

**KEYNOTE ADDRESS OF FCC COMMISSIONER AJIT PAI
AT THE FRIENDS & BENEFACTORS AWARDS BANQUET OF THE MEDIA INSTITUTE**

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I would like to start off by thanking the Media Institute for inviting me to say a few words this evening and congratulating Senator Chris Dodd and Gracia Martore on their well-deserved awards. The Media Institute and tonight's honorees have been at the forefront of the fight to safeguard two of our nation's most cherished liberties: freedom of speech and freedom of the press.

Too often, we take these fundamental freedoms for granted. But we shouldn't. Around the globe, a free press and open public discourse are exceptions, not rules. And here, too, the First Amendment is regularly under assault by government at all levels. At a time when prosecutors threaten reporters with jail time for doing their jobs and when public universities impose speech codes on students, it is ever more critical for us to be vigilant in protecting our most cherished liberties.

I've learned this lesson firsthand during my tenure at the FCC. Last year, I was stunned to learn about the FCC's so-called "Critical Information Needs" study. As a part of this study, researchers would enter newsrooms across the country to grill reporters, editors, and station owners about how they decide which stories to run. The FCC selected eight categories of "critical information" that it believed local newscasters should cover and planned to ask how stations ensured that the community received that information.

And the questions didn't stop there. The FCC wanted to interject itself into internal disputes. One question for reporters was: "Have you ever suggested coverage of what you consider a story with critical information for your customers that was rejected by management?" Follow-up inquiries addressed how editorial discretion was exercised, as well as the reasoning behind editorial decisions.

This government-sponsored intrusion into the newsroom would have been completely inappropriate, especially by the agency that licenses radio and television stations. Fortunately, when the issue was brought to light, Americans across the political spectrum raised their voices in opposition. Thanks to their efforts, the FCC cancelled the study.

This was a big win for the First Amendment. In our country, the government does not tell the people what information they need. News outlets and the American public decide that for themselves. And the government has no place in the newsroom. So when folks show up there and ask questions like, "What is the news philosophy of your station?", I think that Greta van Susteren offered the appropriate answer: "None of your business. Read the Constitution."

Unfortunately, the newsroom study hasn't been the only threat to the First Amendment to pop up at the FCC over the last twelve months. As you've probably heard, we are now dealing with the controversy over the name of the Washington Redskins professional football team. Passions are strong on both sides of the issue of whether the team should change its name. I'm not here tonight to voice an opinion on that. My plate is full enough at the moment.

But I do find it disturbing that there's an eager constituency urging the federal government to ban the team's name from our nation's airwaves. Just think about what that could mean. A television station could be fined for accurately reporting that the score of last Sunday's game was the Tampa Bay Buccaneers 27, Washington Redskins 7. A radio station's license could be revoked for using the team's name during a news report on the controversy about the team's name.

If the FCC took these steps, we would be squelching public debate about an issue of public concern. We would be standing in the way of media outlets reporting the news. And we would be prohibiting speech simply because we disagree with the viewpoint that is being expressed.

No federal agency should cross that line. And public officials should not sound an uncertain trumpet when oft-offended opportunists urge us to undermine the First Amendment. We should follow Voltaire's famous dictum: "I may not agree with what you have to say, but I'll defend to the death your right to say it." Anyone who takes seriously the Constitution—scholar or layman—knows the petition is meritless. The FCC should dismiss it *tout suite*, as Voltaire might have said.

These are just a few examples of recent assaults on free speech. And I've found myself wondering recently, why are they occurring? Unfortunately, an increasing number of people have little tolerance for hearing ideas that differ from their own. As Bill Bishop, the author of "The Big Sort," has put it, "America may be more diverse than ever coast to coast, but the places where we live are becoming increasingly crowded with people who live, think, and vote like we do."

And there is a growing correlation between a person's politics and where they choose to get news and information. About one-quarter of Facebook users have hidden, blocked, defriended, or stopped following someone based on disagreements over political posts. And 12% of Americans report that they have even ended a friendship altogether due to political differences. One can understand, then, why some have little interest in protecting a *stranger's* right to free speech.

Perhaps nowhere is this phenomenon more apparent than on our nation's college campuses. Consider the recent example of comedian Bill Maher, who was invited by the University of California at Berkeley to speak at a December commencement ceremony. Following some of Maher's remarks about the Islamic world, thousands signed a petition calling for Maher to be disinvited. Among other things, they complained that Maher "perpetuates a dangerous learning environment." As a result, the committee that had issued the invitation to Maher voted to rescind it, at which point the University's Chancellor intervened and made clear that Maher would be allowed to speak.

Now, to be clear, I disagree with Bill Maher on many political issues. And over the years, he has said some things that many people find offensive. But I also find it offensive that a college would disinvite a speaker because of his political beliefs—even more so that some at Berkeley would try to do so on the 50th anniversary of its own free speech movement. After all, the very point of the university is to confront students with a wide range of ideas so that they can learn to think critically. It is not to coddle students by reinforcing pre-existing views. Besides, if *Bill Maher* isn't liberal enough to speak at a college commencement ceremony, what hope is there for the rest of us?

Unfortunately, the Berkeley brouhaha is not an isolated incident. These are dark days for intellectual diversity on campus. The number of speakers who have been formally disinvited from speaking on college campuses or have voluntarily withdrawn in the face of protests has risen dramatically over the past 15 years. In just the last couple of years, that list includes former Secretary of State Condoleezza Rice, IMF Chair Christine Lagarde, former World Bank President Robert Zoellick, now-Prime Minister of India Narendra Modi, and women's rights activist Ayaan Hirsi Ali.

I agree with Michael Bloomberg who said earlier this year at Harvard that this trend "is an outrage and we must not let it continue." And more generally, he said, "Repressing free expression is a natural human weakness, and it is up to us to fight it at every turn. Intolerance of ideas—whether liberal or conservative—is antithetical to individual rights and free societies."

Mayor Bloomberg was right. Freedom's protection demands a cultural commitment, not just cold parchment. Whether in the halls of academia or at the FCC's headquarters, we must not let censorship and conformity—what he called "the mortal enemies of freedom"—win.

For my part, I intend to do whatever I can during the remainder of my time at the FCC to protect freedom of speech and the freedom of the press. The past few months have shown that the American people treasure and will defend the First Amendment. That means we can win these battles so long as government overreach is exposed to the light of day.

I look forward to continuing to work with the Media Institute on behalf of the values we hold dear. For you and the media writ large play a critical role in ensuring the defense of this most unusual freedom.

Thank you very much.