

Opening Statement of Ranking Member Alma S. Adams (NC-12)

Subcommittee on Higher Education and Workforce Development

"Speech or Silence: The Future of the First Amendment in Higher Education"

Wednesday, April 29, 2026 | 10:15 a.m.

Thank you, Mr. Chairman. And I want to thank our witnesses for being here today.

Let me start with a point that I think everyone on this dais should agree on. Every student is entitled to the full protection of their First Amendment and Title VI rights. Even deeply offensive speech could be [proper] depending on the context.

But we should also be honest about what the First Amendment does and does not do. It protects speech from government interference, but it is not absolute. Courts have made clear that certain narrow categories of speech, like obscenity, defamation, and fighting words, can be restricted. And institutions of higher education also have the legal obligations under civil rights laws, including Title VI, to ensure that students are not subjected to unlawful discrimination or a hostile learning environment.

So, this is not a simple issue. It requires balance, judgment, and respect for both free expression and free opportunity.

Unfortunately, what we often see, especially in hearings like this, is not a good-faith effort to strike that balance, but a selective narrative.

My colleagues on the other side of the aisle frequently claim there is a "free speech crisis" on college campuses, arguing that universities lack viewpoint diversity and silence certain perspectives. But the data does not support that claim. Across thousands of institutions, only a small number of incidents each year involve efforts to disinvite speakers or disrupt events. That is not a systemic problem warranting congressional intervention.

What is more troubling is the inconsistency.

If the concern is truly about viewpoint diversity, then we should protect all viewpoints, not just those that align with a particular political agenda. Yet many of the same voices raising these concerns have supported efforts to restrict what can be taught and discussed on campus, particularly regarding diversity, equity, and inclusion. We have seen attempts to ban courses, limit classroom discussions about race and inequality, and penalize institutions for engaging in work that reflects the diversity of their students.

We have seen students harassed or targeted by expressing viewpoints that differ from a preferred political ideology. And we have even heard calls that suggest international students could face severe consequences, including deportation, for engaging in protest or controversial speech.

That is not a principled defense of viewpoint diversity or of the First Amendment. That is using free speech as a political weapon.

At the same time, colleges and universities are navigating real challenges. Public institutions must uphold the First Amendment while also complying with Title VI and ensuring that all students have access to an education free from unlawful discrimination. Courts have been clear that speech on matters of public concern, even when it is offensive or deeply unpopular, remains protected. But when conduct crosses the line into targeted harassment that creates a hostile environment, institutions have a responsibility to act.

These are complex, fact-specific determinations. They are not well-suited to broad, one-size-fits-all mandates from Congress.

And that brings me to my final point.

Congressional oversight exists to serve the public good — not to strong-arm universities into policing students' political opinions. Legislating which ideas can be expressed on a college campus is a direct assault on academic freedom and the First Amendment.

We should be very cautious about inserting Congress into decisions about campus speech, academic curricula, or diversity initiatives. The First Amendment is a constraint on government power, not a license for government to dictate what can be said, taught, or debated on college campuses.

As long as institutions uphold students' civil rights and comply with the law, it is not Congress's role to micromanage how they foster dialogue, inclusion, and academic freedom.

If we are serious about defending free speech, then we must do so consistently, not just when it is politically convenient and not just for viewpoints that we agree with.

Our responsibility is to protect both the First Amendment and the civil rights of all students. Those goals are not in conflict, but they do require honesty, consistency, and restraint.

And with that, Mr. Chairman, I yield back.