

A Package Deal

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Suppose suggested legislation outlaws both murder *and* walking. How could you oppose it? Are you, a dedicated perambulator-peripatetic, also a murder-supporter?

Obviously, this would be an attempt to foist a package deal consisting of unrelated or mutually contradictory elements.

Consider a more true-to-life example.

... the bill gives the federal government “sweeping power over communications” and could be used to stifle speech protected by the Constitution.

In the *Wall Street Journal*, Philip Hamburger argues that a congressional bill targeting TikTok would do much more than counter Chinazi spying on Americans (“[The TikTok Bill Is a Sneak Attack on Free Speech](#)”).

If curbing or even outlawing TikTok were the sole focus, one could argue the merits of the legislation given what is known about the company’s collecting of data and its relationship with the Chinese government. There’s no free-speech protection of



foreign espionage.

However, as Hamburger points out, the bill gives the federal government “sweeping power over communications” and could be used to stifle speech protected by the Constitution.

The [proposed statute](#) would allow the Department of Commerce to undertake open-ended mitigation of “undue or unacceptable” risk regarded as arising from use of communications technology in which any entity subject to the jurisdiction of a foreign adversary “has any interest.”

This is very vague and very all-encompassing. The legislation thus confers power over domestic communication companies “that could be used to extort their cooperation in censorship.”

Attempts to resist such “mitigation” or censorship would risk administrative fines of \$250,000, criminal penalties of \$1 million, two decades in prison. For supporting freedom of speech?

Please walk away from this, Congress.

This is Common Sense. I’m Paul Jacob.