

Testimony of Rep. Harriet Hageman (WY-at Large)

House Committee on Energy and Commerce Member Day Hearing

December 12, 2025

Chairman Guthrie, Ranking Member Pallone, thank you for the opportunity to testify today.

Chairman Guthrie, I appreciate your leadership on this Committee and the great work you are doing

As an off Committee member, I very much appreciated the opportunity to work with you on policies relevant to my constituents that were in your jurisdiction during the development of the One Big Beautiful Bill

Today, I want to discuss two priorities within your jurisdiction: combatting fentanyl counterfeiting; and prioritizing oversight and reform of Section 230 of the Communications Decency Act

I have introduced, alongside Representative Stansbury, the Fight Illicit Pill Presses Act. Senators Cornyn and Coons are our bipartisan Senate partners in this fight

As our nation addresses the fentanyl crisis, we hear tragic overdose stories where Americans are unknowingly exposed to lethal doses of fentanyl

Contributing to this issue is the cartels illicitly using pill press machines used by pharmaceutical companies to disguise fentanyl as prescription and other drugs to facilitate their entrance into the country

This bill would add a serialization requirement for pill presses and punches, and it would prohibit the removal or alteration of these serial numbers, or the distribution of machines with tampered serial numbers

The DEA and other federal law enforcement agencies believe that serializing pill presses will better help solve crimes and specifically help investigators identify crucial links in the chain to trace the pill presses back to the cartels

Turning to Section 230, I have two primary concerns. First, its lack of a sunset to require reauthorization. Second, the broad grant of immunity for the removal of content that is otherwise objectionable

Technological advancement is a defining characteristic of America. But we have the unique challenge of legislating in the Internet age, where the pace of technological advancement moves faster than ever before, and certainly faster than the federal government

Baked into the House rules are general oversight responsibilities to analyze and evaluate the effectiveness of federal law

Section 230's civil liability shield is an area where we have not adequately done that, which I contribute to the lack of a sunset on its authorities

I have long been a proponent for including sunsets of government authorities, and believe we commit legislative malpractice when we don't

This principle is especially true when federal law covers technology, which will always move faster than government and evolve more than the drafters of a bill at a certain point in time can predict

I can point to no better example of this issue than Section 230's immunity for the removal of content that is otherwise objectionable

Otherwise objectionable is an undefined standard in the statute.

The social media giants which grew out of the internet revolution, companies that Section 230 could have never anticipated at the time of its drafting, defined that standard for us instead

Basing immunity for content removal on the standard of objectionable is not an appropriate standard because it is not shared among our citizens

What is objectionable to me may not be for others. And today, objectionable is an ever moving target defined by Big Tech

And one which until the 118th Congress's oversight work, was defined with a liberal Silicon Valley bias that collaborated with the federal government for one of the largest threats to our First Amendment rights in history

Therefore, I believe we must sunset Section 230, not for the purpose of allowing it to lapse entirely, but to force this chamber to consider its purpose, application, and role in the future of our nation

If and when we get to the reconsideration of Section 230, we must address the otherwise objectionable standard

On the internet, on social media, and with artificial intelligence we have seen the dangers the online world can pose, especially to our children

Social media companies can play a major role in protecting our children if they are allowed to remove this harmful content, and that is why I believe this liability shield must shift from objectionable content to unlawful content

To propose legislative solutions to address these issues, I will soon introduce a bill to sunset Section 230 within the 119th Congress

I am also a proud cosponsor of Representative Gosar's Stop the Censorship Act which would implement this unlawful standard

As this Committee builds its agenda for the second session, I strongly urge that Section 230 be in the list of priorities

Thank you again for the opportunity to testify today, I yield back