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6 FANNING THE FLAMES:

7 DISINFORMATION AND EXTREMISM IN THE MEDIA

8 WEDNESDAY, FEBRUARY 24, 2021

9 House of Representatives,

10 Subcommittee on Communications and Technology,

11 Committee on Energy and Commerce,

12 Washington, D.C.

13

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16 The subcommittee met, pursuant to notice, at 12:33 p.m.
17 via Webex, Hon. Michael F. Doyle, [chairman of the
18 subcommittee] presiding.

19 Present: Representatives Doyle, McNerney, Clarke,
20 Veasey, McEachin, Soto, Rice, Eshoo, Butterfield, Welch,
21 Schrader, Cardenas, Kelly, Craig, Fletcher, Pallone (ex
22 officio); Latta, Scalise, Guthrie, Kinzinger, Bilirakis,
23 Johnson, Long, Mullin, Walberg, Carter, Duncan, Curtis, and
24 Rodgers (ex officio).

25 Also present: Representatives Schakowsky, Dingell,
26 Trahan; Burgess, and Lesko.

27 Staff Present: Jeff Carroll, Staff Director; Parul

28 Desai, FCC Detailee; Jennifer Epperson, Counsel; Waverly
29 Gordon, General Counsel; Tiffany Guarascio, Deputy Staff
30 Director; Perry Hamilton, Deputy Chief Clerk; Alex Hoehn-
31 Saric, Chief Counsel, Communications and Consumer Protection;
32 Jerry Leverich, Senior Counsel; Dan Miller, Professional
33 Staff Member; Phil Murphy, Policy Coordinator; Joe Orlando,
34 Policy Analyst; Tim Robinson, Chief Counsel; Chloe Rodriguez,
35 Deputy Chief Clerk; Sarah Burke, Minority Deputy Staff
36 Director; William Clutterbuck, Minority Staff Assistant;
37 Theresa Gambo, Minority Financial and Office Administrator;
38 Olivia Hnat, Minority Communications Director; Nate Hodson,
39 Minority Staff Director; Sean Kelly, Minority Press
40 Secretary; Peter Kielty, Minority General Counsel; Emily
41 King, Minority Member Services Director; Bijan Koohmaraie,
42 Minority Chief Counsel; Kate O'Connor, Minority Chief
43 Counsel, C&T; Clare Paoletta, Minority Policy Analyst,
44 Health; Brannon Rains, Minority Policy Analyst, CPC, Energy,
45 Environment; Michael Taggart, Minority Policy Director; and
46 Everett Winnick, Minority Director of Information Technology.
47

48 *Mr. Doyle. The subcommittee will now come to order.
49 Today the Subcommittee on Communications and Technology is
50 holding a hearing entitled, "Fanning the Flames:
51 Disinformation and Extremism in the Media.''

52 This hearing is a continuation of work that this
53 subcommittee did last Congress, examining the spread of
54 disinformation on social media and the deadly and dangerous
55 effect it is having on our nation and on our democracy.

56 We expect to hold another hearing on March 25th with the
57 CEOs of Facebook, Google, and Twitter to further discuss
58 these issues.

59 Due to the COVID-19 public health emergency, today's
60 hearing is being held remotely. All members and witnesses
61 will be participating via video conferencing.

62 As part of our hearing, microphones will be set on mute
63 for the purpose of eliminating inadvertent background noise.
64 Members and witnesses, you will need to unmute your
65 microphone each time you wish to speak.

66 Documents for the record can be sent to Joe Orlando at
67 the email address we have provided the staff. All documents
68 will be entered into the record at the conclusion of the
69 hearing.

70 The chair will now recognize himself for 5 minutes for
71 an opening statement.

72 First, I would like to thank all of our witnesses for

73 appearing before us today.

74 Today we are talking about media outlets, such as cable
75 news, broadcast news, and radio, and the role they play in
76 disseminating disinformation and fomenting extremism. My
77 hope is that our witnesses can help this subcommittee
78 understand the current media ecosystem, how we got here, and
79 potential solutions.

80 I doubt that any members here are naive about the media.
81 This is the industry that coined the term, "If it bleeds, it
82 leads.'" But to the degree to which Americans have become
83 awash in disinformation, and the profound events that our
84 country has recently gone through require examination and
85 evaluation of this industry.

86 This week marks a grim milestone for our nation, as a
87 half-a-million Americans have died from COVID-19. That
88 matches the American death toll in Vietnam, Korea, and World
89 War II, combined. This pandemic has touched almost every
90 aspect of American life, and taken so many friends and loved
91 ones from us, including from one of the witnesses here today,
92 who tragically lost her father.

93 The real tragedy is that it didn't have to be this way.
94 It didn't have to be this bad. But some of the media sought
95 to downplay this virus from the beginning: they refused to
96 acknowledge how deadly it was; they criticized stay-at-home
97 orders; they mocked social distancing; they told audiences

98 that they didn't need to wear masks. All of these were
99 scientifically-validated steps that could have saved lives
100 and prevented so much anguish and grief.

101 In the midst of this pandemic we also saw the rise of
102 the "Stop the Steal" movement, fomented by former President
103 Trump and propagated by members of the media, that sought to
104 dispute the outcome of our elections and overturn our
105 democratic process. As we all know, this led directly to the
106 horrific events of January 6th, the attack on our Capitol and
107 our democracy by insurrectionists motivated by former
108 President Trump. Five lives were lost that day, and more
109 have been lost since. A Capitol Police Officer was murdered.
110 Others were savagely attacked, beaten, and called vile racial
111 epithets. All of our lives were put at risk, as was the Vice
112 President's.

113 The first amendment protects the freedom of the press
114 and the freedom of speech, and the freedom of speech
115 encourages us to ask tough questions about what is going on
116 in the media, what is motivating the tidal wave of
117 disinformation that is putting the lives of so many Americans
118 and, ultimately, our democracy at risk.

119 Partisanship and polarization in the media has been
120 building for years. But these more recent events reflect a
121 -- quite a frightening escalation. As Ms. O'Brien points out
122 in her testimony, media companies have increasingly set aside

123 journalistic standards to chase audience share and higher
124 profits. Ms. Bell's testimony discusses the decline of local
125 media and local newspapers, once the lifeblood of our
126 democracy, and now rapidly accelerated by the financial
127 hardships of COVID.

128 These changes have given rise to national media entities
129 that are more focused on the kind of tactics we see from
130 social media companies. They engage their viewers by
131 engaging them and further dividing us and our nation.

132 We have also seen the rise of news as entertainment,
133 where the claims of anchors and commentators are likened to
134 performance art. When they are challenged in court, the
135 lawyers from their own networks even claim that no reasonable
136 person could believe these people are speaking the truth or
137 reporting facts.

138 When truth becomes a commodity to be traded upon for
139 profit, and facts and consequences don't matter to those who
140 report them, our democracy is undermined. It is the
141 responsibility of this subcommittee to hold these
142 institutions to a higher standard.

143 [The prepared statement of Mr. Doyle follows:]

144

145 *****INSERT 1*****

146

147 *Mr. Doyle. Thank you, and I look forward to the
148 testimony of our witnesses, and I yield the remainder of my
149 time to my friend and colleague, Ms. Eshoo.

150 *Ms. Eshoo. Thank you, Mr. Chairman, for holding this
151 very important hearing today.

152 Let me put it bluntly: misinformation is killing
153 Americans and damaging our democracy. We have to examine how
154 conspiracies and lies convince people to dismiss public
155 health measures and refuse lifesaving vaccines. This is not
156 about left versus right; this is about life and death.

157 Similarly, the January 6th insurrection was built on a
158 foundation of lies about mail-in ballots, voting machines,
159 and election results. The First Amendment prohibits Congress
160 from enacting laws abridging the freedom of speech, and I am
161 an ardent supporter of it. It does not, however, stop us
162 from examining the public health and democratic implications
163 of misinformation.

164 [The prepared statement of Ms. Eshoo follows:]

165

166 *****INSERT 2*****

167

168 *Ms. Eshoo. So I thank you, Mr. Chairman, for holding
169 this very important hearing today, and I yield back.

170 I also thank the witnesses who are with us today. I am
171 anxious to hear from them.

172 *Mr. Doyle. The gentlelady yields back, the chair
173 yields back. The chair recognizes my good friend and
174 colleague, Mr. Latta, the ranking member of the Subcommittee
175 on Communications and Technology, for 5 minutes for his
176 opening statement.

177 [Pause.]

178 *Mr. Doyle. Bob, you need to unmute.

179 *Mr. Latta. There we go. Thanks very much, Mr.
180 Chairman, for today's hearing. I appreciate you yielding me
181 the time.

182 And I also want to thank our witnesses who are appearing
183 before us today on this hearing focused on disinformation and
184 extremism in the media.

185 While disinformation, misinformation, and extremism in
186 the media are all serious issues that this subcommittee
187 should be examining in a bipartisan way, unfortunately
188 today's hearing is not about that. Earlier this week several
189 of my colleagues sent a disturbing letter to private
190 companies asking them questions that imply that these
191 companies should stop carrying certain news content.

192 Mr. Chairman, I would like to ask unanimous consent to

193 enter that letter into the record.

194 *Mr. Doyle. Without objection, so ordered.

195 [The information follows:]

196

197 *****INSERT 3*****

198

199 *Mr. Latta. I thank my friend.

200 As the title of the hearing indicates, the majority's
201 intent behind today's hearing is to fan the flames of
202 silencing certain viewpoints in America by trying to suppress
203 and censor speech, a concept that has the potential to
204 destroy our democracy. This is deeply troubling. It should
205 be deeply troubling to everybody here today.

206 With this goal at hand, we are embarking upon a
207 dangerous path of using this committee to attack the
208 foundation of fact, and further diminish trust in journalism.

209 The antidote to bad speech is more speech. Rather than
210 suppressing speech and viewpoints that we don't agree with,
211 we should be encouraging more speech and conversations
212 between one another. Sadly, it appears we are doubling down
213 on encouraging the cancel culture of the left, instead of
214 identifying bipartisan solutions to encourage and support
215 factual, local, or national news.

216 We are all facing unprecedented challenges in this
217 country, which includes work to combat a once-in-a-century
218 pandemic. There has never been a more important time for
219 journalism to be more accurate and reliable, having reliable
220 news sources that report factual content that can even be a
221 matter of life and death. The damage done to our democracy
222 by further dividing our nation and ignoring the patently
223 false and inaccurate information from many media outlets

224 cannot be understated.

225 Before I close, I would like to bring to light just one
226 of the most recent examples we have seen in the press
227 concerning the attacks on the Capitol and Capitol grounds on
228 January the 6th. Republicans and Democrats, including
229 myself, have condemned the events of January the 6th. It is
230 disturbing, to say the least, to insinuate responsibility for
231 the mob violence that took place that day lies only with the
232 media, and not with the individuals who carried out these
233 actions and committed crimes. That is flat-out wrong.

234 [The prepared statement of Mr. Latta follows:]

235

236 *****INSERT 4*****

237

238 *Mr. Latta. And at this time, Mr. Chairman, I would
239 like to yield the balance of my time to our -- Mr. Scalise
240 from Louisiana.

241 *Mr. Scalise. Well, I thank my friend from Ohio for
242 yielding. Thank you, Mr. Chairman, for hosting this hearing,
243 and our witnesses, as well.

244 And clearly, we have all been very vocal in denouncing
245 the events that happened on January 6th. It is a clear
246 example of not only mob violence, but also how political
247 discourse can get out of control. But for anybody to just
248 try to suggest that discourse started getting out of control
249 on January 6th would be disingenuous when you look at where
250 we have gotten and how far this has come.

251 I want to take you back to June 14th, 2017, a day that a
252 gunman walked onto a baseball field and shot at over a dozen
253 Members of Congress, including myself. There has been a lot
254 of investigation into it. The FBI did a report. The gunman
255 was motivated by hyper-charged rhetoric that he was hearing
256 from the left, from prominent elected officials, as well as
257 media personalities.

258 In fact, Mr. Chairman, there is a report that the FBI
259 did where they included some of the writings of the gunman,
260 where he talks specifically about the people who motivated
261 him and inspired him to commit this shooting, which would
262 have been very deadly, if he was successful, without the

263 bravery and heroism of Capitol Police.

264 I would like to ask unanimous consent that this be
265 entered into the record, which is the FBI -- some of the
266 excerpts from his writings.

267 Now with that, Mr. Chairman, I enter that not to say
268 that I blame those people that he mentions for his
269 motivation. I say this to let you know that I don't blame
270 those other people, I blame the shooter. The shooter is the
271 one who should be held accountable. And I am very, very
272 clear about that. But it is an example that we all need to
273 be aware of our rhetoric, and can all be doing a better job
274 of toning down the rhetoric.

275 But we also need to call it out where we see it, not
276 just on the other side of the aisle, but on both sides. Just
277 as I called out January 6th activities, I called out the
278 violence I saw over the summer, when, through hyper-charged
279 rhetoric, people were burning down cities, were killing cops,
280 killing other people. Let's be consistent in calling it out,
281 not trying to suggest disingenuously that it only comes from
282 one side of the political spectrum. Let's be fair, and
283 recognize we can all do a better job of encouraging the
284 rhetoric to be toned down, and we all need to call out
285 political violence wherever we see it, because it is not
286 acceptable in America from the left or the right.

287

288 [The prepared statement of Mr. Scalise follows:]

289

290 *****COMMITTEE INSERT*****

291

292 *Mr. Scalise. With that I yield back.

293 *Mr. Latta. Well, thank you very much. And Mr.
294 Chairman, I yield back the balance of my time.

295 *Mr. Doyle. I thank the gentleman.

296 Just to inform members, a vote has been called. We are
297 not going to recess at all during votes. So as members that
298 are -- have some time before they ask questions, they want to
299 go down and take their votes, and we will just proceed.

300 The chair now recognizes Mr. Pallone, chairman of the
301 full committee, for 5 minutes for his opening statement.

302 *The Chairman. Thank you, Mr. Chairman. Let me speak
303 for myself and hope -- and also for all Democrats, and say
304 that we are all staunch defenders of the First Amendment and
305 its mandate that Congress make no law abridging the freedom
306 of speech or of the press. The First Amendment prohibits us
307 from passing laws that inappropriately limit speech, even
308 when it is controversial or even partisan.

309 But that doesn't mean that we should ignore the spread
310 of misinformation that causes public harm. Putting a
311 spotlight on the issue and having an open dialogue is exactly
312 what the founding fathers envisioned, because it may help us
313 solve a very dangerous problem. And we owe it to our
314 constituents and to our democracy to examine how and why
315 disinformation is being aired on traditional media and social
316 media.

317 And that means we must ask uncomfortable questions, like
318 whether these media outlets, for example, have an incentive
319 to air extreme conspiratorial programming or content, and how
320 journalists can help each other find ways to cover
321 controversial topics in a way that doesn't undermine our
322 democratic structure and health. And there are no easy
323 answers, but we have to, obviously, try to find them.

324 In my opinion, there are too many traditional media
325 outlets that have yet to seriously wrestle with these
326 questions. Very few have acknowledged their role in
327 spreading deadly misinformation, and some have tried to self
328 correct, but only after the damage has been done, or only
329 after faced with public backlash or legal action.

330 So this debate, in my view, that you are having, Mr.
331 Chairman, today is our best hope for addressing one of the
332 challenges confronting our country. And I hope that we can
333 have a smart and sensible discussion today, because there
334 just is so much at stake.

335 Now, going back to the assault on the Capitol on January
336 6, it was an abhorrent attempt to overturn a free and fair
337 election. And there was months of disinformation about the
338 presidential election results that helped flame that attack.

339 I understand when our whip and Mr. Latta say that, you
340 know, that they have all condemned what happened on January
341 6, and I respect that, and, of course, I, you know, still

342 think about you, Steve, and what happened to you at that
343 game, and your injury, and your remarkable recovery. But my
344 point is that we still have to look at these incidents and
345 see what brought them about, and what role the media played
346 in causing these kinds of incidents. It doesn't mean that
347 just because they occurred, and we say that they are
348 terrible, and that they shouldn't have happened, that we
349 don't look into this.

350 And the problem is that we have this daily -- and, in
351 some cases, deadly -- dose of disinformation and extremist
352 content that is being amplified by some of our most
353 longstanding media sources. It can be broadcast, it can be
354 cable, it could be radio. And I just think that this
355 disinformation and extremism is a threat to the country, both
356 collectively and individually. And it is not partisan.

357 [Audio malfunction.]

358 *The Chairman. Vice President Pence, individually --
359 they had the gallows set up out there for him, our Republican
360 vice president. So disinformation has undoubtedly
361 contributed to the rapid spread of COVID-19, as well. And
362 500,000 Americans have died without regard to whether they
363 are Republicans or Democrats.

364 Last summer we examined the role of social media in
365 spreading extreme content and dangerous disinformation.
366 However, our media ecosystem involves both social media and

367 traditional media outlets that are part of this vicious cycle
368 of reinforcing conspiracy theories. So, despite the rise of
369 social media, we know that the majority of Americans get
370 their news primarily from TV or radio. And over the past
371 year we have seen some of these outlets air programming that
372 downplayed the seriousness of the COVID-19 pandemic, peddled
373 ineffective treatments, mocked effective precautionary
374 measures. Chairman Doyle mentioned this.

375 And there are consequences to the constant airing of
376 misinformation or false news. Some have tragically lost
377 their lives because they relied on disinformation about
378 COVID-19, including the father of one of the witnesses today.
379 And for months some of these outlets aired programming that
380 falsely claimed the presidential election was stolen. We
381 lost five lives that day as a result of the attack on the
382 Capitol. Hundreds of people injured as a result of the Stop
383 the Steal propaganda campaign that some of these media
384 outlets encouraged, and which ultimately led to the Capitol
385 assault. So -- and only after this violence did one
386 broadcaster recognize the role that his program played, and
387 asked its on-air personalities to stop calling the election
388 stolen.

389 So I just think there is a lot here that we have to look
390 into. Let's try to do this in a smart and sensible way.

391 And I do appreciate, Chairman Doyle, the fact that you

392 are having this today. I think it is very important.

393 [The prepared statement of The Chairman follows:]

394

395 *****INSERT 5*****

396

397 *The Chairman. I just realized that I was supposed to
398 yield to Jerry, and now I didn't.

399 Jerry, I am sorry. I will have to make it up to you
400 somehow. I am sorry. I didn't realize --

401 *Mr. McNerney. Mr. Chairman, I will hold you to that
402 promise.

403 *The Chairman. All right.

404 *Mr. Doyle. Okay, the gentleman yields back. The chair
405 now recognizes Mrs. Rodgers, the ranking member of the full
406 committee, for 5 minutes for her opening statement.

407 *Mrs. Rodgers. Thank you very much, Chairman Pallone
408 and Chairman Doyle. In all my time on this committee, there
409 has never been a more obvious direct attack on the First
410 Amendment, despite what has been said.

411 I want to be very clear: condemning the January 6th
412 attack and upholding truth and facts, it is a shared,
413 bipartisan goal. Unfortunately, that is not what this
414 hearing is about. If the majority was really interested in a
415 meaningful dialogue, you wouldn't schedule a hyper-partisan
416 hearing to shame and blame. You wouldn't be sending letters
417 pressuring private companies to block conservative media
418 outlets.

419 I am not only disappointed in this hearing; I am deeply
420 troubled by it. Every journalist, from MSNBC and CNN to The
421 New York Times, should be concerned by the majority's

422 actions. And anyone who values free speech and a free press
423 should be worried.

424 Elected officials using their platform to pressure
425 private companies to censor media outlets they disagree with?
426 That sounds like actions from the Chinese Communist Party,
427 not duly-elected representatives of the United States
428 Congress. Here we cherish free speech and a free,
429 independent press. We believe in dialogue and in the battle
430 of ideas. Rather than censure and silence constitutionally-
431 protected speech, the answer is more speech. That is the
432 American way.

433 And surely, Chairman Pallone, Chairman Doyle, you agree
434 with me. You have once believed that -- you stated that you
435 believed threats against broadcasters for airing legally-
436 protected speech to be illegal. Less than a year ago you
437 sent a letter to the FCC decrying attempts to censor or
438 interfere with broadcasters' discretion to air legally-
439 protected content.

440 I would ask you to take a look at this letter. And I
441 ask unanimous consent to enter this letter into the record.

442 *Mr. Doyle. Without objection, so ordered.

443 [The information follows:]

444

445 *****COMMITTEE INSERT*****

446

447 *Mrs. Rodgers. That letter, it says -- and I quote --
448 "At a time when autocratic governments around the world are
449 using the corona pandemic as an excuse to suppress press
450 freedoms, we must reaffirm, not undermine America's
451 commitment to free press.''

452 So what has changed? As you once put it, "To stay
453 silent could undermine the First Amendment.'" So let's come
454 together, and let's make sure that we do not have a
455 censorship campaign based upon political ideology or someone
456 saying something you disagree with. That is not the standard
457 we want to set. Under your new approach, a lot of media
458 would cease to exist.

459 Should CNN still be carried after hosting Governor
460 Cuomo? For months media lauded him, and legitimized his
461 lethal response to COVID-19 -- he even won an Emmy -- for his
462 use of TV to spread misinformation. How do we know it was
463 misinformation? Because of a balance of networks that
464 pursued investigative journalism.

465 Should MSNBC be carried after years of pushing the false
466 Russia collusion narrative? Thanks to independent
467 journalists, and a robust free press, we have learned their
468 reporting was false.

469 Does your new standard stop with cable news, or should
470 it be applied to social media?

471 It is un-American when you are setting control -- for

472 you to redefine for yourselves what is true.

473 Do you think Republican Members of Congress agree with
474 all the content on media? No.

475 Have we sent TV companies threatening letters to stop
476 carrying certain channels? No.

477 Now, more than ever, we must uphold the First Amendment.
478 It states, "Congress shall make no law respecting an
479 establishment of religion or prohibiting the free exercise
480 thereof, or abridging the freedom of speech, or of the
481 press.'" It is unique to Americans. It has been fought for.
482 It has been defended. It is foundational to our personal
483 rights and liberties.

484 So we should all be troubled by what appears to be an
485 attack on the First Amendment. This is an abuse of power.
486 Ours is a country for we, the people, not a few in a position
487 of authority dictating to the rest.

488 You know, so today the media is the target. But where
489 does it end? We have already seen liberal ideology pushed in
490 our schools where we work, the books we read, who we
491 communicate with, how we practice our faith. It is
492 frightening.

493 And you know what the worst part is? People are afraid
494 of a woke and authoritarian system that is getting them
495 fired, canceled, and shamed. So they are being silent. They
496 have no voice. They can't trust the broken institutions to

497 protect them. This culture of fear is unjust, and this
498 committee should not be using fear to force everyone to be
499 the same or be destroyed. It is abuse of power, and it is a
500 force of a state religion, of liberal ideology.

501 I embrace all of us to embrace our fundamental rights
502 that lie at the foundation of a free government by free men.

503 And with that I yield back.

504 [The prepared statement of Mrs. Rodgers follows:]

505

506 *****INSERT 6*****

507

508 *Mr. Doyle. The gentlelady yields back. The chair
509 would like to remind members that, pursuant to committee
510 rules, all members' written opening statements shall be made
511 part of the record.

512 I would like now to introduce our witnesses for today's
513 hearing: Ms. Soledad O'Brien, anchor, Matter of Fact, CEO of
514 Soledad O'Brien Productions, welcome; Mr. Jonathan Turley,
515 professor at the George Washington University Law School --
516 welcome, sir; Ms. Kristin Danielle Urquiza, co-founder,
517 Marked by COVID; and last, but certainly not least, Ms. Emily
518 Bell, director of the Tow Center for Digital Media, Columbia
519 University.

520 We want to thank all of our witnesses for joining us
521 today. We look forward to your testimony. At this time the
522 chair will recognize each witness for 5 minutes to provide
523 their opening statement, and we will start with Ms. O'Brien.

524 You are recognized for 5 minutes.

525

526 STATEMENT OF SOLEDAD O'BRIEN, ANCHOR, MATTER OF FACT, CEO,
527 SOLEDAD O'BRIEN PRODUCTIONS; JONATHAN TURLEY, PROFESSOR, THE
528 GEORGE WASHINGTON UNIVERSITY LAW SCHOOL; KRISTIN DANIELLE
529 URQUIZA, CO-FOUNDER, MARKED BY COVID; AND EMILY BELL, LEONARD
530 TOW PROFESSOR OF JOURNALISM, TOW CENTER FOR DIGITAL
531 JOURNALISM, COLUMBIA UNIVERSITY

532

533 STATEMENT OF SOLEDAD O'BRIEN

534

535 *Ms. O'Brien. Thank you to the chairman. Thank you to
536 the members of the committee and, of course, those who join
537 me in testifying.

538 Back in 2005 CNN aired a piece on Lou Dobbs Tonight,
539 reporting that the U.S. had 7,000 new cases of leprosy in the
540 previous 3 years because of unscreened illegal immigrants.
541 That figure was completely false. Back then, the official
542 leprosy statistics showed about 7,000 cases of leprosy over
543 the last 30 years, not 3.

544 The Dobbs lie advanced his agenda of demonizing
545 undocumented immigrants, so it stuck, and he got away with
546 it. To those of us at CNN reporting on the communities that
547 he degraded, it was disheartening and insulting. And it was
548 also only the beginning. We had entered an era where
549 broadcasters would begin repeating and re-energizing lies and
550 liars, an era that would set the stage for xenophobic and

551 racist narratives that would take hold and polarize this
552 country.

553 I have been a journalist for more than 30 years,
554 reporting and anchoring for local TV, network news, cable,
555 places like NBC, WBZ TV, HBO Real Sports, CNN, Hearst. I do
556 a podcast on QuakeMedia, documentaries, series from my own
557 production company. And so my point is that I have my feet
558 very firmly planted on the media landscape, and this is what
559 the landscape looks like to me: media, disguised as
560 journalism, has been spreading lies for years, elevating
561 liars, and using the ensuing slugfest to chase ratings, hits,
562 subscriptions, advertisers. Period. Full stop.

563 So how did we get here? Michael Rich, who is the CEO of
564 the Rand Corporation, where I am honored to serve on the
565 board, defines what happened as truth decay, the diminishing
566 role of facts and analysis in public life and important
567 conversations about policy issues, policy decisions, and
568 elections.

569 And I believe this era of truth decay began when local
570 newspapers were badly -- even mortally -- wounded by the
571 emergence of free social media and the decline of advertising
572 dollars like classified ads. Our country has lost almost
573 2,100 papers since 2004. Local news is the heartbeat of
574 American journalism, the glue of civic participation, the
575 place where we turn to for information about our local taxes,

576 quality education, infrastructure, and the demise left the
577 public with only the unfiltered and unverified cauldron of
578 presumed fact and opinion that is social media.

579 The public turned to TV for traditional reporting,
580 especially on politics, where 65 percent of Americans report
581 trusting information from TV and radio, depending on whether
582 the stations conform to their political leanings. But here's
583 the problem: TV didn't fill the void of in-depth reporting
584 on America's communities by producing stories about policies
585 that affect regular people. Instead, it became a place where
586 facts often go to die.

587 TV, cable news in particular, relies on the cheap and
588 easy booking of talking heads, who exchange colorful barbs,
589 entertaining outbursts, and sometimes peddle outright
590 fiction. It has only gotten worse as reporters and anchors
591 chase ratings, toss aside objectivity to divide us into false
592 categories, I believe, of left and right, manipulating facts,
593 and debating the liars they booked for their very own shows.

594 Today, viewers who come looking for information instead
595 get enraging and contradictory facts from an endless churn of
596 guests who are not in the least representative of the public.
597 On Meet the Press, Face the Nation, and This Week Back in
598 2015 (sic), 80 percent of the guests were white, 12 percent
599 were women, 2 percent were women of color, 41 percent were
600 Republican, 22 percent were Democrats.

601 All of this has eroded the public trust: 72 percent of
602 Americans said they trusted the media back in 1976. By 2020
603 that number had fallen to 40 percent.

604 So why did the media march down this road? Money. News
605 organizations need a cheap way to draw big ratings, and big
606 ratings mean more ad dollars. And it is really just that
607 simple. And when news organizations make decisions based on
608 ratings, rather than responsible reporting, disinformation
609 flourishes in dangerous ways. Important conversations are
610 clouded, scrutiny is reduced, trust in our institution
611 erodes.

612 So what to do about all this? Let me be clear that
613 Congress cannot and should not regulate journalism in
614 defiance of the First Amendment. But here is what we can do.

615 Don't book liars or advance lies, cover the fact that
616 lies and propaganda are being disseminated, but do not book
617 people to lie on your show, because it elevates them and
618 presents a lie as another side.

619 Stop posing every story as having two sides. Some
620 stories, in fact, have many, many sides that are more
621 complicated. And also, lies don't have a side. Take the
622 time to unravel and report, and give history and context.
623 We, as reporters, are verifiers. Every perspective does not
624 deserve a platform. Media thrives on the open exchange of
625 ideas, but that doesn't mean you have to book a neo-Nazi

626 every time you book someone who is Jewish. Balance does not
627 mean giving voice to liars, to bigots, and to kooks.

628 Stop saying you want a diverse staff, and go higher one.
629 Fast. The public will trust you again if you tell the truth
630 about who lives in this country, and report accurately on
631 communities.

632 Recognize that objectivity means having an open mind,
633 not a lack of judgment. If you do not call a lie a lie, or
634 racism racism, you empower the liar. You empower the racist.

635 Support efforts to challenge media that disseminates
636 misinformation, particularly in vulnerable communities.

637 And most importantly, support ground-level reporting,
638 journalism -- the place, in fact, where major networks and
639 cable news gets a lot of its best stories.

640 America trusts the media to deliver accurate, factual,
641 unbiased information. It is the grist of democracy. It is
642 the stuff that enables us to have intelligent and accurate
643 conversations with our neighbors, to cast informed votes, and
644 make thoughtful and intelligent decisions.

645 Thank you very much.

646 [The prepared statement of Ms. O'Brien follows:]

647

648 *****INSERT 7*****

649

650 *Mr. Doyle. Thank you very much. The chair now
651 recognizes Mr. Turley.

652 You are recognized for 5 minutes, sir.

653 [Pause.]

654 *Mr. Doyle. You need to -- Jonathan, you need to
655 unmute.

656 *Mr. Turley. I am sorry.

657

658 STATEMENT OF JONATHAN TURLEY

659

660 *Mr. Turley. Chairman Rodgers, Ranking Member Latta,
661 members of the subcommittee, it is an honor to appear before
662 you today. Appearing before the committee on a subject of
663 disinformation in the media is not for the faint of heart.
664 You know, this is an issue that is heavily laden with
665 political passions and agendas.

666 As everything in my writings, I maintain what was once a
667 mainstream view of free speech, that it is -- that the
668 greatest protection against bad speech is more speech. That
669 view is admittedly under fire and, indeed, may be a minority
670 view today. But history has shown that public and private
671 forms of censorship do not produce better speech. It is,
672 rather, a self-replicating, self-perpetuating path that only
673 produces more censorship and more controlled speech. That is
674 why I have encouraged you in my testimony not to proceed down
675 that slippery slope toward censorship.

676 I have come to this subject as someone who has written,
677 litigated, and testified in this area for decades. I also
678 worked for television and print media for decades, including
679 past contracts under NBC, MSNBC, CBS, BBC, and Fox. And I
680 have had a wonderful past relationship with Soledad.

681 Now, extremist and violent speech is not an abstract or
682 academic matter with me, or many others who work in the

683 public domain. Through the years I have received hundreds of
684 threats against myself, my family, even my dog. My home has
685 been targeted. Multiple campaigns have sought my termination
686 as a professor, particularly after I testified in the Clinton
687 and Trump impeachment hearings.

688 Thus, while I generally am viewed as a free speech
689 purist, I have no illusions about the harm of disinformation
690 and extremist speech in our society. And I believe the
691 speech controls pose far greater threats for our country than
692 misguided or malevolent speech.

693 Disinformation is a scourge in our society, but it is
694 not a new scourge. And as discussed in my testimony, the
695 Constitution was not only written for times like these, it
696 was written during times like these. At the start of the
697 Republic, Republicans and Federalists were not trying to
698 cancel each other in the contemporary sense, they were trying
699 to kill each other in the actual sense. The -- there was
700 rampant conspiracy theories, and newspapers and pamphleteers
701 were highly biased and partisan.

702 This is also not the first time that people in power
703 have declared that they can rid us of this meddlesome media.
704 The question is who will be the arbiter of truth in any
705 public or private regime of speech regulation. The First
706 Amendment limits the ability of the government to regulate or
707 censor speech. Accordingly, the United States has been

708 spared a history of a state media like China or Iran.

709 In the last few years it has shown that there is no need
710 for a central ministry controlling the media if there is a
711 common narrative or bias among private companies that control
712 communication. The reason that most of us have opposed state
713 media controls is not simply because we disfavor state
714 regulation of speech, but because we favor free speech.
715 These companies can't deny free speech more effectively, more
716 efficiently than any state apparatus. We would achieve very
717 little in our constitutional system if we allow politicians
718 to achieve indirectly what they cannot do directly.

719 Of course, external controls on speech seem trivial or
720 inconsequential when the speech is not your own, and even
721 less if it is speech that you abhor, or despise. Europe has
722 shown that speech regulation becomes an insatiable appetite.
723 There is no evidence that European law has actually
724 diminished hate speech. There is plenty of evidence that
725 they diminished free speech. That impact is evident in
726 recent polls out of Germany, where only 18 percent of Germans
727 feel free to express their opinions in public, and only 17
728 percent felt free to express themselves in the Internet.

729 Now, of course, it is notable that Angela Merkel
730 recently criticized the United States for its crackdown on
731 free speech, particularly Twitter and banning people, as a
732 real threat to free speech.

733 This appetite for speech -- limiting the speech of
734 others is evident in the United States. We have talked
735 briefly about the recent letter to AT&T and other companies.
736 I would be happy to talk about that more.

737 But to be honest, from the perspectives of free speech
738 and the free press, the letter is not just chilling, it is
739 positively glacial.

740 I admit that I may be a relic in my views, but I
741 continue to believe that the greatest protection against bad
742 speech is better speech. Those seeking limits often speak of
743 free speech like it is a swimming pool that must be monitored
744 and carefully controlled for purity and safety. I view it
745 more as a rolling ocean. It is indeed dangerous, but it is
746 also majestic and inspiring. Its immense size allows for a
747 natural balance. Free speech allows false ideas to be
748 challenged in the open, rather than driving dissenting
749 viewpoints beneath the surface.

750 However, free speech, like other constitutional values,
751 requires a leap of faith, a faith not only in free speech,
752 but in each other. Citizens are capable of educating and
753 informing themselves. They do not need politicians or
754 corporate filters to protect them from speech deemed
755 misleading, false, or incited.

756 Roughly 70 years ago, Justice William Douglas warned
757 that the restriction of free speech is the most dangerous of

758 all subversions. It is the one un-American act that could
759 easily defeat us all. Some of the measures being discussed
760 this week have the potential to defeat us all.

761 Once again, thank you for the honor of appearing with
762 you and with my distinguished panelists. I would be happy to
763 answer questions that you may have.

764 [The prepared statement of Mr. Turley follows:]

765

766 *****INSERT 8*****

767

768 *Mr. Doyle. Thank you, Mr. Turley.

769 We now recognize Ms. Urquiza for 5 minutes.

770

771 STATEMENT OF KRISTIN DANIELLE URQUIZA

772

773 *Ms. Urquiza. Thank you, Chair, and thank you to
774 everyone here for allowing me the opportunity to provide
775 testimony. My name is Kristin Urquiza. I am the co-founder
776 of a grassroots, nonprofit group called Marked by COVID,
777 which my partner, Christine Keeves, and I founded the day we
778 buried my father, Mark Anthony Urquiza, from COVID-19 on June
779 30th, 2020. He was 65.

780 My father's story is tragic, yet it is not unique.
781 Every single day since he has passed, I have spoken to people
782 who have lost close family members and loved ones to COVID,
783 and I am haunted by the eerie similarities between so many of
784 us.

785 Let me state -- start by stating the obvious. The
786 primary person and entity responsible for my father's death
787 and hundreds of thousands of people in the United States is
788 Donald Trump and his Administration. This is why, Marked by
789 COVID is advocating for a commission to investigate the
790 federal government's response to the pandemic thoroughly, so
791 we know exactly what happened, and why.

792 However, crime and malfeasance aren't always committed
793 by a single actor. Frequently there are accomplices,
794 enablers, and complicit parties. To the people in this room
795 and this sacred body who blindly followed the President

796 without questioning, who put party over country, you and your
797 colleagues are enablers. To the media and, in particular,
798 cable news, you were complicit. These actors may not have
799 pulled the gun that point triggered -- that pointed at my
800 father's head, but they indeed drove the getaway car.

801 My beloved father loved his country, and he instilled in
802 me this: during times of crisis it is our duty to our
803 country to turn to our leaders for information on what to do
804 to keep one another and our democracy safe. So on May 5th,
805 2020, when the former President made his first public
806 appearance from his quarantine in Phoenix, Arizona, and said
807 it was time to open up, my dad listened. When Arizona
808 governor Doug Ducey flipped the switch on May 15th, reopening
809 the state with absolutely no safety measures in place, my dad
810 noticed.

811 But let me be abundantly clear. My father was not a
812 personal friend of Donald Trump, nor Doug Ducey. Like
813 everyone I know, my dad received his information through an
814 intermediary. And his media of choice was Fox Cable News in
815 Arizona's KTAR News 92.3 radio station.

816 Also, let me be clear, my parents never questioned the
817 reality or the severity of the pandemic, nor the efficacy of
818 simple public health safety measures like wearing masks. But
819 that all started to change after the President's visit to
820 Arizona. My dad then started to say to me, "Kristin, why

821 would the governor or the President say that it is safe, if
822 it is not safe?''

823 And you don't have to dig very deep to find both
824 President Trump and Doug Ducey pushing that we have nothing
825 to fear, and that if you do not have an underlying health
826 condition, it is safe to be out there.

827 The people in charge, the people he trusted and voted
828 for, told him over and over again that he didn't have to
829 worry. And I did my best to fight back. But there is no way
830 that one person can compete with the microphone of the Office
831 of the President, nor the propaganda machine that has become
832 Fox Cable News.

833 He died on June 30th, alone, with just a nurse holding
834 his hand. This should not have happened. It did not have to
835 be this way. The President and his enablers lied repeatedly,
836 and that disinformation was allowed to litter the airwaves
837 and created the exact right conditions for the virus to
838 thrive, and for hundreds of thousands of people to pass away
839 needlessly.

840 I said it earlier, and I will repeat it: the media
841 didn't pull the trigger, but they drove the getaway car.
842 Cable news channels like Fox News are complicit.

843 Isabelle "Obie" Papadimitriou, Charles Krebs,
844 Genivieve Martinez, Dr. Gaye Griffin-Snyder, Mike Horton,
845 Kathy Jones, Calvin Schoenfeld, William Curby, Manuel

846 Urquiza, Mark Anthony Blackjack Urquiza, and more than half a
847 million other names. Every single one of them deserves to be
848 said out loud in this hearing. All irreplaceable, all dead.

849 Thank you for allowing me to share our Marked by COVID
850 story, and holding this hearing to address the role of media
851 fanning the flames of disinformation.

852 [The prepared statement of Ms. Urquiza follows:]

853

854 *****INSERT 9*****

855

856 *Mr. Doyle. Thank you. Thank you so much.

857 And now we have our last presenter. Ms. Bell is

858 recognized for 5 minutes.

859

860 STATEMENT OF EMILY BELL

861

862 *Ms. Bell. Thank you, Chairman. Thank you, Ranking
863 Member and distinguished members of the subcommittee. And
864 thanks for having me here today to speak about this
865 incredibly important issue.

866 I also want to thank the journalists and researchers
867 working in this area with a extraordinary lack of data. And
868 I hope that this is something that we can also address, which
869 is why we know so little about what actually happens in our
870 environment when we have such abundant material often trapped
871 in the service of our largest technology companies.

872 We heard about how both the tragic existential events
873 that faced America this year were accompanied by the
874 circulation of widespread and often politicized
875 misinformation, conservative cable news channels, often
876 amplified by a President who was notorious for spreading
877 misinformation himself -- he has 30,000 fact-checked
878 statements during his presidency, 15,000 of the -- false
879 statements during his presidency, 15,000 of those occurred in
880 this last crucial year.

881 Whilst we are here to discuss the role of the news
882 media, I just want to emphasize that the digital context is
883 just as important. The influence of what was once thought of
884 as mainstream media I don't think can be any longer separated

885 in any way from the digital environment in which we all swim.

886 Misinformation, it is a systemic problem. It affects
887 all, and I wholeheartedly endorse the view this is not a
888 partisan issue. We sit in different geographies and right
889 across the political spectrum, operating in the same way.

890 We see content which is produced perhaps by cable news
891 can be amplified and discussed by white supremacists and
892 militia groups that lurk in online corners of the Internet.

893 We see conspiracy theories about the coronavirus that
894 make it to cable talk shows that still exist uncorrected on
895 social media.

896 Broadcasts that get just a few thousand viewers in real
897 time circulate clips and posts that reach millions more.

898 Some of this is the result of policy decisions and an
899 environment that we have created for a thriving media market.
900 A 40-year path of deregulation has transformed the U.S. media
901 landscape in both economic and political terms. Rollback of
902 regulations has liberated the market, but taken with it some
903 of the safeguards and support from all various localized
904 media.

905 Digital media and the lowering of barriers has helped
906 elevate previously marginalized and ignored voices, and it
907 has made our public discourse much more diverse. But an open
908 market without regulation will always favor bad actors over
909 good. In financial markets this is known as Gresham's Law.

910 Those with ethics are inhibited in ways that those without
911 ethics are not.

912 It is also worth saying that, in an open market, we talk
913 about more speech being corrective. Too often voices we
914 really need to hear are silenced by harassment, and drowned
915 out by electronic amplification.

916 Whilst all news, national news media, and particularly
917 polarized, opinionated news has flourished, local trusted
918 news provision has really declined. As we have already
919 heard, local newsroom staff have halved in the past 15 years,
920 and there are now over 800 markets without any local news at
921 all in the United States. Unfortunately, coronavirus has
922 been an accelerant for this. This is something we track at
923 my research center at Columbia University. We know that we
924 have lost another 100 or so outlets just in the course of the
925 last year.

926 There is really a need for American democratic
927 institutions to identify and work together on the priorities
928 that would mitigate this kind of extremism and
929 misinformation. Solutions encouraging a different news media
930 environment should be central, I think, to our thinking.
931 Finding the means to fund and sustain more independent local
932 reporting are a burning priority. Civic journalism
933 representative of the communities it serves should be
934 established and strengthened through a reform agenda

935 centered, I think, on the information rights of all
936 communities. We talk about the information needs, but I
937 think that they should really be thought of -- rights, the
938 right to hear good information.

939 Mistrust of the media, it doesn't just exist in
940 polarized pockets, either. It also exists within communities
941 who have been ignored or misrepresented by mainstream media
942 for decades. The opportunities to correct this cannot and
943 should not be ignored. And I believe that they are an
944 essential part of throwing a fire blanket on these flames
945 that we are talking about today of extremism and division.

946 I also believe that it is not just down to individual
947 choice, or even the free market and choices made by
948 companies. I believe that there is policy role here, which
949 is not about infringing the First Amendment, but which is
950 about strengthening ways in which we can have a more vibrant,
951 truthful news environment.

952 Thank you very much.

953 [The prepared statement of Ms. Bell follows:]

954

955 *****INSERT 10*****

956

957 *The Chairman. [Presiding] Thank you, Ms. Bell. And
958 that concludes our witnesses' statements. And so we are now
959 going to move to member questions. Each member will have 5
960 minutes to ask questions of our witnesses.

961 I am going to start by recognizing myself, but I wanted
962 Mr. McNerney to know that I am going to cut myself off at 4
963 minutes and give you my last minute to do what you were going
964 to do before, which -- I forgot to give you the minute. All
965 right?

966 So let me start out by saying I wanted to know if either
967 Ms. O'Brien or Ms. Bell -- are there any organizations that
968 have found a way to properly police disinformation and deal
969 with public figures inclined to spread it?

970 And are there any best practices that news organizations
971 can employ for this purpose?

972 Quickly, since my time is now even more limited.

973 *Ms. O'Brien. I can begin very quickly, and then I will
974 hand it off to Professor Bell.

975 I would say that policing is not the word that I would
976 use. I think my call would be for news organizations
977 themselves to recognize the dangerous position that they have
978 put themselves in and their viewers in. And I would say the
979 list of things in my written testimony and what I read would
980 be the things that you can do.

981 In some ways it is very simple. Do not book liars on

982 the air. That is not brain surgery. People who lie, people
983 who traffic in misinformation and disinformation should not
984 be booked on the air. That would be a very good place to
985 begin.

986 *The Chairman. Thank you.

987 Ms. Bell?

988 *Ms. Bell. There is a burgeoning area of research and
989 civil society organizations -- there is a research group,
990 actually, convened around the election called the Election
991 Integrity Partnership, which looked at both the roots of
992 this, and discussed ways in which things could be mitigated.
993 It is what we work on, again, at Columbia.

994 I think that when you say is there any successful
995 strategies, as Soledad said, there are a whole range, I
996 think, starting with journalists really recognizing how their
997 work can be used in different contexts, right from, you know,
998 the headline, or the push alert that you get on your phone
999 through to when you are talking to maybe a politician, for
1000 instance, who is not telling the truth, how you phrase that,
1001 what my colleague at NYU, Jay Rosen, would call a truth
1002 sandwich: frame what is perhaps challengeable with context.

1003 There are plenty of ways in which news organizations can
1004 connect better, I think, with the communities and with
1005 sources. I think that just prioritizing, reaching people
1006 where they are with high value, high quality information is

1007 really important, and also recognizing that they are not
1008 trusted, and thinking about different ways to mitigate that
1009 trust.

1010 Has anyone done it completely effectively yet? No. We
1011 would hope that, in the next 4 years, that we could address
1012 that.

1013 *The Chairman. Thank you. And then I am going to --
1014 one more question, briefly, of Ms. Urquiza.

1015 I have been troubled particularly by the degradation of
1016 science. And we have seen, you know, whether it is climate
1017 change, public health, or with COVID-19, there are not two
1018 sides, in my opinion, when it comes to the acceptance of
1019 basic facts, particularly facts that are verified and backed
1020 by active scientific methodology.

1021 So I am -- I really -- I wanted to start off by saying I
1022 am so sorry for the loss of your father. And I am sure he
1023 would be proud to see you here today. But do you think, in a
1024 -- that there is any way that some media outlets, when they
1025 are portraying as -- there being two sides to the seriousness
1026 of COVID-19, whether and how to take precautions against this
1027 virus has blurred the danger it actually poses?

1028 Like, you know, should you really be getting two sides
1029 on the virus, when the facts are known, and doesn't it blur
1030 when you are trying to get a message out about COVID and how
1031 to crush it?

1032 *Ms. Urquiza. I am happy to weigh in on that. You
1033 know, the -- facts are facts. There is no such thing as
1034 alternative facts. And even free speech scholars argue that,
1035 for a democracy to function, informed debates and the
1036 marketplace of ideas must work off a shared set of facts.

1037 When it comes to science, science is truth, and there
1038 are not two sides to what science tells us. I think part of
1039 the problem that --

1040 *The Chairman. All right, Kristin, I am going to have
1041 to cut you short, because I promised to give Jerry some time.

1042 *Ms. Urquiza. Oh, of course.

1043 *The Chairman. I apologize.

1044 *Ms. Urquiza. No worries.

1045 *The Chairman. Jerry, you have the remaining time, for
1046 what it is worth. Go ahead.

1047 *Mr. McNerney. Well, I thank the chairman for yielding
1048 to me on this.

1049 You know, rampant disinformation and conspiracy theories
1050 that we witnessed to overturn the election results led to the
1051 insurrection on the United States Capitol and posed a great
1052 threat to our safety, security, and way of life. But the
1053 foundation of our democracy is rooted in truths. Any effort
1054 to undermine that truthfulness is an effort at -- to
1055 undermine and dismantle our democracy.

1056 We should all be concerned about any source that helps

1057 spread disinformation, conspiracy theory, and lies. And that
1058 is why I sent a letter with Representative Eshoo asking
1059 cable, satellite, and streaming providers the questions to
1060 understand how disinformation spreads, and the role of
1061 various companies in enabling its spread.

1062 While social media undoubtedly plays a major role in
1063 enabling disinformation ecosystems, traditional media outlets
1064 should not escape scrutiny or accountability.

1065 I am pleased to have this hearing. I appreciate your
1066 testimony, and I look forward to the questions.

1067 Thank you, Mr. Chairman, and I yield back.

1068 *The Chairman. And Mr. Doyle, Chairman Doyle, has
1069 returned.

1070 So I yield back to you, Mr. Chairman.

1071 *Mr. Doyle. [Presiding] Okay, thank you, Mr. Chairman.
1072 I now want to recognize the ranking member of the
1073 subcommittee, Mr. Latta, for 5 minutes for questions.

1074 *Mr. Latta. Well, thanks very much, Mr. Chairman. I
1075 really appreciate that.

1076 And before I start my questions to Professor Turley,
1077 first of all, I want to just say that, you know, reading your
1078 document that you presented to us is very enlightening. And
1079 we have to remember, as a student of history, at some point
1080 remember what happened in our founding days, especially with
1081 the Sedition Acts in the Adams Administration, the founding

1082 of those early newspapers with Hamilton and with Jefferson
1083 and Madison, and what was going on back and forth, through
1084 the Civil War, the Espionage Act under Wilson, that -- you
1085 know, we see all these things reoccurring, and what we are
1086 seeing being brought forward to today.

1087 And one of the things I remember being taught in school
1088 years ago in college that -- as a history major -- is that he
1089 who forgets the past is condemned to repeat it.

1090 And Professor Turley, again, I want to thank you for
1091 being with us today, and your defense of the Constitution.
1092 The Democrat hearing memo for today states that, despite
1093 criticism, many traditional media outlets continue to allow
1094 for the disinformation in an attempt to follow journalistic
1095 standards and present multiple viewpoints on a news story.
1096 How would silencing one or more of those viewpoints, as the
1097 memo seems to imply would be helpful, actually hurt the
1098 ability of the media to correct the facts, to educate, and
1099 inform the public?

1100 *Mr. Turley. Well, it would, and part of the value of a
1101 free press is the diversity of opinions, and also the
1102 multiplicity of sources that it allows as exposure of lies.
1103 And lies tend to die from exposure. Sometimes it takes too
1104 long for most of us -- as most of us would wish. But if you
1105 start to eliminate those viewpoints, you don't create better
1106 speech, you just create coerced or official speech.

1107 My problem with the letter is that it only talks about
1108 networks that are viewed as conservative leaning. You know,
1109 the CNN, MSNBC, other networks have also been criticized for
1110 bias, and criticized for false stories. And I think they
1111 have tried to address those issues, as have other networks.
1112 But to just focus on one part of that industry to try to
1113 either curtail or eliminate them is not advancing the
1114 interest of free speech; it is advancing the interests of a
1115 type of official speech, or regulated speech.

1116 *Mr. Latta. Let me follow up. We have heard from our
1117 other witnesses today about the need for Congress to shed
1118 light on how irresponsible media contributes to
1119 disinformation in ways that have consequences for the
1120 democracy, and encourage public education that helps the
1121 public discern between fact and fiction. Yet some of my
1122 Democratic colleagues prefer to cancel certain news channels.
1123 How does government oversight of the media align with the
1124 First Amendment principles?

1125 *Mr. Turley. Well, you know, this is not a new issue.
1126 You know, if you look at the origins of the free press values
1127 that we hold dear, as well as free speech, they go back to
1128 the fight of John Milton in the 1600s, when he was fighting
1129 official licensing laws, laws that allowed the government to
1130 dictate who would be published.

1131 And this is like a dormant virus in our system. There

1132 is always a new generation and a new interest in trying to
1133 regulate the free press to produce a more pleasing or
1134 acceptable or less objectionable product. That never worked.
1135 What it does is it produces an official product, which is
1136 exactly what the free press is designed to avoid.

1137 *Mr. Latta. Well, in a follow-up to that, what do you
1138 think is the appropriate role of the government in working to
1139 combat the disinformation that exists out there?

1140 *Mr. Turley. Well, there is a lot that could be done.
1141 To be frank, as I think Soledad O'Brien stated
1142 correctly, the view of the press among the public is at an
1143 all-time low. You know, 40 percent -- I may be optimistic at
1144 this point -- in terms of people who trust the media. The
1145 question is why. That is not just the conservative media.
1146 That is the media across the spectrum. And part of it is
1147 this echo journalistic model that has been replicated
1148 throughout the industry.

1149 They also don't trust Congress, quite frankly. They
1150 don't trust this committee or other committees. And we have
1151 to accept that.

1152 And the -- what we should do is try to create forms of
1153 information that are reliable for the public to reach their
1154 own conclusions, not to give them process conclusions, but to
1155 give them that essential data and information, to give
1156 transparency to investigations. And then I think that trust

1157 can rebuild, not only with the media, but also with Congress.

1158 *Mr. Latta. Well, thank you very much. And again, we
1159 appreciate your testimony today.

1160 And, Mr. Chairman, my time has expired and I yield back.

1161 *Mr. Doyle. I thank my friend for yielding back. The
1162 chair now recognizes himself for 5 minutes.

1163 Ms. O'Brien, in your testimony you talk about the
1164 weakening of journalistic standards throughout the media, and
1165 the rise of anchors and commentators more intent on enraging
1166 their viewers than informing them. What is the danger when
1167 content is presented to viewers as news or as facts that
1168 really amounts to entertainment, without a factual basis or
1169 any journalistic standards?

1170 Do you believe that this has exacerbated the pandemic?

1171 And do you think it helped foment the insurrectionist
1172 attack on January 6th?

1173 *Ms. O'Brien. I think you fail in your journalism when
1174 you do not actually do what the job is, which is to bring
1175 facts to people.

1176 And listen, first of all, I just want to say I am
1177 incredibly proud to be a journalist. I work with many great
1178 colleagues. And there are many good news organizations large
1179 and small, local TV stations, newspapers big and small, and I
1180 will name some of them. I think Report for America is quite
1181 good. Hechinger Report is quite good. ProPublica is quite

1182 good. They are elevating, and they are reporting, frankly,
1183 around the country. And I think probably the biggest issue
1184 is that there is just not enough of them, right?

1185 So when you have misinformation, and when you have lies
1186 elevated -- we talk about more speech and good speech and
1187 better speech. I think the actual conversation is about the
1188 risks of elevating lies. My conversation is about facts and
1189 lies. And so I think that you should not be allowed and the
1190 news organizations should not want people to be on the air if
1191 they are, in fact, lying, and they are liars. They should --
1192 because the news organizations' values are to inform their
1193 public.

1194 Sometimes you get the sense that truth is unknowable.
1195 That is just not correct. I am advocating for good
1196 journalism. I am advocating for reporting, which is how we
1197 verify information. We do not need to put people who are
1198 spreading misinformation on the air. And I think that is
1199 nothing that the Congress has to deal with, it is news
1200 organizations themselves who should hold themselves to this
1201 standard. It is a journalistic standard.

1202 *Mr. Doyle. Right. Thank you.

1203 What about you, Ms. Bell, do you have anything to add to
1204 that?

1205 [Pause.]

1206 *Mr. Doyle. You need to unmute.

1207 *Ms. Bell. My students will be laughing at me now.

1208 The -- so I think this point about better speech, good
1209 speech, the checks and balances of having a balanced market,
1210 it is really important that we understand how difficult that
1211 is in a digital environment.

1212 Some of the networks we look at, which are partisan,
1213 they exist on both the left and the right that don't disclose
1214 their funding, that operate at local levels. They create a
1215 million stories in the course of a year. They contain very
1216 little original reporting. The -- they are designed to get
1217 people to think about the repetition of phrases, and think
1218 that things are issues that are not really issues.

1219 You can create an enormous amount of that material, and
1220 you can actually target it at people very, very cheaply and
1221 easily. And the job, then, of journalists on the ground
1222 becomes incredibly difficult. We see this showing up in
1223 local news rooms all the time. So we hear from editors and
1224 reporters saying, you know, "Increasingly, half of my job is
1225 just combating stuff which is not true." And that is the
1226 narrative I have heard a lot from reporters in places like
1227 Ukraine, places like Russia is, and really not something you
1228 expect to hear in the U.S.

1229 So I think it is not just about this partisan issue. I
1230 think we really do have to understand that the environment
1231 does not support and promote the things that are based in

1232 truth in the way that it should. And that is about
1233 incentives in all areas, I think, of the market.

1234 *Mr. Doyle. Yes, it seems like more free speech just
1235 isn't winning the day over the kind of speech that we are
1236 concerned about, unfortunately.

1237 Ms. Urquiza, first of all, my condolences to you and
1238 your family. This pandemic has taken many people's family
1239 and friends and loved ones away from us. And I appreciate
1240 you appearing today because I know this must be tough for
1241 you. I want to ask you, do you think your father's story is
1242 unique?

1243 And what role do you think the news media played in
1244 delivering what was an untimely, deadly disinformation to
1245 your father?

1246 *Ms. Urquiza. My father's story is absolutely not
1247 unique. I have, over the course of many, many months, have
1248 been hearing similar and eerie stories from literally
1249 hundreds of people across the country who have come to Marked
1250 by COVID looking for support to figure out how to push
1251 forward.

1252 And my dad's messages to me started to change as the
1253 news media started to say that it was safe, advertising the
1254 messaging coming from the White House that we didn't have
1255 anything to fear from. I know exactly that that was a huge
1256 role in him making the decisions that he made.

1257 *Mr. Doyle. Yes, thank you very much. I see my time is
1258 up. The chair now recognizes the ranking member of the full
1259 committee, Mrs. McMorris Rodgers, for 5 minutes.

1260 *Mrs. Rodgers. Thank you, Mr. Chairman. Today's
1261 hearing, along with the majority's letters that target right-
1262 wing cable outlets, are really a dangerous escalation in the
1263 left's crusade to silence anyone who does not agree with
1264 their ideology. It appears to me that the Democrats may want
1265 to revive the Fairness Doctrine.

1266 And Mr. Turley, I wanted to start by asking you. Can
1267 you explain the significant issues you see with a new
1268 Fairness Doctrine, and why you would caution Congress against
1269 bringing it back?

1270 [Pause.]

1271 *Mr. Doyle. Jonathan, you need to unmute. We can't
1272 hear you.

1273 *Mr. Turley. I don't know how many times I have to be
1274 told that, I am sorry.

1275 The -- questioning a fairness doctrine for the media
1276 sounds a lot like questioning a purity doctrine for milk. It
1277 is hard to explain, but there is a substantial question as to
1278 whether the Fairness Doctrine would be upheld today based on
1279 the earlier decision. It was upheld in 1969 in the Red Lion
1280 case.

1281 Now, I must confess, I don't favor the Fairness

1282 Doctrine, because I don't favor government regulation of the
1283 media. I adhere to the view of Justice Hugo Black, when he
1284 said, "I take no law abridging'" to mean no law abridging, in
1285 quoting the First Amendment. That is why many people treat
1286 me as -- often refer to me as a free speech and free press
1287 purist in that sense, something that I take as a compliment.

1288 But in Red Lion, the court applied an intermediate
1289 scrutiny standard that many of us have questioned as to
1290 whether that was appropriate. It based its decision on the
1291 notion that broadcast networks were a unique medium, they
1292 were a scarce source of news, that people didn't have the
1293 ability to choose between news, and it was free. This was
1294 available to the public. And so they decided to apply a
1295 lower standard.

1296 It is not clear they would do that again. In cases like
1297 in 1974, in Miami Herald Publishing versus Tornillo, the
1298 court struck down a Florida law requiring newspapers to give
1299 space to people who were criticized or attacked. But also we
1300 now don't have that scarcity, right? We have cable news
1301 that --

1302 *Mrs. Rodgers. Yes, thank you. I want to get to a
1303 couple more questions.

1304 So I wanted to ask all the witnesses that are here --
1305 and this is a yes-or-no question. Do you support government
1306 pressure on private companies to remove legally-protected

1307 content from their viewing platforms?

1308 I would like each of you to answer yes or no, please.

1309 *Ms. Bell. No.

1310 *Mrs. Rodgers. Thank you.

1311 *Mr. Turley. Yeah, I don't support government
1312 regulation.

1313 *Mrs. Rodgers. Great. As has been referenced, you
1314 know, earlier this week certain members of the majority sent
1315 a very concerning letter to companies pressuring them to
1316 block conservative outlets. And I know we have heard a lot
1317 from people on both sides of the aisle about the importance
1318 of upholding the First Amendment. I would like to offer this
1319 letter into the record, Mr. Chairman.

1320 *Mr. Doyle. Without objection, so ordered.

1321 [The information follows:]

1322

1323 *****COMMITTEE INSERT*****

1324

1325 *Mrs. Rodgers. To be clear, combating disinformation is
1326 a shared goal. But we do not want to follow the lead of
1327 authoritarian countries like China, not here in the United
1328 States, where we cherish an independent press.

1329 So Mr. Turley, do you agree that the answer to speech we
1330 disagree with is more speech, rather than less? And would
1331 you just explain briefly?

1332 *Mr. Turley. I do. And I think history shows that.
1333 What history shows also is that limiting speech, trying to
1334 regulate it to private or public means, it tends not to
1335 produce better speech. It tends to produce regulated or
1336 official or approved speech. It tends to favor an orthodoxy.
1337 And that is a reason many of us oppose government regulation
1338 of the media, which is inherently at odds. And going back,
1339 as I mentioned, to the 1600s, the very foundation of a free
1340 press was formed in this conflict between the press and the
1341 government, and trying to keep the government from exercising
1342 these controls.

1343 But it takes a leap of faith. You have to believe, not
1344 just in the free press and free speech, you have to believe
1345 in each other, that we can make the right decisions.

1346 And it is not always the case. It doesn't always turn
1347 out the right way. There are a lot of people that aren't
1348 convinced. Many of us said soon after the election that
1349 there was not systemic fraud. A lot of people didn't believe

1350 that, but --

1351 *Mrs. Rodgers. Right, okay --

1352 *Mr. Turley. -- speech allows them to be convinced.

1353 *Mrs. Rodgers. Thank you, I appreciate that.

1354 Finally, just to Mr. Chairman, you know, you once wrote,

1355 "Censoring or interfering with broadcasters' discretion to

1356 air legally-protected content is wrong," and threats by

1357 politicians about protected speech were concerning, and that

1358 anyone who "stays silent could undermine the First Amendment

1359 and our Communications Act.'" So, Mr. Chairman, I just want

1360 to say we need to be united in our effort to uphold the

1361 Constitution. We need to work together and not use our

1362 positions of power to threaten private companies to censor or

1363 interfere with constitutionally-protected content. And so we

1364 stand ready to work together to protect these

1365 constitutionally-protected freedoms of speech and the press.

1366 And with that, I --

1367 *Mr. Doyle. The gentlelady's time has expired. The

1368 chair now recognizes Mr. McNerney.

1369 *Mr. McNerney. Well, I thank the chairman for holding

1370 this very important and informative discussion. It is

1371 important to talk about these things.

1372 My district includes the City of Stockton, California,

1373 with a population of over 300,000 people. It is the most

1374 racially and ethnically diverse city in the country. And

1375 here is what we are seeing in Stockton. In 2010 the Stockton
1376 Record, our local paper, had a staff of about 80 people.
1377 Today it has a staff of eight. When we look at the total
1378 number of reporters in the city region and state that covers
1379 our metropolitan area, we see the same trend. In 2010 there
1380 were 100 to 110 reporters in print and broadcasting. Today
1381 there are 10 to 20. I am concerned about how this decline of
1382 local news is impacting our community.

1383 Ms. O'Brien, when there are fewer reporters covering
1384 everyday life in a community, is there -- and there is less
1385 local reporting, how does this affect the ability of
1386 individuals to stay informed?

1387 *Ms. O'Brien. Clearly, it is a huge problem, and those
1388 numbers that you are talking about in Stockton, California
1389 are repeated across the country. It is devastating.

1390 And part of the problem is that people aren't only just
1391 getting misinformation and disinformation, they are also just
1392 getting no information. And so that becomes very
1393 problematic. There are real costs to that: How do you make
1394 decisions? How do you make decisions around policy? How do
1395 you make decisions about what is happening in your community?

1396 Local news -- local newspapers, specifically -- were
1397 very much the way to do that. And because they are being
1398 decimated, there are some real tangible results of that, and
1399 those tangible results are devastating to communities, small

1400 communities.

1401 *Mr. McNerney. Well, when there are local cuts to local
1402 newsrooms, how does this impact the ethnic diversity of the
1403 news cadre?

1404 And how could not having a diverse news staff impact
1405 trust in the press?

1406 *Ms. O'Brien. I have spent a lot of time reporting
1407 stories about diverse communities. And I think one thing we
1408 see is that diversity in the newsroom helps to actually get
1409 out more accurate stories, more interesting stories from
1410 diverse communities. So there is a real cost.

1411 Often, since many -- and I don't know how it is in
1412 Stockton, but since many reporters of color are sometimes
1413 more recently hired, that often means that if there are
1414 layoffs, they are pretty quickly fired. And that means that
1415 your newsroom reverts back to not a particularly diverse
1416 newsroom.

1417 There, of course, is a tremendous cost to that. How do
1418 you cover a community that is growing more and more diverse
1419 without the staff that actually can navigate that? And how
1420 do you make sure that you are showing the public, day in and
1421 day out, that you care about the community, when you are not
1422 actually there to cover their stories? It is hugely
1423 problematic.

1424 *Mr. McNerney. Thank you. Professor Bell, how does a

1425 void in local news contribute to the spread of
1426 disinformation?

1427 *Ms. Bell. Well, I think in every dimension it is
1428 exactly right that -- just as Soledad O'Brien just said, you
1429 know, we have done research in urban Philadelphia, we have
1430 done it in rural Kansas. You have really, really different
1431 populations there. But the thing that they share in common
1432 is that they feel like journalism was something which just
1433 was traditionally done to them, not for them. They have low
1434 expectations of the press. They have little trust in it.

1435 And I think the problem is -- support for local media,
1436 and local media does actually keep government accountable, it
1437 keeps expenditure down. It keeps -- I mean, all of this is
1438 in the evidence.

1439 And I think the other thing which is sociological, which
1440 is really important to say here, which is that, if you are
1441 from one of the communities, if you are from your area that
1442 you represent, and you are a young person with ambition to
1443 serve their community, and particularly if you are a young
1444 person who is not properly represented in the press, you are
1445 not going to look at the moment at local press and think that
1446 is a great, stable path for me to follow.

1447 So, you know, I think that losing that step of -- the
1448 first step of accountability and democracy, really, it means
1449 that almost everything else in the pyramid of media is

1450 standing on a very faulty foundation. I think we really --
1451 you can't overestimate how important it is as a foundation of
1452 democracy.

1453 *Mr. McNerney. Thank you. Well, for consumers with
1454 cable subscriptions, channels are typically bundled and
1455 consumers can't opt out of paying for certain channels, even
1456 if they don't want the channel. I recently wrote a letter
1457 with Representatives Eshoo that has been referred to today
1458 expressing grave concern about how some of these channels are
1459 spreading disinformation and conspiracy theories.

1460 Professor Bell, have consumers, even those who do not
1461 want to watch these channels, been paying for disinformation?

1462 *Ms. Bell. The economics of bundling and cable coverage
1463 does mean that inevitably you end up paying, as a consumer,
1464 for things that you wouldn't necessarily pay for, otherwise.
1465 So in that dimension, yes.

1466 *Mr. McNerney. Well, it should be noted a lot of
1467 Americans don't realize they are paying for disinformation.

1468 Mr. Chairman, I yield back to you.

1469 *Mr. Doyle. The gentleman yields back. The chair
1470 recognizes Mr. Guthrie for 5 minutes.

1471 *Mr. Guthrie. Thank you, Mr. Chair. I appreciate the
1472 recognition.

1473 My daughter just graduated from journalism school, so
1474 this is important to me. I -- she is going to start a career

1475 in a great field. And it is important that we have honesty
1476 and integrity in journalism.

1477 And I have a lot of people at home asking me quite
1478 often, "What news should I watch?" I mean, I think some
1479 people realize that we have divided ourselves into news for
1480 one belief, and news for the other, and which one to watch.
1481 And it is difficult for me to say. And I always say that, if
1482 you had two conspiracies, two conspiracies, both of them
1483 conspiracies, one is that there were emergency measures put
1484 in place on mail-in voting in certain states, and that mail-
1485 in voting had irregularities that changed the election, and
1486 the other one is the Russian president hijacked the American
1487 election because he had information on the American president
1488 to make him an agent of the Russian government, which one do
1489 you think would get investigated, and which one do you think
1490 would get summarily dismissed?

1491 We both -- we know that the Russian investigation was
1492 false. We know that Members of Congress were on television
1493 and cable shows saying they had evidence that the President
1494 -- that was all true. They were never called out on it. And
1495 so it is just frustrating that, if we are looking at one side
1496 or the other, it is both sides, and we really need to focus
1497 on this. And the question is where is Congress's role in
1498 doing it, and -- given the First Amendment?

1499 And so I want to focus on -- and I think what Ms.

1500 Urquiza was talking about -- I am on the -- I am the ranking
1501 member of the health care subcommittee of this committee.
1502 And it is important that we get accurate information, it
1503 absolutely is important we get accurate information out.

1504 During the Operation Warp Speed phase, when they were
1505 developing the vaccines, we had members of this committee, we
1506 had the vice president, current Vice President of the United
1507 States, talk about the process of Operation Warp Speed and
1508 getting the vaccines -- in a negative way, in my opinion.
1509 And it just really frustrated me, because everybody who
1510 wanted to know knew they were -- FDA was following the
1511 standards of every other vaccine. That was that was evident.

1512 And by spreading disinformation, if somebody chooses not
1513 to get a vaccine because they heard somebody from this
1514 committee, or they heard the Vice President earlier in -- and
1515 that was during the campaign season, not during our current
1516 vice presidency -- it really does lend to people making
1517 decisions that Ms. Urquiza was talking about, that is not
1518 with the best information.

1519 And so the question you get to, if we say, "Well, only
1520 people that have this information can go talk on
1521 television," what do we tell the politicians that spread
1522 disinformation? Do we tell them in the course of a campaign
1523 they can't make those kind of comments? And so we are all
1524 for the right information.

1525 The question, I guess, with Dr. Turley, I went and
1526 visited a -- there was a vaccine site in my district where
1527 they were doing the experimentation. I go in, and the
1528 researcher, the lady who was doing all the -- set up the
1529 research and the tests and so forth, really kind of
1530 excoriated me. And we deserved it on the political side for
1531 politicizing the process. It is -- and she corrected me,
1532 said, "This shouldn't be political. This is -- we are moving
1533 forward.'" And she really brought forth -- and I said, "You
1534 are right, it shouldn't be political. We should have
1535 answers.'"

1536 And then the two physicians who were responsible for the
1537 practice where she was doing the administration, one sat down
1538 and said, "Children can spread this, and children are needing
1539 to be vaccinated, and so forth,'" and I won't get into it,
1540 where the other one completely contradicted what he said.
1541 Two physicians in the same practice, sitting in the same
1542 room.

1543 And I looked to the researcher, I said, "See, this is
1544 the problem we are having getting information out.'"

1545 So the question, I guess, Dr. Turley, if there are two
1546 opinions -- I mean, how do you get to the point where we say
1547 we know this is safe and effective, we know that all of the
1548 criticisms against the vaccine are wrong, therefore we are --
1549 what process would you say would Congress have in place to

1550 say only the people telling what we know to be true can go on
1551 television? I don't understand how we would do that,
1552 practically.

1553 *Mr. Turley. Well, I don't think you could do that.
1554 And I don't think the courts would allow you to do that under
1555 the First Amendment. But the way you resolve that is you
1556 have to convince people, and that is never easy. Right? It
1557 is very frustrating, because some people won't be convinced.

1558 I actually felt it was very important in the days
1559 following the election to say, "Let's look at all of these
1560 allegations," while also saying that we didn't see any
1561 evidence of systemic fraud. Just we would like to look at
1562 it. There was a whole group of people that were, within a
1563 couple of days of the election, saying there is no fraud, no
1564 irregularities, and even threatening lawyers and trying to
1565 get them to drop these cases. That didn't help. That didn't
1566 help convince people, because what they saw was a bunch of
1567 people trying to silence others, and I think it snowballed
1568 into what we saw, that both sides were not listening or
1569 speaking to the others.

1570 So those of us who are in the middle on -- in the media
1571 have to try to do our best to try to frame these issues, to
1572 convince people. It is not as easy as silencing some voices,
1573 it is not as easy as marginalizing voices. But it is the
1574 only thing that can unify us, is to find avenues for

1575 dialogue. Congress can play a role in that by trusting
1576 citizens enough to give them greater transparency, greater
1577 information, so that they can make their own decisions.

1578 And I want to echo what the Democratic member said
1579 before, and also what my co-panelist said. I also believe
1580 that the loss of local media is a serious problem. And that
1581 is another area where Congress really could play a good role
1582 in focusing on how we can get back to a robust local media.

1583 *Mr. Doyle. The gentleman's time has expired.

1584 *Mr. Guthrie. Thank you, I am sorry, my time has
1585 expired. I yield back.

1586 *Mr. Doyle. The chair recognizes Mr. Soto for 5
1587 minutes.

1588 *Mr. Soto. Thank you, Mr. Chairman. A top ten of facts
1589 that we saw contested vigorously over the last year, COVID-19
1590 is real, and can kill you. Masks protect us. Pfizer and the
1591 Moderna vaccines are safe and effective. Joe Biden won the
1592 presidential election. There are no massive instances of
1593 voter fraud. It was Trump supporters that stormed the
1594 Capitol on January 6th. There are 530 Members of Congress
1595 that are capitalists, and about five that are democratic
1596 socialists. The federal government infected black men with
1597 syphilis from 1932 to 1972. A third of Puerto Rican women
1598 were forced -- sterilized from 1930 to 1970, both by the
1599 federal government. And lastly, the earth is still round.

1600 I say this because you see so many of these facts were
1601 the subject of intense campaigns and misinformation in social
1602 media, in newspapers, and broadcasting. And I get we have to
1603 strike a balance on this.

1604 First I want to ask Ms. O'Brien, who obviously has the
1605 show Matter of Fact, about how important it is to get the
1606 facts right, particularly regarding COVID-19, vaccines, and
1607 other key public health facts when it comes to communicating
1608 with communities of color.

1609 *Ms. O'Brien. Clearly, it is absolutely essential,
1610 especially for vulnerable populations, because, obviously,
1611 when there is lots of misinformation or disinformation or
1612 just flat-out lies, then you run the risk that people are
1613 making decisions off of this misinformation.

1614 On the show that I do, Matter of Fact, we have
1615 consistently been dipping back into communities of color to
1616 talk to them about their fears, their concerns, and talking
1617 to experts, as well, as we follow what is happening with the
1618 vaccine. I think it is really critical.

1619 But I think it is essential to remember that robust
1620 dialogue is great. It just has to be robust dialogue around
1621 facts. You know, this -- again, this idea that, you know,
1622 speech and more speech -- all great, as long as it is
1623 centered in facts. And I think we should be really clear to
1624 tease out misinformation and disinformation and lies are very

1625 different than people just having disagreements over a set of
1626 facts.

1627 *Mr. Soto. And what do you think the consequences could
1628 be of continued massive falsehoods regarding vaccines and
1629 COVID-19 among communities of color?

1630 *Ms. O'Brien. We have already seen many communities of
1631 color are very slow to get access to the vaccine. Sometimes
1632 that is structural, and sometimes it is because they have had
1633 a history of distrust in the medical profession. And so
1634 there are already concerns there. And it is one of the
1635 reasons we keep dipping back into this story consistently,
1636 almost every other week, to make sure we are elevating that
1637 conversation.

1638 *Mr. Soto. Thank you so much.

1639 Professor Turley, it is great to see you again. I
1640 enjoyed your classes at GW Law. It is always a pleasure to
1641 have you in committee.

1642 We saw a huge Spanish language misinformation campaign
1643 in South Florida in particular in our state, blaming Antifa
1644 and BLM for the Capitol insurrection. The FCC already has
1645 laws on the books that, if you knowingly broadcast false
1646 information that will cause substantial public harm, that it
1647 is illegal. Is this one of the proper ways we could pursue
1648 making sure that we have some truth in broadcasting and
1649 existing laws? Would that be a way to strike that balance,

1650 by the FCC looking at it and beefing up their Spanish
1651 language staff?

1652 *Mr. Turley. Well, thank you again, Congressman, it is
1653 good to see you again.

1654 I wish I could say that that was a potential avenue. I
1655 don't think it is a workable avenue, because it quickly gets
1656 bound up in this sort of regulation of the media and can trip
1657 these same wires under the First Amendment.

1658 There are protections, of course. You know, you do have
1659 defamation laws, even with public figures. You can sue
1660 people. We have had a whole plethora of lawsuits recently,
1661 including by Dominion Computers, which has been suing a
1662 number of people about falsehoods that have been made. Those
1663 do have deterrent impacts. They do have an impact on media,
1664 as well as non-media figures.

1665 The most important role of Congress is to be a vehicle
1666 of truth, to get that information out, and to allow the media
1667 to filter out these voices.

1668 I am not as confident Soledad. I don't -- I have to say
1669 that I don't think it is fair to say, "Well, look, I am in
1670 favor of free speech and free press as long as you are not a
1671 liar, as long as what you are saying is not untrue.'" And it
1672 gets us back -- it is sort of circular, because it -- we end
1673 up in the same spot. Who is the arbiter of that? What is
1674 the meaning that someone is a liar and someone is being

1675 untruthful?

1676 *Mr. Soto. Thank you, Professor. And I want to give
1677 Ms. O'Brien --

1678 *Mr. Doyle. The gentleman's time is -- you have 4
1679 seconds, so --

1680 *Mr. Soto. My time is expired.

1681 *Mr. Doyle. Thank you, Mr. Soto. The chair now
1682 recognizes Mr. Kinzinger for 5 minutes.

1683 Adam, you are up.

1684 *Mr. Kinzinger. Hey, thank you, Mr. Chairman, and
1685 thanks, everybody, for being here.

1686 You know, one of the interesting -- when we talk about
1687 truth, I mean, I think, you know, when you think back to
1688 COVID, I have had people that have sent me, well, how come
1689 there is 500,000 that have died from COVID and flu deaths are
1690 way down? And that is seen as some kind of a thing that this
1691 is really the flu. And, you know, you just got to remind
1692 people because we are all wearing masks and keeping distance,
1693 and that is how the flu passes.

1694 So I do want to say to our panelist who lost a family
1695 member and anybody else, I am truly sorry and devastated, and
1696 I hope you can find some solace in the work you are doing.

1697 You know, lots of what we are talking about -- I think
1698 the important part here is we look back at past actions, and
1699 we do a lot of "what about this," and well, "Democrats did

1700 this,' and the Democrats say, "The Republicans did this."
1701 And you are never going to win an argument that way. I
1702 think, in the future of disinformation, the key is to call it
1703 out in your own party.

1704 I will tell you, some of you lefties on this panel, you
1705 know, call my base and tell them something, they are not
1706 going to listen to you. But if I say it, they are much more
1707 likely to. And I think that is where it is important for
1708 each party and each political philosophy to take a personal
1709 account for what you are telling your constituents and people
1710 that are listening to you. Because I got to tell you, as
1711 much as this debate is important, if this society falls apart
1712 we are going to look back and say not just "We could have
1713 done more," we are going to say all the things we argued
1714 about were nothing in comparison to the fact that now society
1715 has failed, and my dad can't get his heart medicine, or
1716 something like that.

1717 So this is deadly serious. And I think it is important
1718 for everybody to remember this is far beyond what it means
1719 for the next election, and who is going to win the majority,
1720 and anything like that. And we need a ten-part series to
1721 cover the way that government officials, media, and the
1722 public have contributed to this.

1723 But I think we need to focus today on fear and anger
1724 associated with our discourse.

1725 National news media has a substantial role in society.
1726 But over time we have seen traditional news reporting devolve
1727 into opinion reporting. Too often, national news outlets
1728 give prime-time slots to opinion personalities over news
1729 reports. And some of these personalities will start a
1730 segment by reporting the top lines of a current event, but
1731 then they quickly transition and spend more time on
1732 expressing their political hot take on the matter. They
1733 point fingers, they create, you know, political narratives,
1734 and more time on that than they do offering important
1735 background and details, and letting you make your own
1736 decision. Plus the fact that we are being hit from every
1737 front with all kinds of information. Eventually, it is like,
1738 if you are being attacked on three sides, you are just going
1739 to jump into a foxhole and hide, and listen to the one person
1740 that maybe you trust. And that person can now take a hold of
1741 anything you believe and tell you anything.

1742 There is plenty of evidence to show that fear-mongering
1743 and fomenting anger drives engagement and ratings. We know
1744 that. And similar constructs, of course, can be applied to
1745 social media. Ultimately, this fosters a culture of fear and
1746 click bait to get attention.

1747 Civility is not limited to the words we choose or to the
1748 tone that we employ. It means respecting one another as
1749 equals through our shared humanity. And as it applies to

1750 this hearing, civility means prioritizing the reporting of
1751 facts over opinions, and then trusting the public to
1752 interpret the events for themselves and assign the right
1753 value.

1754 I do want to make a general distinction, though, again,
1755 between national and local media, as was discussed. There is
1756 always exceptions, but I have to tell you I am a big fan of
1757 local media and local news. I think it is very fact-based.
1758 It can show people, you know, where to get the latest
1759 vaccine, what is going on. I think the degradation or the
1760 disappearing of local news is a real concern. They also can
1761 play a very good role, as we have seen, in, you know,
1762 exposing scams that are out there that we have seen, for
1763 instance, of seniors and others. So I am all for keeping it
1764 local.

1765 I do want to ask, though, Professor Turley. Mis and
1766 disinformation have to be addressed in a bipartisan fashion.
1767 We know that foreign actors utilize both to sow the seeds of
1768 discord and to threaten democracies across the globe. And at
1769 the same time, the most important principle of democracy is
1770 the freedom of speech and expression. But I worry that we
1771 are crossing into yelling fire in a theater if it is this
1772 dangerous.

1773 So let me ask you. I am interested in exploring the
1774 legal ways to curb disinformation and protect the First

1775 Amendment. Given the important role the media has, what do
1776 you think about these outlets having to make it clear when --
1777 to their audience when their segments are opinion versus
1778 fact?

1779 *Mr. Turley. Well, I think that is important. There is
1780 a blurring that has occurred. If you go past 6:00 on most
1781 cable networks, you are pretty much in the realm of opinion
1782 today. And it does blur.

1783 And I think what you said earlier, Congressman, is
1784 really important. Let's be honest. Rage is addictive. I
1785 mean, we are a nation addicted to rage. People complain
1786 about how tired they are, and how they wish they could get
1787 beyond this. But I don't see any evidence of it. People are
1788 addicted to rage, and they are using that rage to try to
1789 silence others or blame others. And it is ripping this
1790 country apart.

1791 The media can play a very important role in trying to
1792 create a dialogue. And that is all the media, the diversity
1793 of media that we have. And the Congress can help in that
1794 sense.

1795 *Mr. Kinzinger. That is right. Well, it is --

1796 *Mr. Doyle. The gentleman's time has expired. I am
1797 sorry, Adam.

1798 *Mr. Kinzinger. I yield back. Thank you.

1799 *Mr. Doyle. Okay, buddy, thank you. The chair now

1800 recognizes Mr. McEachin for 5 minutes.

1801 *Mr. McEachin. Thank you, Mr. Chairman, and thank you
1802 for putting together this very important hearing.

1803 Mr. Chairman, the spread of misinformation and
1804 disinformation strikes at the heart of our democracy.
1805 Without the ability to discern what is true from what is not,
1806 or the ability to even work from the same shared sets of
1807 facts, there is no way we can earnestly debate the important
1808 and complex issues that impact our constituents every day.

1809 I could go on, Mr. Chairman, but I think there has been
1810 a lot of commentary in this area already. I will just jump
1811 straight to my questions, so we have enough time to have a
1812 little bit of a conversation. I would like to start with Ms.
1813 O'Brien.

1814 Some have argued that equal time should be given to
1815 competing sides of controversial issues. I tend to agree
1816 with that, generally. But in practice it seems awfully
1817 difficult. How do broadcast journalists and media sources in
1818 general give equal time to each side of an issue without
1819 vindicating those whose opinions are not based in facts?

1820 *Ms. O'Brien. So I covered this in my written
1821 testimony, so I refer back to that. But I would say that I
1822 think debate around facts is great, and I am absolutely a
1823 proponent of debating. I think where we see a difference is
1824 when we are not dealing with facts, and we are dealing with

1825 something that is dishonest and a lie.

1826 So I do not believe that lies deserve equal time. And I
1827 think that journalism students from pretty much day one are
1828 able to begin to ferret out what things are true. It is
1829 reporting, right? It is the who, why, what, when, how. And
1830 so, for me, that is really how it needs to be thought about.

1831 Facts are not unknowable. It is not this who knows what
1832 is real, who knows what is not real. There are verifiable
1833 facts. And, in fact, those can be the center of a very good
1834 and engaging and important debate that will engage your
1835 viewers, that will help them make decisions, that will help
1836 your constituents. But when those things that are being
1837 debated are actually based on misinformation and lies, there
1838 is no obligation to elevate a lie, ever. There is no one in
1839 a news organization who would say that that is the mission of
1840 journalism, to elevate and platform lies.

1841 *Mr. McEachin. Thank you, ma'am.

1842 Turning to Ms. Bell, do you think that climate change
1843 and the potential consequences of allowing the spread of
1844 inaccurate or just simply wrong information has similar
1845 perils and dangers as to what we saw with the spread of
1846 misinformation regarding the COVID 2019 -- I am sorry, the
1847 COVID-19 virus in the 2020 elections?

1848 And add on to that, please, do you think there should be
1849 some sort of immediate action? And, if so, what should that

1850 action be to combat disinformation?

1851 *Ms. Bell. So I think climate change is a very useful
1852 parallel here. And again, when we are debating or finding
1853 out more about complex environments, then there is always an
1854 area where things are under debate. The consensus of the
1855 scientific community on climate change and what is needed to
1856 mitigate it is pretty much -- point.

1857 But we still see, I mean, even last week in Texas we
1858 saw, unfortunately, lots of pretty, I think, balanced
1859 discussion, right, the -- way across the political spectrum
1860 about what the problems with power supply were. We saw a
1861 narrative emerge about wind turbines, which was not actually
1862 reflective of the true situation of what happened. And you
1863 can just trace how those stories were proliferated in one
1864 place and amplified online until it became the dominant
1865 narrative, rather than the real problems, the real suffering
1866 that people were experiencing on the ground.

1867 So I think climate change is one of those areas, exactly
1868 like health, where we just need -- and I think Texas is
1869 important in this because, again, local outlets, the governor
1870 of Texas went to local news and talked about, I think, the
1871 issues in a much more balanced way. He went on to Shorthouse
1872 in the evening, and it was all about wind turbines again. So
1873 I think that, you know, kind of -- we all have to -- I think
1874 local media does a great job of keeping people accountable.

1875 The job here is to think about some of the incentive
1876 structures, and what we can do to positively regulate, rather
1877 than negatively regulate, rather than saying that certain
1878 speech -- I don't think anybody is in favor of that. How do
1879 we make sure that that type of journalism and those types of
1880 systems -- it is not just the journalists that are actually
1881 really encouraged.

1882 *Mr. Doyle. The gentleman's time has expired.

1883 *Mr. McEachin. I yield back, Mr. Chairman.

1884 *Mr. Doyle. Thank you, Mr. McEachin. Let's see, it
1885 looks like my buddy, Gus Bilirakis, is next.

1886 Gus, you are recognized for 5 minutes.

1887 *Mr. Bilirakis. Thank you, Mr. Chairman. I appreciate
1888 it. And I want to tell you -- I want to invite you down to
1889 Florida for spring training. It begins this weekend. So,
1890 again, I am the eternal optimist with regard to the
1891 Pittsburgh Pirates.

1892 *Mr. Doyle. Gus, with the weather we have had in
1893 Pittsburgh, I will come tomorrow.

1894 [Laughter.]

1895 *Mr. Bilirakis. Professor Turley, in the 1987 -- in
1896 1987 the FCC repealed the Fairness Doctrine -- I know you
1897 know that -- which required that television stations air
1898 contrasting views to controversial issues. The justification
1899 for the Fairness Doctrine was that, in 1967, Americans only

1900 had access to a handful of broadcasting stations which were
1901 granted licenses by the federal government. And I remember
1902 all that, I am old enough. If your viewpoint was attacked
1903 and you didn't have an opportunity to respond, you might
1904 never have been able to defend yourself back in 1967.

1905 In 2021, we are no longer limited to a few TV stations.
1906 And Americans are increasingly relying on other forms of
1907 media to inform their views. Given the exponential ways
1908 Americans can access news and opinions in 2021, do we really
1909 need the Fairness Doctrine in order to ensure opposing voices
1910 are heard?

1911 And are there constitutional concerns with the Fairness
1912 Doctrine today that might not have existed in 1967?

1913 Again, for Professor Turley.

1914 *Mr. Turley. Yes, thank you. I should -- this may have
1915 bearing, because I will have to answer your question as a
1916 Cubs fan. So as a Pirates fan you may want to discount
1917 everything I am about to say.

1918 But I -- there are serious concerns. I have really
1919 substantial doubts about whether Red Lion would be upheld in
1920 its original form, if at all. The first issue is really this
1921 intermediate scrutiny standard that was applied, instead of
1922 strict scrutiny. But you really hit on the key, in terms of
1923 the changing context. Back then, the Supreme Court put a lot
1924 of emphasis on the fact that there were very few broadcast

1925 networks, very few choices, and therefore it elevated the
1926 interest of the government. But the court also said that if
1927 there is evidence that there is, in fact, scarcity, then that
1928 can be put forward, or if there is evidence that they are
1929 controlling the message.

1930 The objection I made to the letter that went to AT&T
1931 actually is the same objection that goes to Red Lion: that
1932 letter seems like an effort to encourage the dropping of some
1933 of these cable news programs, to actually reduce the
1934 diversity of cable programs.

1935 But if the Supreme Court was to deal with this today, I
1936 think it would see a very different situation, and I think it
1937 would adopt a different analysis. There is a variety of
1938 choices on cable, as well as broadcast. And I think they
1939 could very well not only change the standard, but the
1940 outcome, particularly as it applies to cable.

1941 *Mr. Bilirakis. Thank you. The next question: in a
1942 free market, when a product or service continually fails to
1943 meet an expected standard, the public either moves to a
1944 competitor, or the opportunity for a new market competitor
1945 arises. You touched on that. I believe this system extends
1946 to journalistic standards, as well. If an outlet fails to
1947 report the truth and damages its reputation as a reputable
1948 network, its viewers will seek out the competition.

1949 Professor Turley again, if the government were to pull

1950 competitors from the news market and then prevent new
1951 competitors from entering, doesn't that lower accountability
1952 and journalistic standards than would otherwise exist in an
1953 open market for the entities that remain?

1954 *Mr. Turley. Well, that indeed is the concern, because
1955 if you go down that road you come close to the state media
1956 model. That is, it is not enough to control the narrative,
1957 you also have to eliminate alternatives to the narrative,
1958 right? Because you -- it doesn't work if people can just go
1959 to another source and hear a different view. So that is part
1960 of the value of the diversity of these news outlets that you
1961 can choose from.

1962 Now, we do have a serious problem here. My co-panelist
1963 touched on this, that we have a new model of this echo
1964 journalism. People have these siloed existences. And echo
1965 journalism is like the comfort food of journalism, right?
1966 People go to these comfort zones, where they only hear news
1967 that confirms their bias. And a lot of these networks are
1968 shaped by that. And a lot of us want to see some breakage
1969 there to try to get back to that. But we have to convince
1970 people to do that. You don't do that by eliminating or
1971 curtailing other news sources. You do that by trying to work
1972 with responsible journalism and journalists in elevating that
1973 news.

1974 *Mr. Doyle. The gentleman's time has expired.

1975 *Mr. Bilirakis. Yes, somebody did say --

1976 *Mr. Doyle. The gentleman's time has expired.

1977 *Mr. Bilirakis. -- as well. All right, thank you.

1978 Thank you, Mr. Chairman.

1979 *Mr. Doyle. Thank you. And Gus, we don't pay attention
1980 to American League teams.

1981 [Laughter.]

1982 *Mr. Doyle. All right. Let's see who is next here.

1983 Ah, my good friend, Anna Eshoo, you are recognized for 5
1984 minutes.

1985 *Ms. Eshoo. Thank you, Mr. Chairman, and thank you to
1986 the witnesses for your testimony.

1987 And Mr. Turley, I am sorry that yours came in late, so I
1988 couldn't read it last night, but I did today.

1989 I want to just take a minute or so for observations,
1990 because I have been listening since we began, and it is
1991 always worthwhile to listen, and to listen well. I think
1992 that today's hearing about misinformation and listening to a
1993 lot of things that have been said simply underscores that we
1994 have a lot of misinformation going on right in the middle of
1995 this very hearing.

1996 The letters that Congressman McNerney and I sent, some
1997 have insisted that those letters violate the First Amendment.
1998 The First Amendment, my friends, starts with four words:
1999 "Congress shall make no laws.'" So those of you who may not

2000 have read the letters, I suggest that you do.

2001 I would also like to state that the letter asks the
2002 companies questions.

2003 Now, I don't know, Mr. Turley, if you find this so
2004 chilling that it is actually glacial for Congress to ask
2005 strong, important questions. I think we owe that to Ms.
2006 Urquiza. How do you answer to what was put out, and her
2007 father is gone? I call them lies. I don't know what you
2008 call them. You call that the open market, something that is
2009 competitive?

2010 We have a problem in this country. It is a large one.
2011 It is a sticky wicket, because of our Constitution. But we
2012 need to examine and be frank with each other about what is
2013 taking place in the country.

2014 I would also like to add that, if you want assurance,
2015 members, Mr. McNerney and I have the non-partisan First
2016 Amendment experts at CRS, the Congressional Research Service,
2017 read every word and every footnote of our letters, and review
2018 them against all relevant case law. They are finalizing the
2019 legal analysis memo, which I will share with all the members
2020 of the committee. Yesterday CRS informed me they see no
2021 First Amendment red flags in the letters, whatsoever.

2022 So I thank my Republican pals for elevating this
2023 hearing. I think we have a much broader audience because of
2024 the red herrings that have been raised, or put out there

2025 before the hearing. So we have a terrific audience. As I
2026 said, probably larger than what we originally anticipated.

2027 To Ms. O'Brien, I think your testimony is magnificent.
2028 And I think that you -- your term that we have truth decay
2029 today couldn't be better capsulized.

2030 Now, Newsmax, One America News Network, Fox News, all
2031 use, "news" in their name. As a well-respected journalist
2032 of 30 years, how do you define the word "news"?

2033 *Ms. O'Brien. For me, news is about searching for
2034 verifiable, accurate, factual information, and bringing that
2035 to the public. I think journalists spend every day -- good
2036 journalists, at least -- trying to figure out how they can
2037 serve their public, how they can bring accuracy and facts and
2038 nuance and context to the people who are watching them or
2039 reading them. And to me, that is news.

2040 Now, CNN also has news in its headline, as well. So I
2041 don't think it is as much as what is in the headline, I think
2042 it is what is the actual practice that you are seeing day in
2043 and day out.

2044 Many news organizations, as I have in my written
2045 testimony, have moved -- slid into a lot of opinion, an
2046 opinion that is not necessarily labeled as opinion, or
2047 highlighted as opinion, or sort of pointed out strongly as
2048 opinion. Instead, it just sort of slides into opinion, and
2049 it is very hard to tell the difference. I think it does not

2050 serve the public to have two debating talking heads who are
2051 often not versed in facts, who are not experts debating. You
2052 could have --

2053 *Ms. Eshoo. Can I interrupt you? Because I have a few
2054 seconds left.

2055 I would like this to be understood: the idea that
2056 members asking questions violates the First Amendment is
2057 absolutely absurd. It is our job to ask questions.

2058 So I want to thank all of the witnesses. Even though I
2059 don't agree with you, Mr. Turley, I thank you for coming up
2060 to -- well, your appearing on the Hill. But you are probably
2061 at home or in your office. But we appreciate it.

2062 And to Ms. Urquiza, my father -- my daddy was the north
2063 star of my life. And so I understand your aching heart. God
2064 rest him.

2065 Thank you, everyone.

2066 Thank you, Mr. Chairman. I yield back.

2067 *Mr. Doyle. I thank the gentlelady. The chair
2068 recognizes Billy Long.

2069 Billy, you are recognized for 5 minutes.

2070 *Mr. Long. Thank you, Mr. Chairman. And I would like
2071 to start out here in the spirit of the late, great John
2072 Dingell, asking a yes or no question to all of the panelists
2073 that we have here today, all of the witnesses.

2074 And Ms. O'Brien, yes or no, please: Do you support

2075 taking Fox News, Newsmax, and One American New off of the
2076 air?

2077 *Ms. O'Brien. Before I answer your question, I am going
2078 to tell you, as a reporter, when I ask people yes-or-no
2079 questions, I am trying to very directly force them into
2080 something that has no context, whatsoever. So I will just
2081 note that for the committee here. I do not support that is
2082 my answer.

2083 *Mr. Long. Okay. And Ms. Bell, same question for you:
2084 yes or no, do you support taking Fox News, Newsmax, or One
2085 America News off the air?

2086 *Ms. Bell. I am afraid it is going to be the same
2087 answer, which is yes or no questions don't necessarily serve
2088 the purpose of --

2089 *Mr. Long. Okay. Well, due to time constraints, that
2090 is what I am asking. So I will go on to Ms. Urquiza.

2091 Yes or no, do you support taking Fox News, Newsmax, or
2092 One America News off of the air?

2093 *Ms. Urquiza. No.

2094 *Mr. Long. Thank you. And Mr. Turley, same question to
2095 you. Do you support taking Fox News, Newsmax, or One America
2096 News off of the air?

2097 *Mr. Turley. No.

2098 *Mr. Long. Thank you. I have a little story I would
2099 like to tell here. A buddy of mine, a constituent -- not a

2100 constituent, a colleague. He could move from Tennessee, I
2101 guess, if he wanted to. But I don't want to give you his
2102 name, but I will give you his initials. His initials are
2103 Steve Cohen.

2104 And when Steve was a little boy, his father was a
2105 pediatrician. And his father came home one day and said, "I
2106 am going to vaccinate your older brother," who I believe was
2107 7 years old at the time.

2108 Steve was 4, and Steve said, "Well, can I have the
2109 vaccine?" This was for polio.

2110 And his father said, "No, it is not approved for anyone
2111 under 5, and you are 4," so he did not give Steve that
2112 vaccine. And 6 months later, Steve Cohen developed polio.

2113 So when we are talking about facts and science and --
2114 one of my colleagues also this morning, I am not sure which
2115 one, said should you be giving two sides on COVID, when the
2116 science is clear -- Ms. Urquiza said science is true. If
2117 science is true, which I don't -- different people have their
2118 idea of what is true and what is not in science.

2119 Take, for instance, Robert Kennedy, Jr. Robert Kennedy,
2120 Jr. put out a tweet after Hank Aaron passed away, saying,
2121 "Hank Aaron's tragic death is part of a wave of suspicious
2122 deaths among early -- closely following the administration of
2123 COVID vaccines. He received a Moderna vaccine on January 5
2124 that inspired other Black Americans to get the vaccine."

2125 And this was from an article from the Defender of Children's
2126 Health (sic) news and views, who were taking the position
2127 that 18 days before he deceased, Henry Aaron had received the
2128 vaccine, indicating that the vaccine was not safe.

2129 So, like I say, science -- people have their different
2130 opinion on science. I know the people in my constituency, in
2131 my area are calling me repeatedly, daily, "Where can we get
2132 the vaccine? Where can we get the vaccine?'"

2133 So when we put stories out like this, that the vaccine
2134 is not safe, is that fake news? Is that the truth? Does it
2135 lie somewhere in the middle? So these are things that I
2136 don't think this hearing today is quite as cut and dry, black
2137 and white, as people would like to think that it is.

2138 And as far as fake news, and things that are put out,
2139 and the -- some of you think that the center-right media is
2140 putting out false stories, I wonder about the sins of
2141 omission. And one of the sins of omission that I find is
2142 when The Washington Post fact checker, Glenn Kessler, said
2143 that we won't be counting false Biden claims; I assume he
2144 will be like Obama, and tell the truth. So if a network, a
2145 newspaper, or a news outlet decides that they are not going
2146 to report -- I watch Morning Joe pretty much every morning
2147 when I am getting ready on MSNBC. When the Hunter Biden
2148 story was coming down, I paid particular attention to see if
2149 they ever mentioned one time -- this was, of course, before

2150 President Biden was sworn in, but, you know, if they ever
2151 mentioned Hunter Biden. And as far as I could tell, I have
2152 never heard it. And like I said, I watch it daily, so I have
2153 never heard it uttered one time -- another, I say, sin of
2154 omission.

2155 So we have sins of omission, where people don't report
2156 on facts and things that are coming out that they don't want
2157 to be known, and yet other people saying that, well, the
2158 right -- center-right folks are reporting false news.

2159 And I yield back.

2160 *Mr. Doyle. I thank the gentleman. Let's see, next is
2161 the gentleman from Texas, Mr. Veasey.

2162 You are recognized for 5 minutes.

2163 *Mr. Veasey. Thank you, Mr. Chairman. I am very glad
2164 that we are here today, talking about disinformation and
2165 extremism in the media. And I want to be clear where I
2166 stand.

2167 I worry about this, particularly as a Black American.
2168 And with this being Black History Month, let me just
2169 highlight some of the -- how this has really turned violent,
2170 and has not been good for people of color in this country,
2171 historically. And I know that, for a lot of people, this all
2172 centers around First Amendment.

2173 But let's go back to 1915. D.W. Griffith had a hit
2174 movie called Birth of a Nation that was presented as factual,

2175 that was presented as real, and much of the media of the day
2176 presented it as real and factual. And, as a result of that,
2177 people went to the streets, targeted African-Americans.
2178 There were riots, there were fires because disinformation was
2179 presented as real. And part of the information in the movie
2180 was presented was that Whites were victimized by Blacks in
2181 the form of voter fraud.

2182 And so you fast forward 106 years later in 2021, and you
2183 have people that decided they were going to come to the
2184 Capitol because of a lot of the similar disinformation that
2185 places like Atlanta and Milwaukee and Detroit victimized them
2186 and stole an election from them.

2187 And so, trying to figure out the freedom of speech
2188 versus other people's safety, you know, what Oliver Wendell
2189 Holmes talked about, people's safety, how you distinguish
2190 between the two, I think that this is a very serious
2191 conversation that we are having.

2192 I wanted to ask Ms. O'Brien. Are there any incentives
2193 that exist that can be used for journalists and publishers to
2194 bring more context and nuance to their news and commentary,
2195 so that viewers can better understand what they are watching,
2196 especially when it comes to a lot of the more extreme views
2197 that can lead to violence?

2198 *Ms. O'Brien. So first, as you point out, the problem
2199 of misinformation isn't a new problem. It is not something

2200 that popped up a couple of years ago and now we are going to
2201 tackle it for the first time. Technology has obviously
2202 changed how that problem now gets to the public. And I think
2203 that is what brings us here to where we are today.

2204 I think there is this opportunity for journalists to do
2205 better. Often there are financial incentives that make
2206 journalists want to do better, or news organizations that
2207 hire journalists to do better. But actually, a lot of the
2208 way talk is, it actually financially is quite inexpensive.
2209 And so it is much cheaper to have dueling talking heads,
2210 rather than having a long, contextual, nuanced, explanatory
2211 conversation.

2212 Like you, there is -- very upsetting to see the
2213 Confederate flag on the steps of the U.S. Capitol. That was
2214 very problematic to me, as a biracial woman here in America.

2215 Lies, obviously, have real implications. To listen to
2216 Ms. Urquiza's testimony, it is heartbreaking, right? I mean,
2217 for everybody.

2218 And again, I don't think facts belong to a party. I
2219 don't think we should think of this as a partisan issue.
2220 Every single person, regardless of who votes for you, what
2221 state you are in, what side of the aisle you are on, you
2222 should want to have more facts and accuracy that is being
2223 disseminated to the people who voted you into office. That
2224 is what you should all want.

2225 So, yes, I agree with -- very problematic. At the end
2226 of the day, I think the pressure from the public will go a
2227 long way, not pressure from Congress. As I have said in my
2228 remarks -- and I have reiterated a couple of times -- I don't
2229 think the role of government is to do that. I think viewers
2230 have to say no more elevating misinformation.

2231 *Mr. Veasey. Thank you.

2232 Mr. Chair, I yield back.

2233 *Mr. Doyle. I thank the gentleman.

2234 Let's see, Markwayne Mullin, you are recognized for 5
2235 minutes.

2236 *Mr. Mullin. Thank you, Chairman, and thank you for all
2237 the panelist that is here today.

2238 And you know, obviously, this is about getting down to
2239 the problem we have with the media, and with the social
2240 media, as -- alike. And I appreciate the Democrats bringing
2241 this up. We have been talking about this for 4 years,
2242 especially with the whole Russia collusion narrative to which
2243 the media drawled for so many years -- 4 years, in fact. And
2244 that was complete misinformation that was out there.

2245 And while I know this one seems to be focusing on Fox
2246 and left outlets, Ms. O'Brien, do you believe that MSNBC and
2247 CNN are also guilty of misinformation?

2248 *Ms. O'Brien. Sir, I am concerned that you did not read
2249 my written testimony fully, or you would be able to know

2250 that.

2251 *Mr. Mullin. No, I read it --

2252 *Ms. O'Brien. I am being sarcastic.

2253 *Mr. Mullin. I want to hear it.

2254 *Ms. O'Brien. Absolutely, yes. Clearly, and I state
2255 that very clearly in my testimony --

2256 *Mr. Mullin. You did.

2257 *Ms. O'Brien. -- that this is not an issue that --

2258 *Mr. Mullin. But -- and Ms. O'Brien, I appreciate that.
2259 But the focus has been on Fox and the left media. And you
2260 have been very clear about where you lie on that. And I
2261 wanted to make it very clear. Your testimony absolutely made
2262 it clear, on the written testimony. But I hadn't heard you
2263 say that. So I appreciate you stating that.

2264 Mr. Turley, as I stated before, after the 2016 election
2265 with Hillary Clinton, the left-wing media repeatedly talked
2266 about the Russia collusion, and their interference within the
2267 election. And given this misinformation by the left wing, do
2268 you think the House Democrats' letter only pressing providers
2269 to provide conservative media channels, and not CNN, and
2270 MSNBC, and other left-wing channels is correct? And what
2271 should be done about it?

2272 *Mr. Turley. Well, thank you for that. I actually
2273 didn't get a chance to respond to Representative Eshoo when
2274 she was addressing me, and this touches on that.

2275 *Mr. Mullin. Right.

2276 *Mr. Turley. I mean, first of all, I am not too sure
2277 the purpose of submitting that letter to the CRS to look for
2278 First Amendment violations, because most of us haven't said
2279 the letter violates the First Amendment any more than the
2280 Endangered Species Act. I said in my testimony that I --
2281 that free speech is not contained entirely within the First
2282 Amendment. This is an old spin people put on and say, well,
2283 this isn't a free speech issue, because the First Amendment
2284 only applies to the government. Well, no, free speech goes
2285 beyond the First Amendment. It is something that some of us
2286 view as a human right.

2287 And the question is, does that letter impinge upon or
2288 threaten free speech or the free press, and I think it does.
2289 Making a statement including a question mark at the end of it
2290 doesn't change the import of the statements. Writing to
2291 these companies and saying, "So why are you still airing
2292 Fox?" The fact that that is a question doesn't hide the
2293 fact that it is really meant as a rather audible statement.
2294 And the letter went out with a building movement to try to
2295 pressure cable companies to get rid of these networks.

2296 What if you succeed? Fox was the most-watched cable
2297 news program of 2020. So you would have tens of millions of
2298 people that would have to either choose between those
2299 networks that the letter does not list, or just not watch

2300 anything at all.

2301 And I give Soledad credit for this. I mean, she has
2302 been critical of networks on the other side, and so have I.
2303 I have been critical and on both sides, I hope. But the
2304 letter is not. I mean, the letter is quite focused on only
2305 those networks viewed as conservative leaning.

2306 *Mr. Mullin. Right. In 2017 Rachel Maddow of MSNBC
2307 claimed that Secretary Rex Tillerson was being a Russian
2308 agent. I think that is -- which is absolutely false. And
2309 that was an extreme view.

2310 And then the House Democrats letter asked the CEOs to
2311 outline the actions they are taking against misinformation.
2312 And my question to you, sir, is who should be the one
2313 deciding what is an extreme and what is disinformation out
2314 there?

2315 *Mr. Turley. You know, this is where I think Soledad
2316 O'Brien and I will probably end up having a slight
2317 divergence, and this may be because I am a relic.

2318 [Laughter.]

2319 *Mr. Turley. I do follow this sort of outdated notion
2320 of free press and free speech. I am not comfortable with
2321 people who say, "Look, we are going to let you have free
2322 speech, free press, as long as you are not a liar, as long as
2323 you are not giving disinformation.'" I have a feeling that
2324 Soledad and I agree on a lot of stuff that is disinformation.

2325 In fact, I have seen some of her work, and I agree with it.

2326 But the question is, what do we do with that? That is,
2327 Soledad, I think, made a -- forgive me for referring to your
2328 first name, it is an old habit. But it was referring to both
2329 sides of this, and trying to get viewers to make that
2330 decision. I am all in on that. It just -- is there
2331 something more there, in terms of trying to stop liars from
2332 lying? And that is where I get off the train.

2333 *Mr. Mullin. Right. Well, thank you.

2334 My time is up and, Chairman, I will yield back. Thank
2335 you.

2336 *Mr. Doyle. The gentleman yields back. Let's see who
2337 is next here.

2338 Mr. Butterfield, you are recognized for 5 minutes.

2339 *Mr. Butterfield. Thank you so very much, Mr. Chairman.
2340 Let me say good afternoon to all of you, and thank you very
2341 much to the witnesses for your testimony today. Mr.
2342 Chairman, you are absolutely right. This is a debate that we
2343 must have if we are going to protect this democracy. And so
2344 thank you for convening this hearing. This is very, very
2345 timely.

2346 I have very serious concerns that the dissemination of
2347 election-related disinformation that we witnessed in the days
2348 leading up to and, most harmfully, the days following the
2349 election will undermine access to the ballot box for under-

2350 represented communities in future elections.

2351 Many state legislatures across the country have already
2352 started the process of changing their election laws that will
2353 restrict access to the ballot box, specifically for voters of
2354 color. Many of these state officials proclaim the need for
2355 these changes are due to public distrust in the electoral
2356 process, and they often cite disinformation and conspiracy
2357 theories that have been spread by popular media outlets.

2358 And so I am going to stay with you, Ms. O'Brien. You
2359 have been in the hot seat all day, and just thank you so very
2360 much for your brilliance. How does the spread of
2361 disinformation by the media disenfranchise marginalized
2362 communities?

2363 *Ms. O'Brien. It is my opinion that, when you give a
2364 platform to a lie, it travels very quickly and across many
2365 other platforms. And so often I have found that journalists
2366 who even understand that they are having someone on whose
2367 opinion that they believe is not accurate, inaccurate,
2368 misinformation, they will bring them on in order to argue
2369 with them.

2370 I think, personally, it is a way to seem tougher, but it
2371 is also good TV, meaning it is dynamic, it sometimes involves
2372 arguing, it has a lot of drama to it. Well, I believe what
2373 ends up happening, by elevating disinformation, whether it is
2374 being challenged well, challenged not well, challenged not at

2375 all, you give a platform to something that is not true.

2376 And of course, I think vulnerable communities are often
2377 most at risk for disinformation. A lot of those communities,
2378 as we spoke about earlier, local media does not exist
2379 anymore. We have lost, what, 2,100 local newspapers. And so
2380 that means that they are sometimes in a news desert. And so
2381 it is very, very problematic that they are getting
2382 misinformation, disinformation, or no information at all. It
2383 is very, very damaging. I think it has dire consequences.

2384 *Mr. Butterfield. Over the years, Ms. O'Brien, you have
2385 effectively -- and I watched you many, many times -- you have
2386 effectively exercised your First Amendment rights to free
2387 speech as a member of the press. How do journalists
2388 effectuate more responsible journalism throughout the
2389 industry to solve this pervasive problem and protect our
2390 voters?

2391 *Ms. O'Brien. I think most journalists want to do a
2392 good job. Again, I -- the journalists that I know work
2393 really hard.

2394 I think, actually, Congressman Kinzinger said it a
2395 little bit earlier, which was, as much as Congress members
2396 have to look at themselves and the messages that they are
2397 spreading to their constituents, journalists have to do the
2398 same. And news organizations have to assess what do we do
2399 well, what do we do wrong, how can we be better, how do we

2400 serve the public. That is the gig. That is the job. And
2401 so, without that self-reflection, I think we are going to
2402 continue to make, as a whole, media, continue to make a lot
2403 of the same mistakes.

2404 Again, I don't think Congress has a role in regulating
2405 it. I think news organizations should say, "We are here to
2406 serve the public. This is what we are supposed to do. How
2407 do we do a better job?'"

2408 *Mr. Butterfield. Mr. Chairman, I understand we may
2409 have four votes that are coming up right now, and so I am
2410 going to make this my last question.

2411 I want to talk about local news, Ms. O'Brien, finally.
2412 How does the lack of robust local news coverage and the
2413 growing spread of disinformation impact the information needs
2414 of our communities?

2415 *Ms. O'Brien. It is an absolutely huge problem. I
2416 think you have a void that is filled with just things that
2417 aren't true, or things that are not centered in a community.

2418 For example, on Matter of Fact the other day -- which is
2419 a show that is carried by affiliates, we are in all the local
2420 markets -- we did the story of a young woman who is reaching
2421 out to her constituents in her news -- you know, around her
2422 who are served by her newspaper, because they couldn't figure
2423 out how to get online to actually sign up for a vaccine.
2424 Right? And so she literally, by herself -- she is a reporter

2425 -- literally helps connect those people to vaccines. I mean,
2426 that is a local reporter doing the work of journalism,
2427 helping people solve a problem, bringing them information. I
2428 would like to see more of that. As those newspapers die, it
2429 is very, very problematic.

2430 *Mr. Butterfield. All right, well, thank you so very
2431 much.

2432 Mr. Chairman, I am going to give back a few seconds and
2433 give Mr. Walberg a running start. Thank you, I yield back.

2434 *Mr. Doyle. I thank the gentleman. And you are
2435 correct, there are four votes called on the floor. We are
2436 not going to recess, so members pick and choose your time to
2437 get down to the floor and get back in time for your speech.

2438 Okay, the chair recognizes the gentleman from Michigan,
2439 Mr. Walberg.

2440 You are recognized for 5 minutes.

2441 *Mr. Walberg. Thank you, Mr. Chairman. My preface is
2442 saying I am a proud father of a journalist son who, while at
2443 one of the major Chicago newspapers received a nomination for
2444 a Pulitzer, who told me once when he first went to that major
2445 paper, when I asked him somewhat jokingly --- somewhat --
2446 "Hey, be good to some of us conservative Republicans, okay,"
2447 and he told me, "Listen, Dad. You would want me to do
2448 exactly what I have been trained, and that is to report the
2449 facts.'"

2450 At another time in his life, later on, he said, "Dad,
2451 sometimes it is very, very difficult determining what is fact
2452 and what is fiction.'" So we do have a challenge here. And
2453 I appreciate the hearing today. But, Mr. Chairman, I may be
2454 wrong, but I see -- at least I perceive -- a deliberate
2455 attempt by the majority to sanitize the airwaves of content
2456 that does not conform to their preferred political
2457 philosophies.

2458 Now, disinformation and fake news are real problems.
2459 But the solution is not to limit free speech. In fact, it is
2460 just the opposite. Robust debate and free speech enables us
2461 to better fight the spread of disinformation.

2462 Sadly -- at least it appears that my colleagues seem to
2463 be focused on squashing political dissent, as their letter
2464 claims that conservative news outlets have, and I quote,
2465 "long been conspiracy theory hotbeds that produce content
2466 that leads to real harm," end quote.

2467 I would like to remind my colleagues of what happened in
2468 January 2019, when CNN, along with various other liberal
2469 media outlets, ran editorial content, baselessly calling
2470 Covington Catholic High School student Nick Sandmann a
2471 racist. If we are talking about harmful content, CNN's
2472 coverage of that incident resulted directly in that boy, his
2473 parents, and his classmates receiving death threats and
2474 harassment. Of course, a subsequent investigation found many

2475 of the facts initially reported were inaccurate and
2476 misleading. As a result, Mr. Sandmann sued CNN and -- for
2477 defamation, and the network settled the case.

2478 Even though CNN recklessly defamed a teenager,
2479 Republicans did not call for broadcasters to remove CNN from
2480 their programming. Why? Because the system worked. Our
2481 nation's vigorous libel and slander laws incentivize networks
2482 to tell the truth. And when they don't, they pay the
2483 consequences.

2484 Professor Turley, do you agree that our defamation laws
2485 are a strong deterrent against lying on television, or would
2486 a return to the Fairness Doctrine be a better approach?

2487 *Mr. Turley. I do not favor a return to the Fairness
2488 Doctrine because I do not like government regulation of the
2489 media.

2490 I also think that there are strong First Amendment
2491 arguments that can be made against the doctrine.

2492 I really do appreciate you raising the Sandmann case,
2493 because it was really quite disturbing. That story was
2494 treated as true because people wanted it to be true. They --
2495 it fit the narrative, and it just happened to involve a
2496 teenage kid who was ground up by the story and treated as a
2497 vicious and violent racist. Even after he was cleared of
2498 that whole story, when he was accepted in college a professor
2499 went online and said, "Don't worry, we are going to follow

2500 him around campus to watch if he goes out of line.''

2501 That is what I am talking about of a nation addicted to
2502 rage, and people pretending that they are tired of it when
2503 they need it, they need the rage.

2504 *Mr. Walberg. And that is --

2505 *Mr. Turley. And people like Sandmann are hurt by it.

2506 *Mr. Walberg. Yes, and that is a chilling, chilling
2507 issue there.

2508 Professor Turley, in your testimony you cite the first
2509 question in my colleagues' letter as the most troublesome.
2510 And this question asked companies what moral or ethical
2511 principles they apply in deciding which channels to carry, or
2512 when to take adverse action against the channel.

2513 I would note that, if my colleagues truly cared about
2514 morality and coming together in unity after the horrendous
2515 attack on our Capitol, they surely would not be holding a
2516 hearing as deeply divisive as this. I am reminded of
2517 President Biden's inaugural address in which he invoked, and
2518 I quote, "the better angels of our nature with malice toward
2519 none, with charity for all.''

2520 That being said, Professor Turley, can you please
2521 elaborate on the fundamental problem with imposing selective
2522 morality codes on news coverage and access for networks like
2523 Fox News and Newsmax? Doesn't this lead us directly down the
2524 path of government censorship?

2525 *Mr. Turley. Well, this is the problem of a statement
2526 masquerading as a question. To say what morality rule you
2527 apply in determining whether to continue to air certain
2528 channels, where the numbers are not there to apply morality
2529 codes -- we used to have those. Atheists, feminists, others
2530 were barred from publications under these types of morality
2531 rules. And it was very chilling. And when I talked about
2532 the chilling -- of that letter, that is one of those issues
2533 that I flagged.

2534 *Mr. Walberg. Thank you --

2535 *Mr. Doyle. The gentleman's time has expired. The
2536 chair now recognizes Mr. Cardenas.

2537 *Mr. Cardenas. Thank you very much, Chairman Doyle.
2538 And also I would like to thank Ranking Member Latta for us
2539 having this hearing today.

2540 And I would like to say that I don't find this hearing
2541 to be very divisive. I think that we are probably so boring
2542 that we are probably losing our seven listeners who bothered
2543 to even chime in today. So we certainly aren't as exciting
2544 as some of our other news outlets, or supposed news outlets,
2545 like to be. I really believe that far too often they are
2546 opinion givers, and not so much news outlets.

2547 I would like to take this opportunity to also thank Ms.
2548 Urquiza. My heart goes out to you and your family, and to
2549 the 500,000 families who have experienced, unfortunately,

2550 what your family experienced, the loss of your father. So
2551 thank you for being with us today, and your willingness to
2552 share your important story with all of us.

2553 And also I would like to enter into the record a letter
2554 from the National Hispanic Media Coalition on today's topic
2555 of discussion -- into the record.

2556 [The information follows:]

2557

2558 *****INSERT 11*****

2559

2560 *Mr. Cardenas. I am glad we have this opportunity to
2561 talk about the serious problem we are seeing with
2562 disinformation and misinformation that traditionally has --
2563 we have experienced the United States for hundreds of years.
2564 But more importantly, it is now very prevalent and very, very
2565 massively distributed by our news outlets, and many other
2566 outlets that we will get to in another hearing when we talk
2567 about our social media platforms.

2568 It is a problem when some of my colleagues who are
2569 incredibly smart are susceptible to the spread of dangerous
2570 disinformation, such as claims that wearing masks are
2571 ineffective measures when it comes to preventing the lethal
2572 coronavirus. It is this kind of disinformation and
2573 misinformation of facts perpetuated by certain outlets, on
2574 top of the bungled response by the Trump Administration, that
2575 has increased the severity and the number of deaths from this
2576 pandemic.

2577 And it is very important for us to understand that, like
2578 I said earlier, this has been going on for hundreds of years.

2579 As a little boy born and raised in the United States of
2580 America, here in Los Angeles, I have witnessed with my ears
2581 and my eyes -- and broken hearted -- to see how people
2582 treated my parents who were immigrants from Mexico. And just
2583 because of the color of their skin, or the fact that they had
2584 11 children, I heard the derogatory things that they would

2585 say about them. For God's sake, my father, who put food on
2586 the table for 13 people every single day with a first-grade
2587 education, who worked sometimes two and three jobs to do so,
2588 was a proud, hardworking person. And in America, they call
2589 Mexicans lazy.

2590 Now, that is disinformation and misinformation that can
2591 prove fatal. For example, right now, with the former
2592 President of the United States, Trump, trying to encourage
2593 people to believe that people who are Chinese or Asian are
2594 the cause of why so many Americans have died from the
2595 coronavirus. So much so, it is dangerous because there are
2596 attacks on Asians in America that are at a high right now.

2597 And yes, I truly do believe that certain outlets
2598 permeated that by using derogatory labels for what the
2599 coronavirus is. And yes, the President of the United States
2600 permeating those lies.

2601 Ms. Bell, many have discussed the role that social media
2602 has played in the spread of disinformation. In your
2603 testimony you talk about the relationship between social
2604 media and traditional media, and how social media feeds off
2605 of traditional media outlets. Can you talk about how this
2606 pattern plays out, and the influence that it has on the
2607 amplification of disinformation?

2608 *Ms. Bell. Yes, of course. Thank you for the question.
2609 It is -- well, so when we take -- I think your point about

2610 masks is a good one.

2611 You might come across -- I came across a headline,
2612 actually, from one of the cable news channels we have been
2613 discussing that was put out on the 13th of October, just
2614 saying there is no evidence supporting the fact that masks
2615 stop coronavirus. But I saw it for a second on a Twitter
2616 feed, or in -- retweeted, I think, kind of several thousand
2617 times. And, you know, if you stopped, went back to the
2618 source, watched the segment, it wasn't the only thing that
2619 was said. But it was the only thing that many people saw,
2620 and it could have been put out with bad faith around that.

2621 There are teams of people in newsrooms that I think
2622 actually clip and promote material on social media because it
2623 is the only way that they can reach substantial parts of
2624 their audience. So, even if you are presenting what seems
2625 like a balanced view, you can still put out something on
2626 social media which speaks to perhaps a more extreme or less
2627 extreme-based view. And the problem is that we --
2628 understanding that dynamic is hard, because we do not have
2629 the data that say, how did this story spread, who saw it,
2630 when did they see it, what effective does it have, what do
2631 people do next.

2632 So I think that this is actually a really solvable
2633 problem. Understanding more about this complex environment
2634 is something that -- you know, some of us are spending our

2635 lives doing this at the moment. And I think that it is one
2636 way to make progress, is really understanding those dynamics.
2637 The amount of material that we have to really examine what
2638 effect it has is limited. And I think that -- I wish that
2639 was different.

2640 *Mr. Doyle. The gentleman's time has expired.

2641 *Mr. Cardenas. I yield back.

2642 *Mr. Doyle. Let's see, Mr. Duncan, you are recognized
2643 for 5 minutes.

2644 *Mr. Duncan. Thank you, Mr. Chairman. Thanks for the
2645 hearing. My first question is for Witness O'Brien.

2646 Did you report on the Michael Brown shooting in
2647 Ferguson, Missouri?

2648 *Ms. O'Brien. I did not.

2649 *Mr. Duncan. You didn't?

2650 *Ms. O'Brien. No, sir. I left Daily News approximately
2651 8 years ago, 9 years ago. So if you are talking about doing,
2652 like, live, rolling coverage on cable TV, for that story I
2653 did not go to Ferguson. I did not report on that story, as a
2654 reporter.

2655 *Mr. Duncan. Okay. But you did tweet out and you
2656 hashtagged Black Out Black Friday about the hands up, don't
2657 shoot narrative. Is that correct?

2658 *Ms. O'Brien. I tweet out millions of things, so I
2659 could not confirm that for you, sir.

2660 *Mr. Duncan. Okay. The point I am trying to make here,
2661 Ms. O'Brien, is that the hands up, don't shoot narrative was
2662 a fabrication actually put forward by Dorian Johnson, witness
2663 number 101. It was a fabrication that was proven incorrect
2664 over and over. In fact, there is a Washington Post article
2665 dated March 16, 2015 that says hands up, don't shoot was
2666 built on a lie.

2667 So all the news services -- MSNBC, ABC, CBS, CNN, Fox
2668 News, NPR -- all reported the same thing about hands up,
2669 don't shoot. But it was a fabrication. And I am not
2670 advocating for them to be shut down because of reporting on a
2671 fabrication. In fact, I think that a lot of times there is a
2672 rush to report first, whether it is a blog, or whether it is
2673 a tweet, or whether it is a Facebook post, or whether it is
2674 an actual news service, a cable news network like CNN, or
2675 MSNBC, or even Fox News, a rush to report that sometimes the
2676 investigation is not done. In fact, you actually alluded to
2677 that, or Marc Veasey, or Cardenas, or somebody related to
2678 that earlier, that it is spread on a lot of different
2679 platforms quickly, and oft times it is based on no
2680 investigation.

2681 Let me just give some examples here. CNN's Anderson
2682 Cooper, on March 4th, said that coronavirus wasn't nearly as
2683 deadly as the flu. Sanjay Gupta said on March 2nd to
2684 Headline News that, if you are a healthy person, you don't

2685 need a mask. Let's see, CNN's Ali Velshi said, talking about
2686 the protests last summer, talked about a peaceful protest in
2687 front of a burning building. CNN's Chris Cuomo said on June
2688 2nd, "Please show me where it says protesters are supposed to
2689 be polite and peaceful."

2690 I guess the point I am trying to make is that there is a
2691 lot of misreporting, rushed reporting -- I wouldn't call them
2692 lies, I would just call them quick judgments on a lot of
2693 information that is out there that the left is trying to say
2694 that are lies now, and they are trying to say that places
2695 like Fox News and other broadcasters ought to be shut down.
2696 I disagree with that, because you can apply that same
2697 standard to all of these -- and I say all of the news
2698 networks -- in the rush to be first, in order to monetize.

2699 And this is all about monetization, to monetize that
2700 tweet, that blog, that Facebook post, or that news story that
2701 rushes people to the TV in order to find out what is going
2702 on. We saw it yesterday with Tiger Woods. It wasn't a
2703 fabrication, but there was a rush to the TV of folks to see
2704 what was going on.

2705 And so I want to just turn to Professor Turley real
2706 quick and -- in the little bit of time I have left. And my
2707 colleagues across the aisle are trying to say that they are
2708 having today's hearing to emphasize local broadcasters. But
2709 if they succeed in canceling out large networks, wouldn't it

2710 be easier for them then to cancel out local broadcasters?

2711 Don't they face the same threat, Mr. Turley?

2712 *Mr. Turley. Well, indeed, that is part of the slippery
2713 slope that I think that this committee should avoid, that
2714 once you start to allow government to regulate, or to answer
2715 the questions in the affirmative that were asked in that
2716 letter, you do end up on that slippery slope. You debate --
2717 you end up deciding what is disinformation and what is not,
2718 who would be held accountable, who would be taken off the
2719 air. And the result will be less diversity in the news
2720 media. And then we could have a single echo chamber, which
2721 is not an improvement of having multiple echo chambers. I
2722 prefer no echo chambers.

2723 When Ms. O'Brien and I first met in the media business,
2724 I think that there was still a media that wasn't based on an
2725 echo chamber. You know, there was a information-driven
2726 media. The market has changed, and we should all focus on
2727 that. But bringing the government in, putting that nose
2728 within the tent has never been a good thing for free speech
2729 or the free press.

2730 *Mr. Duncan. My time is out. And Mr. Chairman, I just
2731 ask that we apply the same standard to all of the media
2732 outlets as you are trying to apply to the right-leaning media
2733 outlets.

2734 With that I yield back.

2735 *Mr. Doyle. I thank the gentleman, the gentleman yields
2736 back. Let's see, the chair now recognizes Ms. Kelly for 5
2737 minutes.

2738 *Ms. Kelly. Thank you, Mr. Chairman. Thank you for
2739 holding this hearing today. It is obvious to everyone that
2740 the news landscape has changed considerably over the past 20
2741 years, and especially over the past 4. The rise of cable
2742 news changed the news cycle and the way we see live events
2743 unfold. The old media saying, it is -- if it bleeds, it
2744 leads.

2745 Too often we have seen horrific events like mass
2746 shootings replayed on screens, and the killers become
2747 instantly famous. The Columbine shooting in 1999 was one of
2748 the first widely-covered shootings that plastered the names
2749 and faces of the shooters all over the news. It has led to
2750 some following in a cult-like fashion.

2751 For example, the shooter in the 2012 Sandy Hook
2752 shootings kept a detailed journal with clippings from
2753 previous school shootings, including Columbine. A 2014
2754 investigation by ABC News identified that, with 17 attacks
2755 and another 36 alleged plots or serious threats against
2756 schools since the assault on Columbine High School, that can
2757 be tied to the 1999 massacre.

2758 Ms. O'Brien, thank you for being here. And I don't know
2759 if you remember me. We met at the Union Club in Chicago, and

2760 we took a picture with the lieutenant governor. So great to
2761 see you, and great -- you know, to all the work that you do,
2762 you do a fantastic job. Have you ever been a part of any
2763 conversation about the violence that was depicted in the
2764 media, and what have journalists wrestled with in these
2765 conversations?

2766 *Ms. O'Brien. Yes, and thank you, and yes, I think that
2767 there is lots of conversations about how violence is depicted
2768 in the media, and I think the point of a good editorial
2769 debate is to come to the understanding of what makes sense.
2770 And that is why you want a diverse group of people around the
2771 table. You really want a lot of input on that.

2772 I think it is often -- we heard from a previous speaker
2773 about sort of the rush to investigation. And in those
2774 editorial meetings you have the opportunity to slow it down,
2775 to actually pose challenging questions to each other. I
2776 think the question is something a protest, is it a melee, is
2777 it a mob, you know, all those things have varying degrees of
2778 definition. You know, what exactly are we looking at?

2779 When I was covering Hurricane Katrina many years ago, I
2780 remember we all walked around with Merriam-Webster
2781 dictionaries, right, to talk about evacuees, or refugees.
2782 What exactly is the terminology? So, yes, that is clearly a
2783 conversation of debate in every newsroom I have ever been in.

2784 *Ms. Kelly. And to your knowledge, do most newsrooms

2785 have a procedure for handling mass shootings?

2786 *Ms. O'Brien. That I could not answer for you across
2787 the board for most newsrooms. I would not have access to
2788 that information.

2789 *Ms. Kelly. Recently there seems to have been a push
2790 not to name shooters, so they don't gain any notoriety or
2791 fame. Do you agree with this approach?

2792 And do you have any thoughts on how these events could
2793 be covered, I guess, in a more -- I don't know if it is a
2794 responsible way, a compassionate way?

2795 *Ms. O'Brien. That is a very interesting question,
2796 because I often know families who have lost children to mass
2797 shootings, and it is devastating. At the same time, I think
2798 the name of the shooter is part of the narrative of what
2799 happened.

2800 But again, I think that is a conversation that has
2801 happened -- I both had that conversation kind of in the
2802 macro, but never actually -- I have had to be on air naming
2803 or not naming a shooter. So it has been a little bit of an
2804 academic exercise. But I have now many friends who have lost
2805 their children in horrific ways, and I understand the emotion
2806 behind not wanting to give more notoriety to somebody who has
2807 committed a horrific crime.

2808 *Ms. Kelly. Thank you so much.

2809 Professor Bell, do you have any thoughts about this?

2810 *Ms. Bell. Yes, there are guidelines for covering mass
2811 shootings. I think it is a great example of what actually
2812 the media has learned, again, around covering things like
2813 people who take their own lives. There are guidelines now
2814 because we know more about the media, effects of things, as
2815 you correctly identify. We know more about what motivates
2816 mass shooters, and we know how to frame that coverage.

2817 There is a really difficult line to walk, though,
2818 between keeping an accurate public record and illuminating
2819 stories in ways which actually just cause more harm. And I
2820 do think that this kind of rather obscure area of, you know,
2821 media studies, or media effect studies is something,
2822 actually, that, you know, we need to be doing much, much more
2823 of, because we can now measure some of those effects. We can
2824 actually measure whether or not changing coverage has a
2825 positive effect.

2826 So there are guidelines. People are following them a
2827 lot more. And I think, on the whole, it is beneficial, but
2828 it is always difficult to get those contextual pulls right.

2829 *Ms. Kelly. Well, let me ask you this quickly.

2830 *Ms. Bell. Sure.

2831 *Ms. Kelly. When traditional local media are competing
2832 against social media, is there a path to getting truth and
2833 fact to catch up on, instead of bombastic opinion?

2834 *Ms. Bell. Yes. I think, again, it is just a -- I

2835 think, again, it is a balance. We have to learn that new
2836 cadence about all of those new sources. It is a really
2837 complex area now, just even to be a local reporter, I think,
2838 or especially to be a local reporter.

2839 *Ms. Kelly. Thank you, I am --

2840 *Mr. Doyle. The gentlelady's time has expired. Let's
2841 see, Mr. Curtis, you have 5 minutes to ask questions.

2842 *Mr. Curtis. Thank you, Mr. Chairman.

2843 Mr. Turley, I would like to ask you some questions, and
2844 I will give you a minute to think about it while I share some
2845 thoughts. And as I share these thoughts, I would like my
2846 colleagues to know that I am genuinely not trying to point
2847 out any specific individual in Congress or either -- any
2848 party, but rather make a point.

2849 So Mr. Turley, a U.S. citizen speaking to Congress may
2850 be asked to testify under oath. We, the people on the other
2851 side of the table, are not under oath, nor are we under oath
2852 when we speak on the House floor. Have you -- Mr. Turley,
2853 have you ever heard a Member of Congress use a congressional
2854 platform to say something that was not true?

2855 *Mr. Turley. Yes.

2856 *Mr. Curtis. Okay. I don't think that would take very
2857 many of us very long to answer. And here again, I am not
2858 referring, like, to a single party.

2859 Likewise, have you ever heard a Member of Congress,

2860 while using their 5 minutes in a committee -- committee time,
2861 worry more about getting on the news than addressing
2862 meaningful discussion?

2863 *Mr. Turley. Perish the thought, but yes.

2864 *Mr. Curtis. Yes, okay. Is it fair to say that the
2865 words of congressmen -- our hearings, our speeches, et cetera
2866 -- are really, really good fodder for the cable network TVs,
2867 and that they spend hours of their time talking about the
2868 lies and misrepresentations that some of our colleagues make
2869 in Congress?

2870 *Mr. Turley. Yes.

2871 *Mr. Curtis. Yes. And in fact, so those of my
2872 colleagues who have expressed frustration with this hearing,
2873 I think this may be at the heart of it, is that this very
2874 hearing itself becomes fodder, right, for the cable network
2875 TVs to do what they do. And I want to point out that that is
2876 very frustrating.

2877 When my colleagues say something that is not true, it is
2878 frustrating. When the media says something that is not
2879 accurate, it is frustrating. But there is this crazy thing
2880 called the First Amendment, right? And we have heard from
2881 the chairman in his opening remarks, this comment -- Mr.
2882 Chairman, I tried to write down, I am paraphrasing -- it is
2883 the responsibility of this committee to hold these
2884 institutions to a higher standard.

2885 And I think Mr. Turley, that is the crux of a lot we are
2886 talking about today is, yes, it is frustrating. But that
2887 standard means that we have to deny the First Amendment. Am
2888 I seeing that right, or am I looking at that wrong?

2889 *Mr. Turley. No, you know, free speech has a cost. I
2890 mean, free speech has a cost because many of us in the free
2891 speech community end up defending people who we despise,
2892 grotesque people who say awful things. But we have to
2893 protect their ability to speak, so that we protect society as
2894 a whole. Because free speech does more than just allow
2895 individuals to speak, it protects us against abuses, against
2896 tyranny, against the ills that come from the lack of free
2897 speech.

2898 *Mr. Curtis. I am also really troubled by this, like,
2899 who gets to be the judge. So it -- on one hand, it feels
2900 like, well, the truth is the truth. Right? But we have
2901 heard some of my colleagues bring up instances that -- or
2902 perhaps mistakes, or rush to judgments and things like that.
2903 And somehow, that one source or one person could be the
2904 arbiter of truth and make that decision, seems far-fetched to
2905 me. Would you agree with that?

2906 *Mr. Turley. Yes, and that is precisely what we hoped
2907 to avoid, not just in the First Amendment, but also embracing
2908 free speech values, generally.

2909 *Mr. Curtis. So in just the little bit of time we have

2910 left, I would like to explore something with you, and that is
2911 if we go back to 2016, when Russia came in and used -- I will
2912 use a specific here, and I know there is lots of generalities
2913 -- the Facebook platform to spread misinformation, I found
2914 myself saying, like, who believes Facebook? Right? But
2915 apparently people do.

2916 And so I guess my question to you is how do we help
2917 educate people? How do we help people understand that they
2918 can't just accept something at face value on -- whether it is
2919 cable TV or Facebook?

2920 Like, how do we get to that point, where we get people
2921 to be more thoughtful about the information they are
2922 consuming and believing?

2923 *Mr. Turley. This may be a generational issue. You
2924 know, I get up around 6:00 to blog. And my kids will get up
2925 to go to school, when they used to go to school, and they
2926 will often ask, "What are you writing on?" And I will tell
2927 them. And I was always surprised when they would say, "But
2928 is that true?" So we were talking about a story, and they
2929 would say, "But is that true?"

2930 When I grew up, if Walter Cronkite said something, it
2931 was true. You didn't question it. My kids question
2932 everything. They questioned every source. They compare
2933 sources. They are a lot more savvy than people give them
2934 credit for. And I think that, unfortunately, that is the

2935 reality of the new media that we live in.

2936 *Mr. Curtis. We are, regretfully, out of time. I wish
2937 we had more time to talk about Walter Cronkite era, which I
2938 remember.

2939 And I wish we had a whole hearing just on that, Mr.
2940 Chairman. I yield my time. Thank you.

2941 *Mr. Doyle. I thank the gentleman.

2942 Let's see, the gentlelady from New York, Miss Rice, you
2943 are recognized for 5 minutes.

2944 *Miss Rice. Thank you. Thank you.

2945 Ms. Urquiza, first, let me offer you my condolences, as
2946 everyone else has, for your profound loss.

2947 In your written testimony you talked about how your
2948 father was in the Reserves. He was a reserve officer
2949 training corps, and had great reverence for the military and,
2950 in fact, had three brothers who served in the military
2951 himself, as he would have had he not been involved in a
2952 hunting accident. I mean, it is clear that he had a strong
2953 love of country, and instilled in you the values of
2954 patriotism and the military's role in keeping your -- our
2955 freedom.

2956 As someone who had great respect for military leaders,
2957 how -- do you think that that had a particular effect or
2958 reason behind how he interpreted what President Trump, who
2959 was then our commander in chief, was saying about COVID-19,

2960 and whether it was safe, what steps he should take to make
2961 himself safe?

2962 *Ms. Urquiza. Thanks for asking that, and that is
2963 exactly why I included that in my written testimony. My dad
2964 intended to go into the military, and every single one of his
2965 brothers were able to. He always respected every single
2966 president as the commander in chief. It was my father who
2967 taught me the duty of country.

2968 We watched the History Channel together constantly, and
2969 he always brought home the point that, during times of
2970 crisis, it is important to listen to the person in charge.
2971 They are going to orient us toward safety. So absolutely,
2972 his orientation since he was 14 years old in ROTC, was to
2973 listen to the president and act from there.

2974 *Miss Rice. Well, let me say that he -- you are doing
2975 him very proud today, if I can call you Kristin, really. I
2976 mean, you are just an amazing woman.

2977 And I think it is important to note that one in five of
2978 the insurrectionists who stormed the Capitol on January 6th
2979 were veterans. And, you know, in the military you are taught
2980 to follow orders. Like you said, you know, you do this for
2981 the good of the country to keep our democracy safe. And
2982 unfortunately, I think this is also why many, you know,
2983 veterans and service members are particularly susceptible to
2984 disinformation and misinformation when it comes from our --

2985 especially when it comes from our commander in chief, and
2986 when it is disseminated so broadly and without verification,
2987 primarily on cable news. So thank you so much for being with
2988 us here today.

2989 And Ms. O'Brien, you know, I remember the day like it
2990 was yesterday when I heard Kellyanne Conway being
2991 interviewed. And I don't know if she can get credit for
2992 coining the phrase "alternative facts," but I remember being
2993 stunned when she said those words. And, you know, I think it
2994 is so interesting. You know, you are talking -- how you talk
2995 about truth decay.

2996 So just a couple of things. I mean, how do you think
2997 that we got here? I know that is a really broad question,
2998 but how do you think that we got here?

2999 And have you come across any, you know, stories or --
3000 about veterans or service members, and if their standards --
3001 you know, if being military actually affects their
3002 susceptibility to these kind -- this kind of, like, call to
3003 arms, if you will.

3004 *Ms. O'Brien. Thank you. I have to note that the term
3005 "truth decay" was coined by Michael Rich of the Rand
3006 Corporation. So I want to be very clear that that was his
3007 idea, and also his book, as well, in his fourth reading.

3008 I have not, and I have not actually been tracking if
3009 veterans are extra susceptible. And hearing what Kristin was

3010 saying, I think it raises some really interesting questions.

3011 And yes, there is no question that you hear the word
3012 "alternative facts," and you think, why is this interview
3013 not being stopped right now? And why is this person being
3014 returned to a conversation, when they are telling you that
3015 they have a whole other set of facts? There is not a thing.
3016 Alternative facts are not a thing.

3017 And so that was extremely disappointing to me. I have
3018 talked about it many times. I think it is a very good
3019 example of a media that has really failed to say there are
3020 not alternative facts. There are facts, and we can discuss
3021 facts. And if you want to talk about facts, you are welcome
3022 on this air. If you are going to lie, you are not welcome.

3023 *Miss Rice. Well, thank you so much for, as a
3024 journalist, you know, focusing on the facts, because I think
3025 that we have kind of lost our way when it comes to reporting
3026 facts, as opposed to opinion.

3027 And I also just want to thank our colleague, Mr.
3028 Kinzinger, for his comments, because I do think that he is
3029 right, that it is incumbent upon us, as Members, to support
3030 facts and support other colleagues who actually talk about
3031 facts and focus on the facts. So I want to thank him for his
3032 comments.

3033 And my time is up, and I yield back. Mr. Chairman,
3034 thank you.

3035 *Mr. Doyle. I thank the gentle lady.

3036 Let's see, my good buddy from Ohio, Mr. Johnson, you are
3037 recognized for 5 minutes.

3038 *Mr. Johnson. Thank you, Mr. Chairman. You know, just
3039 2 weeks ago, China's National Radio and Television
3040 Administration banned BBC World News from broadcasting in
3041 China because it found BBC's reports, "seriously violate"
3042 broadcast guidelines, including -- and I quote again -- "the
3043 requirement that news should be truthful and fair, and not
3044 harm China's national interest."

3045 So I have to say I am disappointed and seriously blown
3046 away by my House Democrat colleagues' letter to the
3047 broadcasters, pressuring them to remove conservative news
3048 channels from their networks, a letter that looks eerily
3049 similar to the statement released by the CCP when it banned
3050 BBC. So this begs the question: Does the American
3051 Government have the authority to dictate what can and cannot
3052 be broadcast to the American people? I suggest it does not.
3053 But Democrats here on this committee seem to think that it
3054 should.

3055 So, Professor Turley, I think you have alluded to this,
3056 maybe even you have answered it, but I want to get it one
3057 more time. Is it constitutional for Members of Congress to
3058 pressure private businesses to do what Congress cannot
3059 legally do itself?

3060 *Mr. Turley. Well, it is constitutional in the sense
3061 that it isn't expressly prohibited by the First Amendment.
3062 But it is an attack on free speech.

3063 You know, we should be concerned when Members are trying
3064 to do indirectly what they cannot do directly. And this
3065 creates what is sometimes referred to as the little brother
3066 problem. You know, we do have a really good system in
3067 dealing with Big Brother, and avoiding state media. But what
3068 we have seen in the last few years is that the use of private
3069 companies like Twitter and Facebook is far more damaging to
3070 free speech.

3071 It is no accident that recently Vladimir Putin called
3072 out Twitter and Facebook, and said, "You are endangering
3073 democratic institutions.'" This is one of most authoritarian
3074 figures in the world. He obviously cares nothing about
3075 democratic institutions, but he seemed to indicate an almost
3076 grudgingly respectful view that Twitter and these companies
3077 could achieve this level of control, something that exceeds
3078 his own abilities.

3079 And we have to sort of grapple with this, of the impact.
3080 It is sort of like if we put all of our attention -- if free
3081 speech is only confined to the First Amendment, it is like
3082 having a house with a -- with barriers and bolts on the front
3083 door, but all the windows and the back door are open.

3084 *Mr. Johnson. Okay --

3085 *Mr. Turley. You give the appearance of free speech,
3086 but not the reality or security.

3087 *Mr. Johnson. Okay. Well, based on what I am hearing,
3088 Mr. Turley, from the other side of the aisle, if I didn't
3089 know better, I would think that Fox News or Newsmax issued a
3090 direct rallying call to storm the Capitol on January 6th.
3091 But all of us know nothing even close to that happened. In
3092 fact, all of the intelligence suggests that any planning for
3093 the riots occurred predominantly on social media, including
3094 on Facebook. Even Chairman Pallone this week sent a letter
3095 to Facebook demanding answers for their role in knowingly
3096 permitting extremism and disinformation to grow on their
3097 platform.

3098 So, Professor Turley, what role does the lack of neutral
3099 journalism in mainstream media play in pushing people to
3100 social media platforms, where algorithms keep people hooked
3101 on incendiary content?

3102 *Mr. Turley. Well, I think this is what we touched on
3103 earlier, that the polls show that the respect for the media
3104 is at an all-time low. People just don't trust the media.
3105 And I can see why, because there are now these siloed echo
3106 chamber media outlets. I -- they have a lot of false
3107 information. And so people go and search for it themselves,
3108 usually on social media.

3109 But, you know, I think the solution is not to try to

3110 regulate through these private companies. If you look at
3111 Europe, you know, they have -- they really plunged into
3112 speech controls and criminalization. It hasn't reduced
3113 extreme speech. It hasn't reduced extremist groups. They
3114 are flourishing. What it has done is actually reduced free
3115 speech.

3116 *Mr. Johnson. Okay. Well, look, I fully support
3117 upholding the First Amendment, and I don't believe it is
3118 appropriate for Members of Congress to pressure private
3119 companies to stop airing things that they don't ideologically
3120 agree with.

3121 However, there still lies the issue that media
3122 disinformation is a real problem, and especially when people
3123 look to those sources for the truth, for an unbiased and
3124 factual account of the news. How do you suggest networks
3125 curb disinformation and come in line with the First
3126 Amendment?

3127 *Mr. Doyle. And please be brief, Mr. Turley, his time
3128 is up. So I will let you answer the question.

3129 *Mr. Turley. Okay, thank you, Mr. Chairman.

3130 Actually, I am hoping that the market will pressure some
3131 of these echo chambers to open up. I think people are going
3132 to grow uneasy and unwilling to use those media systems, and
3133 the market will pressure them to go back to being information
3134 forcing networks.

3135 *Mr. Johnson. All right. Well, thank you. I yield
3136 back.

3137 Thank you, Mr. Chairman.

3138 *Mr. Doyle. The gentleman's time has expired. The
3139 chair recognizes Ms. Craig for 5 minutes.

3140 *Ms. Craig. Thank you so much, Mr. Chairman. And thank
3141 you to all the witnesses for hanging in there. I know there
3142 are an awful lot of us on Energy and Commerce.

3143 I am new to the committee, and I worked in med tech for
3144 over 20 years. But prior to that I was a journalism major in
3145 college, and I worked as a local newspaper for about --
3146 newspaper -- worked for a local newspaper for about 4 years.

3147 You know, when I think about 2 years ago, when I first
3148 won my seat in Congress, my district had somewhere in the
3149 neighborhood of the mid-teens in local newspapers still left.
3150 And as I sit here today, that has dwindled down over and over
3151 the course of the last couple of years. And it has really
3152 accelerated as a result of the pandemic.

3153 Ms. O'Brien, in your testimony you mentioned the type of
3154 journalism done in our local newsrooms. There are watchdogs
3155 for local government, our community school boards, our police
3156 departments. That is the kind of journalism that I
3157 participated in all those years ago. Tell me a little bit
3158 more about what you see as the long-term effects on our
3159 democratic institutions when there are fewer and fewer

3160 newsrooms doing this kind of coverage.

3161 *Ms. O'Brien. Yes, I think the long-term impacts are
3162 exactly what you would imagine. And what you are pointing
3163 out that happened in your community is seen around the
3164 country, right? There is the number, a lot, and then fewer,
3165 and then a handful, and then it really goes to nothing, and
3166 we are in the middle of all of a news desert, essentially.

3167 And of course, if you lose the watchdog that is actually
3168 sitting there and going to the board of ed meetings, and
3169 going to listen to what is happening at City Hall, and really
3170 taking notes, and following what is happening in the local
3171 community so that people in the community, regardless of
3172 where they sit, on what side of the aisle, people in the
3173 community can be educated and informed, and know what is
3174 happening.

3175 And also we have seen, as I mentioned in my written
3176 testimony, there is a link to keeping costs down when there
3177 is someone who is watching all the costs, and how things are
3178 being spent. It is hugely problematic. It is a terrible
3179 disservice to the community members, and you end up with a
3180 populace that is less educated and less informed.

3181 At the same time, when people talk about free speech,
3182 though, I have to say I don't think there is this free speech
3183 requirement that you get to be on Morning Joe, you know, and
3184 if you are not Morning Joe, then somehow your free speech is

3185 being taken away from you. So I want to be clear that, while
3186 local news is in decline, where cable has tried to fill the
3187 gaps I don't think they do so very successfully, frankly.

3188 *Ms. Craig. Can I follow up with this question around
3189 media consolidation? You know, that has brought changes to
3190 the kind of reporting that is done in local newsrooms. You
3191 have seen a number of hedge funds start to buy up our
3192 newspapers across the country. How does it -- how does the
3193 oversight work dwindle as consolidation starts to occur?

3194 *Ms. O'Brien. That is a great question. I could not
3195 possibly answer it for you, because I am not an expert in
3196 that.

3197 *Ms. Craig. Well, good answer. Local news
3198 organizations like the Hastings Gazette, which, you know,
3199 just closed -- I want to go back, though, to just any of our
3200 witnesses today who -- and talk a little bit about -- we have
3201 sort of hammered the idea of what is the federal government's
3202 responsibility to death here this afternoon, but -- and the
3203 First Amendment.

3204 But say a little bit about what you believe the role of
3205 ethics in journalism is. Because I know, when I went to
3206 school, you know, it was hammered, objective reporting. It
3207 was hammered inside each one of us. Where do you think
3208 ethics in journalism needs to go at this point?

3209 It is too common to see just articles and broadcasts

3210 that just don't have that level of objectivity. I know a lot
3211 of reporters, a lot of journalists who really do still strive
3212 for that, but we have lost our way a little bit on some of
3213 these broadcast channels.

3214 *Ms. O'Brien. I think, if there is one takeaway from
3215 this conversation today, it should be that, regardless of
3216 where you sit politically, that everyone should want to
3217 embrace facts, and people should not put people who are
3218 intentionally misleading the public, who are spewing lies and
3219 misinformation, on TV. That is the takeaway.

3220 And I think, where ethics comes into play there, right,
3221 is that newsrooms and news organizations have to do better
3222 themselves. There is no role for Congress in monitoring that
3223 and regulating that. Absolutely not. But news organizations
3224 can do that. They can do better, and serve their public
3225 better. That is why you got into the business those years
3226 ago, I got into the business all those years ago, and why
3227 most journalists do the work that they do.

3228 *Ms. Craig. Thank you so much.

3229 And, Mr. Chairman, I will yield the remainder of my time
3230 back to you.

3231 *Mr. Doyle. I want to thank Ms. Craig.

3232 You are setting a good example for the more senior
3233 members of this committee.

3234 Let's see, I don't see a Republican on camera, so Peter

3235 Welch, I am going to recognize you for 5 minutes.

3236 *Mr. Welch. Thank you. I want to go back and follow up
3237 on what Mr. Johnson was asking in -- and ask Professor Turley
3238 would you -- first of all, I am totally for the free -- for
3239 the First Amendment, so I just want that to be clear. We
3240 can't really regulate it.

3241 But Professor Turley, you said that you hoped the market
3242 would create -- would correct some of these extreme problems.
3243 And I believe the market created these extreme problems.
3244 And, you know, if you are a Newsmax or you are an MSNBC -- I
3245 mean, pick your choice -- right now you develop a market
3246 plan, you disseminate a point of view that appeals to the
3247 demographic, and then you get advertisers to support it, and
3248 it is reinforcing.

3249 So I just want you to -- I want to ask you whether, in
3250 fact, the market is a source of this dynamic that we are all
3251 experiencing.

3252 *Mr. Turley. Now, that is a fantastic question, and I
3253 agree with it. The market pressures, as we talked about
3254 earlier, did produce this echo chamber approach. We are not
3255 unique in that. You know, I just spoke to journalism
3256 students in Buenos Aires --

3257 *Mr. Welch. Okay, because -- I am going to interrupt
3258 you, because I just want to keep going here. But I thank you
3259 for that.

3260 Professor Bell, I want to ask you a couple of things.
3261 Local news is under immense pressure because the economic
3262 model to sustain them doesn't work. Yet local news is more
3263 needed than ever. In Vermont it is our local papers that are
3264 giving the day-to-day what is going on with COVID. We had a
3265 big storm, it was our local broadcasting, it was our local
3266 print that was really essential. But they don't have the
3267 revenue. They are needed more than ever, and they have no
3268 revenue model.

3269 Yet news aggregators, including like Facebook, take what
3270 is published locally, which tends to be more trusted, and
3271 disseminate it but don't pay for the utilization. And, as we
3272 are seeing, that issue is being faced, I think right now, in
3273 Australia. Does it make sense to consider requiring some of
3274 those other platforms that use the locally-produced content
3275 to pay for it?

3276 *Ms. Bell. I think that you need to consider all of
3277 these options. We will see how it plays out in Australia.
3278 Personally, I think tying the future of local news or
3279 national news to the patronage system of large technology
3280 companies is in itself fraught with certain problems.

3281 *Mr. Welch. Tell me what we can do.

3282 *Ms. Bell. Well --

3283 *Mr. Welch. We need local news. Local news is --

3284 *Ms. Bell. Right.

3285 *Mr. Welch. -- trusted --

3286 *Ms. Bell. Perhaps a better idea is a version of the
3287 Australian tax, which is to all -- the Australian Bargaining
3288 Code, which is that -- hypothecate tax. You know,
3289 hypothecate tax --

3290 *Mr. Welch. We ought to look at that.

3291 *Ms. Bell. Yes, I think --

3292 *Mr. Welch. My view is -- the question for us in
3293 Congress is to see local news as a public good.

3294 *Ms. Bell. Right.

3295 *Mr. Welch. Something that helps democracy.

3296 *Ms. Bell. Yes.

3297 *Mr. Welch. It may require some support.

3298 The next question I have is what is the responsibility
3299 of any news organization when -- in the halcyon days of
3300 Walter Cronkite, that news organization, even though it was
3301 in CBS, had significant independence on its editorial
3302 judgment. But if they published something that was a
3303 violation, was libelous, they were subject to litigation.
3304 And the question now is whether the protection in section 230
3305 means that there is no accountability for the disseminators
3306 of information, because they are not "publishers."

3307 Professor Turley, is that something that has to be
3308 looked at?

3309 *Mr. Turley. I think it does. I don't see how you can

3310 maintain the original model of the Internet. I call myself
3311 an Internet originalist, because originally these companies
3312 promised they would be content-neutral, and therefore
3313 Congress gave them that protection. They are clearly not
3314 content-neutral anymore. And so you have to re-examine
3315 whether they should be entitled to that immunity.

3316 I really am saddened by the loss of content neutrality.
3317 I would like to keep 230 and go back to content neutrality.

3318 *Mr. Welch. Okay. I will just take my last couple of
3319 seconds to thank Ms. O'Brien and Ms. Urquiza. I hope I
3320 pronounced that.

3321 But you both spoke -- you spoke, Ms. O'Brien, of some
3322 norms and values that have to be incorporated. They can't be
3323 -- they have to be accepted.

3324 And also, Ms. Urquiza, I think what you talked about
3325 with your dad is the power of media. It is still an
3326 authoritative voice for so many. And, you know, we should
3327 live in a world where we can trust what people are saying.
3328 So thank you for your advocacy in the memory of your father.

3329 I yield back.

3330 *Mr. Cardenas. [Presiding] Thank you. Thank you. The
3331 congressman yields back.

3332 We have Buddy, Buddy Carter, your 5 minutes. You have
3333 the floor.

3334 [Pause.]

3335 *Mr. Cardenas. Unmute, Buddy.

3336 *Mr. Carter. Thank you very much.

3337 *Mr. Cardenas. Okay.

3338 *Mr. Carter. I apologize, I was on mute. Thank every
3339 one of you on the panel for being here. I appreciate it. I
3340 -- and, you know, I am having some trouble here understanding
3341 exactly where we are going with this.

3342 This is so important to me. I think this is one of the
3343 most important subject matters that we need to be discussing
3344 now in our country, not just in Congress, but in our country.
3345 And that is, you know, just disinformation, and how it has
3346 spread through the media. It is of extreme concern to me. I
3347 think of, you know, the examples like you can't pick up a
3348 left-wing publication or a left-leaning, if you will,
3349 publication without it saying unfounded claims by the
3350 President, by President Trump, of election fraud. I mean, it
3351 says that.

3352 Yet I am from the State of Georgia, and I think back to
3353 2018, and I think back to the gubernatorial race that we had
3354 in 2018, and I think back to, specifically, on a November 11,
3355 2018 segment with Joy Reid, where she expressed allegations
3356 that the election had somehow been manipulated to ensure
3357 Stacey Abrams wouldn't -- or would lose. And yet, you know,
3358 when you hear about that, you never hear about unfounded
3359 claims that there was voter suppression during that time. I

3360 think the left-leaning media accepts the fact that that was
3361 not a fair election. Yet in the State of Georgia we
3362 understand it was a fair election.

3363 Another example, November 15th of 2018, CNN's Inside
3364 Politics alluded to allegations of concerns with the
3365 electoral outcome in the gubernatorial race. Yet that panel
3366 didn't push back on fraud allegations at all.

3367 Mr. Turley, to me these are clear examples of double
3368 standards within the effort to address disinformation. And
3369 it is very clear that this issue isn't -- it isn't just
3370 limited to a single party, a single ideology, or anything.
3371 Have there been any repercussions, Mr. Turley, or actions
3372 taken by these networks, CNN and MSNBC, to your knowledge, to
3373 address the spread of misinformation?

3374 *Mr. Turley. No. As I said in my testimony, I
3375 personally called out networks on false legal stories. Chuck
3376 Todd said something about a Michigan case against the
3377 governor, ruling against the governor, that was manifestly
3378 untrue. That was not correct. I have seen commentators make
3379 arguments about --

3380 [Audio malfunction.]

3381 *Mr. Turley. They were rejected not just by the Supreme
3382 Court, but unanimously by the Supreme Court.

3383 So the problem is that everyone is very select their
3384 rage. The important thing is they are rageful, they are

3385 addicted to this rage, but they are very selective. And once
3386 you go down this path of saying that we are going to try to
3387 take some people off the air, or get these companies to bar
3388 opposing voices, you find yourself on this slippery slope.
3389 And there may come a day where you are on the wrong side of
3390 that censorship.

3391 *Mr. Carter. You know, before I became a Member of
3392 Congress -- and even still, I am a pharmacist by trade and by
3393 profession, and I was a nursing home consultant pharmacist.
3394 And that is why what happened in New York I find so appalling
3395 and so upsetting and so disturbing. Yet we know that CNN had
3396 a ban on Chris Cuomo covering his brother, the governor of
3397 New York, for over 7 years. Yet they lifted that ban. And
3398 during the months of March and June, Chris Cuomo had his
3399 brother on the show nine times, nine times to discuss the
3400 COVID response -- and also, I am sure, to boost ratings. I
3401 am sure he wouldn't have had him on to hurt ratings. I am
3402 sure he had him on to help ratings.

3403 And yet now we find that the governor of New York was
3404 lying, not spreading misinformation, he was lying, covering
3405 up about deaths in nursing homes. And yes, that is offensive
3406 to me, because I worked in nursing homes for so long, and I
3407 know what impact -- and I knew whenever he made that
3408 executive order to send COVID-infected patients into nursing
3409 homes, what impact it was going to have.

3410 What -- Mr. Turley, I want to just ask you, what can we
3411 do to prevent situations like this from happening?

3412 *Mr. Turley. Well, this is one area where I may
3413 disagree with Ms. O'Brien in the sense that, even if the
3414 governor is giving false information, I would still want him
3415 interviewed. I mean, that is part of the point. If we
3416 believe that somebody is wrong, it is better to have the
3417 interview. It is better to force that into the open, and let
3418 people make their own decisions.

3419 And in Cuomo's case, it would be great to interview him,
3420 even if he is repeating things people think is false. But it
3421 is the diversity of our media that allows these to be brought
3422 to the surface. If you start to direct your cable companies
3423 to get rid of those networks you don't believe or listen to,
3424 then you will have fewer of these stories called out.

3425 *Mr. Cardenas. The gentleman's time has expired.

3426 *Mr. Carter. Okay, I yield back. Thank you.

3427 *Mr. Cardenas. Thank you for yielding back. Next we
3428 have Congresswoman Fletcher.

3429 You have the floor for 5 minutes.

3430 *Mrs. Fletcher. Thank you so much, Mr. Cardenas. I am
3431 glad to be here for this important hearing today. And I want
3432 to thank all of the witnesses for taking the time to testify.
3433 I appreciate the time you spent with us today.

3434 And to Ms. Urquiza, the photo that you shared of what I

3435 assume was your Facetime with your father on your written
3436 testimony, it is just -- it is heartbreaking. And I just
3437 want to thank you for sharing your pain with us in the hope
3438 that we will use it to make progress. And that is the
3439 purpose of today's hearing.

3440 I have heard some comments from some of my colleagues
3441 today, and claims that this is an effort to silence people
3442 with whom some members simply disagree. I don't think that
3443 is why we are here.

3444 We have a problem with the proliferation of
3445 disinformation and extremism in this country. That is what
3446 we are here to discuss today. And that is something we have
3447 seen right here in this Capitol in this year. That is
3448 something that should concern everyone here, and every
3449 American.

3450 We have covered a lot of ground today, and I join my
3451 colleagues in recognizing the importance of local news
3452 reporting. And I want to ask a couple of questions about
3453 that. But in my home in Houston, for the last week, our
3454 local reporters have been sharing information on true matters
3455 of life and death, like where to get drinkable water. It
3456 does a great service, especially when so many of the
3457 reporters that I talk to didn't have power or water
3458 themselves.

3459 So, Ms. O'Brien, the question that I wanted to start

3460 with is one to you about, you know, my understanding, with
3461 both a sister and a dad who have been journalists in their
3462 careers, that journalists are held to certain ethical
3463 standards in reporting that includes, among other things,
3464 verifying facts from multiple sources before news is
3465 considered fit to print, or air, or publish. And can you
3466 walk us through some of what those standards are, and the
3467 process for traditional journalists in reporting a story?

3468 And maybe that is something we should be thinking about
3469 as we consider this conversation about disinformation. That
3470 would be helpful.

3471 *Ms. O'Brien. I would be happy to. And I can only give
3472 you, from my point of view and from the work that I have
3473 done; I wouldn't presume to speak for other journalists.

3474 But you are absolutely right, and I am sure those
3475 journalists in your hometown are doing the best that they can
3476 under very dire circumstances. And there is a tremendous
3477 pressure to get as much information out as fast as possible,
3478 which is going to mean some stuff is wrong. And so that --
3479 those standards shift sometimes in breaking news. In
3480 covering Hurricane Katrina, for example, we worked with a lot
3481 of local reporters, tremendous pressure. Many of them were
3482 homeless, themselves.

3483 But generally speaking, right, you are supposed to stick
3484 to all the basic tenets of basic journalism, do reportage.

3485 And then, if you are going to use sources, you have to get
3486 multiple verified sources. And then, probably most
3487 importantly, you have to bring that back either to your
3488 editor or your executive producer, if you are working in
3489 television, and talk to them about these sources. If they
3490 are unnamed, here is who they are. Because your editor or
3491 your executive producer actually needs to know that they are
3492 independent, and that they are verified, and that they don't
3493 have a stake in the way the story is being told. I am not a
3494 big fan of using quotes from people that are not attributed,
3495 because I think it is often overdone, and I think it becomes
3496 very problematic.

3497 So -- and I think, really, most of the reporters I have
3498 ever worked with in local news -- I was a local reporter in
3499 San Francisco, I worked as a producer in Boston -- or in
3500 network news, or in cable news, they are all doing the best
3501 that they can, given the pressures that they are under. What
3502 I would like to see are people who come back and say, "Where
3503 did we get that wrong?"

3504 In Hurricane Katrina we made mistakes, and we came back,
3505 and said, "You know what? Here are some of the things we got
3506 wrong. And what were those systems that allowed us to get it
3507 wrong, so that next time we don't make the same mistakes, we
3508 get it right?" And I think Congress does not have a role in
3509 figuring that out. But the news organizations should want to

3510 be better, because I think that that is going to make
3511 audiences trust them more.

3512 *Mrs. Fletcher. Thank you, Ms. O'Brien. And I want to
3513 follow up on your last comment with Professor Bell about the
3514 role of government here, because I think both Ms. O'Brien and
3515 you have referenced earlier today the sort of positive versus
3516 negative role of the government around this question. And so
3517 much of the conversation has been focused around -- framed in
3518 the context of the First Amendment concerns.

3519 But what positive things do you think Congress can and
3520 should do when facing this disinformation right now? What
3521 are some positive things you think we should be doing?

3522 *Ms. Bell. Well, I think they should be -- I think
3523 Congress can help, first of all, create incentives for new
3524 ownership structures in local news markets. I think that you
3525 can review whether or not you want to rethink what public
3526 broadcasting is in the digital age, and how to keep that
3527 independent and robust.

3528 I think that you can really sort of work with civil
3529 society organizations to think about what the best mitigating
3530 strategies are. And I think you can apply some pressure,
3531 hopefully, to the platform companies to allow much greater
3532 auditing of some of the data about the stories that
3533 circulate, and access to that. Just don't let them know so
3534 much about public -- you know, what our public life is

3535 without us really having any insight into it.

3536 *Mrs. Fletcher. Thank you, Professor Bell. I have
3537 exceeded my time, so I yield back.

3538 Thank you, Mr. Cardenas.

3539 *Mr. Cardenas. The gentlewoman yields back. Ms.
3540 Clarke, you were having issues with your camera. Are you
3541 there?

3542 [No response.]

3543 *Mr. Cardenas. Okay. I don't hear anything, so we will
3544 go to Mrs. Dingell, who has the floor for 5 minutes.

3545 *Mrs. Dingell. Thank you, Mr. Chairman. Thank you to
3546 all of the witnesses. And the good thing about seeing me
3547 means you are almost at the end.

3548 But having said that -- and I know that many people have
3549 made this comment, but media remains a crucial tool,
3550 particularly during this pandemic, to access to vital
3551 information. And while they provide critical services, our
3552 increased isolation and consumption of media has given rise
3553 to this surge of disinformation that we have been talking
3554 about all afternoon. News sources have amplified debunked or
3555 false claims, elevated conspiracy theories, and preyed on the
3556 divisions in this country. And I am truthfully just very
3557 worried about what has happened to the fear and hatred that
3558 is dividing this country.

3559 Misinformation and deliberate disinformation have

3560 consequences, and we have lived through those consequences.
3561 We experienced it firsthand, here at the Capitol, on January
3562 6. We saw it over the last year in various denials of the
3563 seriousness of COVID-19. And we talked -- I am so sorry for
3564 the loss of any family member. I do understand. I too have
3565 lost family because of COVID. Or even -- how did wearing a
3566 mask become so political?

3567 It -- this issue has serious implications for the
3568 security of our communities and, quite frankly, the
3569 preservation of our democracy. And it is happening on both
3570 sides. It is not Democrats, Republicans. It is happening in
3571 America to everybody.

3572 So, as highlighted during today's hearing, media outlets
3573 are incentivized to report provocative, reactionary stories.
3574 My concern lies in that sensational content or media intended
3575 to elicit an emotional or, quite frankly, a violent reaction
3576 -- I have had people try to do things -- I am a Michigan
3577 girl. We know about people that do that. It not only
3578 continues to divide us, but it is desensitizing people that
3579 -- it continues to -- the continued exposure normalizes
3580 hateful rhetoric. It normalizes calls for violence. It
3581 legitimizes these conspiracy theories, and incentivizes
3582 companies to do it more.

3583 Ms. Bell, should the American people be concerned that
3584 continued exposure to more provocative reactionary content

3585 normalizes these ideas and events, and could lead to the
3586 acceptance, normalization, and even support of more extreme
3587 content?

3588 *Ms. Bell. Yes, I think they should. And we see how
3589 algorithms -- recommendation algorithms that work,
3590 particularly on search engines and social media, can actually
3591 lead to people being shown more of -- reinforcing content
3592 which, when it is political speech, can be moving into more
3593 extreme and eventually kind of violent areas.

3594 So social media companies have been addressing that.
3595 And I think that this is where norms and social practices are
3596 really important, that we recognize that there is a problem.
3597 There has to be will among the political -- the media elite
3598 and the technology elite to actually kind of do the right
3599 thing, as it were. So, you know, it is -- but it is a real
3600 danger. You know, we have seen there is a real danger.

3601 *Mrs. Dingell. Thank you.

3602 Ms. O'Brien, should the American people similarly be
3603 concerned that an increased acceptance of this content will
3604 incentivize news outlets to provide more of this type of
3605 content?

3606 *Ms. O'Brien. There is a reason that the phrase "if it
3607 bleeds, it leads'" is a phrase that everybody who has ever
3608 worked in local news can roll up. And, as a person who has
3609 spent a lot of time in local news, you kind of know what is

3610 going to be your top story, right?

3611 And also, by the way, it is inexpensive to cover. It is
3612 easy to shoot. It is very fast. Right? So there is a
3613 financial element that makes the pressure more to cover news
3614 that is over the top violent, rhetoric.

3615 And also, it engages people, right? I mean, part of, I
3616 think, the debate, when it becomes very visceral and very
3617 emotional, it is good -- you know, what we would call good
3618 TV. It is good drama. It drags people in. It makes them
3619 feel a certain way. The worst thing that could happen is
3620 that someone is watching and feels absolutely nothing about
3621 what you are putting on the air. As a producer, that would
3622 be extremely problematic.

3623 So, yes, obviously, I think the point about this idea of
3624 we have to figure out how to get people to do their best, you
3625 know, and sort of appeal to all the better angels who could
3626 potentially be involved in a solution is a very, very good
3627 point by Professor Bell. And I think the public should be
3628 concerned. I don't think that any of this is a surprise.

3629 *Mrs. Dingell. I am out of time. I had a lot more.
3630 Thank you.

3631 *Mr. Cardenas. The gentlewoman yields back. At this
3632 moment in time I do not see any other members on the screen
3633 who haven't spoken yet, Republican or Democrat. If somebody
3634 is to speak who hasn't spoken, the members -- okay, seeing

3635 and hearing none, we will commence the closing of this
3636 committee hearing.

3637 And I will start by thanking our witnesses, and thank
3638 you so much for being here today, and giving us your
3639 information, and offering to be part of this hearing. We
3640 really appreciate your participation.

3641 And also I remind the members that, pursuant to
3642 committee rules, they have 10 business days to submit
3643 additional questions for the record to be answered by the
3644 witnesses who have appeared.

3645 I also ask that the witnesses please respond as promptly
3646 as possible to any questions or inquiries asking more
3647 information of you.

3648 Also, a housekeeping matter, we do, in fact, insert all
3649 the letters of testimony that have been -- or would be part
3650 of this hearing. And also we are, in fact, accepting the
3651 request to have documents and letters submitted for the --
3652 that have been requested to submit for the record.

3653 Without objection, so ordered.

3654 And with that, at this time, the committee is adjourned.
3655 Thank you all very, very much to come together on this so
3656 important issue.

3657 And also, a point of personal privilege. Before
3658 everybody got on I saw a beautiful comment back and forth in
3659 catching up between Ms. O'Brien and Mr. Turley. You wouldn't

3660 think so, if you just assumed that they don't get along or
3661 appreciate and respect each other. But it was really
3662 beautiful --

3663 *Ms. O'Brien. Turley has been a guest on my shows many
3664 times.

3665 *Mr. Turley. That is true. That is very true. Thank
3666 you.

3667 *Ms. O'Brien. Thank you, we appreciate it --

3668 *Mr. Cardenas. Thank you all very, very much.

3669 *Mr. Doyle. [Presiding] Tony, I just want to also thank
3670 all the witnesses. We have run back and forth for votes, but
3671 we appreciate all of the witnesses appearing today. And I --
3672 you have been a great benefit to the committee. And we thank
3673 you, and hope to see you again soon.

3674 So stay safe, everyone.

3675 *Ms. O'Brien. Thank you. Thank you.

3676 *Mr. Cardenas. Thank you.

3677 *Mr. Doyle. The meeting is adjourned.

3678 [Whereupon, at 3:48 p.m., the subcommittee was
3679 adjourned.]