

ONE HUNDRED SEVENTEENTH CONGRESS

# Congress of the United States

## House of Representatives

COMMITTEE ON THE JUDICIARY

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March 1, 2021

The Honorable Jerrold L. Nadler  
Chairman  
Committee on the Judiciary  
U.S. House of Representatives  
Washington, DC 20515

Dear Chairman Nadler:

The wave of cancel culture spreading the nation is a serious threat to fundamental free speech rights in the United States. From newsrooms to college campuses to social media giants, we have seen a dangerous trend toward silencing and censoring certain political speech. As the committee entrusted with upholding the Constitution and our fundamental liberties, our first full committee hearing for the 117th Congress must examine this cancel culture sweeping America.

The First Amendment to the Constitution guarantees to all Americans the right to speak freely.<sup>1</sup> This guarantee of freedom of speech has allowed our country to develop and maintain a political discourse fueled by the free exchange of ideas. This freedom has empowered risk-takers and innovators. It has shaped bold new ideas and given us a prosperous democracy. Quite simply, it has made the United States the envy of the world.

Now our shared commitment to free speech principles is eroding under demands for the censorship and silencing of certain speech. College campuses have canceled lectures because students disagree with the speaker.<sup>2</sup> An editor for America's newspaper of record was forced to resign for publishing an opinion piece by a Republican Senator with which the newsroom disagreed.<sup>3</sup> Amazon has refused to sell books reflecting certain political views,<sup>4</sup> and Twitter and Facebook have censored and de-platformed prominent conservatives—including the sitting President of the United States.<sup>5</sup> Most recently, two Democrat Members of Congress wrote to twelve cable companies demanding that they not broadcast certain news networks.<sup>6</sup>

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<sup>1</sup> U.S. Const. amend. I.

<sup>2</sup> E.g. Abby Jackson, *'Disinvitations' for college speakers are on the rise — here's a list of people turned away this year*, Business Insider (July 28, 2016).

<sup>3</sup> E.g. Tamar Lapin, *NY Times editorial page editor James Bennet resigns after Tom Cotton op-ed fiasco*, N.Y. Post (June 7, 2020).

<sup>4</sup> E.g. Jeffrey A. Trachtenberg, *Amazon faces questions over removal of book by conservative author*, Wall St. J. (Feb. 24, 2021).

<sup>5</sup> E.g. Dylan Byers, *How Facebook and Twitter decided to take down Trump's accounts*, NBC News (Jan. 14, 2021).

<sup>6</sup> E.g. Letter from Rep. Anna Eshoo & Rep. Jerry McNerney to John T. Stankey, CEO, AT&T Inc. (Feb. 22, 2021).

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Cancel culture is a dangerous phenomenon whether you agree or disagree with the views being censored. Our society must always promote the free exchange of ideas, not cancel the ideas with which we disagree. If cancel culture continues unchallenged, it is not just the unpopular or controversial viewpoints that are at risk. Every viewpoint and every idea—whether widely accepted now or not—runs the risk of eventually falling into disfavor with the ever-changing standards of cancel culture.

As Justice Louis Brandeis counseled almost a century ago, the remedy for “falsehoods and fallacies” is “more speech, not enforced silence.”<sup>7</sup> Cancel culture’s long-term consequences to our democracy and our constitutional framework are serious and substantial. We must fight this trend before it is too late. There is no better issue on which Republicans and Democrats can work together to address in our first full committee hearing than to address the scourge of cancel culture in the United States.

We look forward to hearing from you on this important issue.

Sincerely,

A handwritten signature in blue ink that reads "Jim Jordan". The signature is written in a cursive, flowing style with a large initial "J".

Jim Jordan  
Ranking Member

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<sup>7</sup> *Whitney v. California*, 274 U.S. 357 (1927) (Brandeis, J., concurring).