



Bills of Suppression

May 17, 2024

In 2021, Democrats took aim at persons who donate to Democrats' opponents with legislation called the For the People Act, which Republicans successfully blocked.

Back then, Bradley Smith, chairman of Institute for Free Speech, observed that the legislation aimed to violate the rights of groups "who do nothing more than speak about policy issues before Congress." It would also have limited political speech on the web.

Now the bill is being resurrected as two separate pieces of legislation, each with language purporting to counter the purported threat of artificial intelligence. They are

the [Protect Elections from Deceptive AI Act](#) and the [AI Transparency in Elections Act](#).

Some Republicans seem to be buying into the resuscitated anti-speech agenda, even though the legislation incorporates many proposals — even much of the same language — from the earlier bill. Again, [says Smith](#), the goal is to expose conservative donors to "to harassment and boycotts." Also to outlaw content called "materially deceptive content" as judged by a "reasonable person."

Of course, "reasonable persons" can and do disagree about the meaning of various speech and whether it's "deceptive." It's reasonable to assume that the legislation, if enacted, will be used against speech that enforcers happen to disagree with.

As for *actually* deceptive speech: all manner of jabberwocky is protected by the First Amendment unless uttered to rob or defraud someone. If I tell you the moon is green cheese and you believe it, that may be sad. But I haven't picked your pocket . . . or made you eat lunar cheese.

This is Common Sense. I'm Paul Jacob.