelligence, because Randy leaned on it to release a new song utilizing AI in its' most authentic and artistic way. It is the first song ever recorded and released with full artist consent and involvement in a studio setting — his Warner Music Nashville label, producer, musicians, vocalists, and Randy all present. AI allowed his voice to be used to create a song appropriately named, "Where That Came From." It was an incredible experience in uncharted waters — full of humanity, heart, and emotional moments. This is GOOD AI;

but there is bad, no, terrible, AI out there and it's increasing exponentially, daily. It is estimated that 179,000 unauthorized AI songs are posted on the internet already! Artists, and the bond we have with them will never be replaced; but it is imperative to expeditiously place guardrails and roadblocks to protect them from ill-intending individuals and companies stealing their identity, and their voice. The groundwork for compensation of an artist-approved AI composition should be treated as any other work, so we don't pave the way for new techs to build their companies on the backs of our unpaid artists.

The US leads the world in entertainment, yet it is the only democracy on Earth that doesn't pay artists for their use of songs on terrestrial radio. We keep company with North Korea and Iran, in this denial. France collects our artist's royalties and uses them to improve their own cultural endeavors! Our artists don't collect ANY international royalties because they follow our lead of nonpayment... that costs US-based artists and our economy roughly \$300 million annually.

Randy Travis gave his life to music, starting at age 7. In late 1980's he helped save country music as it was rapidly diminishing in popularity, when his album *Storms of Life* hit the airwaves. Music helped save Randy in 2013 during the greatest storm in his life when his life-long career dream was instantly extinguished.

We ask your help in righting the wrong for legacy artists and creating a more prosperous outlook for the next generations of artists. Putting AI protections in place and the passing of the American Music Fairness Act are positive steps to ensure that artists are paid for their work, their identity is theirs alone, and the soundtracks of our lives continue to play on... Forever and Ever, Amen!

We appreciate your time and consideration as you reflect back on songs that celebrate a time, place, or person in your life. The artists will tell you it was their honor to create them for you.

Thank you for your service to the great United States of America.