

Good afternoon. I want to thank Senators Blumenthal and Warren for inviting me here today.

I look forward to speaking with you and others present here today about the importance of defending the First Amendment.

As you may know, earlier this year I launched a First Amendment tour to fight back against this Administration's campaign of censorship and control. I did that after my own agency launched a series of retaliatory investigations targeted at newsrooms' editorial decisions.

Across 17 stops in DC, California, Florida, Illinois, Kentucky, Maryland, Washington State and New York, I have been focused on shining a light on the ways in which this Administration's actions have threatened freedom of speech and freedom of the press.

The First Amendment has protected our fundamental right to speak freely and to hold power to account since 1791. It is foundational to our democracy. And today, I am here to tell you that foundation is trembling after constant attacks from our own government.

This Administration seems intent on using its vast power to punish anyone who dares to speak up and disagree with its agenda. Broadcasters across the country are facing an impossible choice: comply with this Administration's demands or risk a financially debilitating investigation and the threat of license revocation. The power to revoke a broadcast license is being weaponized to punish stations that dare to report news in a way that this administration doesn't like.

We've also seen this FCC use frivolous news distortion complaints and the power to derail corporate mergers to pressure news entities to abandon their editorial independence and to scrap their diversity, equity, and inclusion practices.

The best example of this tactic is the approval of the Paramount-Skydance merger. After a baseless lawsuit challenged CBS' use of standard editorial judgment in a 60-Minutes interview with former Vice President Kamala Harris, Paramount opted for a payout instead of fighting the case in court. A case they would have won on the facts and on the law.

The company also agreed to never-before-seen forms of government control over newsroom decisions and editorial judgment. A government-sanctioned "truth arbiter" is now in place to field complaints about CBS' content and editorial decisions, which will only incentivize CBS to self-censor to ensure that their journalists do not draw the ire of this Administration.

Paramount's capitulation has emboldened those who believe the government can—and should—abuse its power to extract financial and ideological concessions, demand favored treatment, and secure positive media coverage.

Sadly, that did not mark the end of this Administration's affront to democratic principles. Just recently, we saw one of the most alarming attacks on the First Amendment in recent memory.

First, an ABC reporter was told that his coverage amounted to hate speech and that he should be prosecuted simply for doing his job.

Then, the FCC threatened to go after this same network, seizing on the comments of a late-night comedian as a pretext to punish speech it disliked. That led to a shameful show of cowardly corporate capitulation by Disney that put the foundation of the First Amendment in danger.

This was no simple business decision. It was an act of clear government intimidation.

It is important to understand that the FCC does not have the authority, the ability, or the constitutional right to police lawful content or to punish broadcasters for speech the government dislikes.

And if it were to take the unprecedented step of trying to revoke broadcast licenses, which are held by local stations rather than national networks, it would run headlong into the First Amendment.

But even the threat of revoking a license is no small matter. It poses an existential risk to a broadcaster. Ultimately, after days of bipartisan pushback against this weaponization of government power, Disney backed off.

However, for several days the corporate behemoths who own large swaths of local stations across the country did not. That's because these billion-dollar media companies have business before the FCC. They are pushing the FCC to reduce regulatory guardrails so they can grow even bigger.

That has left local stations trapped in the middle as these massive companies impose their will and their values upon local communities.

This encapsulates the danger of allowing vast and unfettered media consolidation. With an upcoming vote tomorrow during our monthly meeting, the FCC is gearing up to make major changes that will drastically alter the media ecosystem and the number of voices that are a part of it.

That will do nothing to help the small, independent, and local broadcast stations that are at-risk of closing shop. The FCC has a duty to ensure our media system serves the public, not billion-dollar corporations.

Not to mention, this form of media consolidation will further push independent local newsrooms to answer to corporate masters who are already under political pressure from this Administration. The FCC won't need to threaten to investigate individual stations. Journalists and comedians won't need to be censored directly. They'll censor themselves to avoid conflict with regulators or risk losing government favor. The result will be a chilling effect on coverage, fewer jobs, and less diversity of viewpoints.

In the end, this Administration's effort has never been about preserving diversity of voices. It is about narrowing them.

Take, for example, the successful campaign to defund public media. After months of baseless attacks, public media is facing an existential threat.

So, while one set of outlets is defunded, potentially stripped of their licenses, or publicly admonished, others are quietly promoted and cleared of regulatory obstacles.

Let me be clear. The government does not have a role in reducing bias or ensuring a balance of opinions. But to this Administration, that has never been the goal. Instead, they seek to engineer a media environment that echoes the government's worldview.

That is not viewpoint diversity. It is viewpoint control. And if we allow the government to decide which voices survive and which ones are silenced, we lose the very foundation of a free press, and with it the democratic principles it seeks to protect.

Thank you. I look forward to your questions.