



Written by [Veronika Kyrylenko](#) on September 16, 2025

Trump Elevates Push for “Charlie Kirk Act” That Would Let Government Police Speech

Over the weekend, President Trump’s Truth Social account [promoted a video](#) that has since gone viral. In it, a supporter pleads for a new law called the “Charlie Kirk Act.” Her pitch is blunt: punish “news corporations” and online creators for “lies” and “propaganda.” She urges Congress to impose fines so severe they would “damn near bankrupt” outlets that cross the line.

On Sunday, Senator Mike Lee (R-Utah.) [announced](#) on social media he would introduce the legislation “in the coming days.” He added,



AP Images

I’ll be filing my previously drafted legislation to restore Smith-Mundt, and renaming it the Charlie Kirk Act. Domestic, political, government-funded propaganda must end now.

Outlaw Lies

On Saturday, Trump elevated a TikTok video from a supporter named Elly May. She framed Charlie Kirk’s death as the fault of the press, declaring:

Because of their constant lies, a man lost his life, because of the constant hateful rhetoric of calling him a fascist, and a Nazi, and a white supremacist, and a bigot.

The cure, she said, is a new federal law to stop the press from such conduct — the so-called “Charlie Kirk Act.” May plead,

Get this in front of Congress, get this passed as a law, and start holding these news corporations — be they right, left or center — accountable for their behavior.

May frames the idea as a revival of the [Smith-Mundt Act](#), a Cold War law aimed at restricting government propaganda (more on that later). But [her petition](#) — which by Tuesday morning had drawn more than 113,400 signatures — calls for something very different: a government enforcement regime against private speech.

The petition reads,

This amended act will hold media outlets, radio stations, educators, and content creators accountable for the false narratives and erroneous information they spread deliberately or irresponsibly.



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And the teeth come in the penalties. May proposes that social-media companies accused of “unfair censorship” should face fines equal to 35 percent of their corporate value — per violation. The logic is blunt: punish the press for saying too much, punish platforms for silencing too much.

The conclusion is lofty: “We stand at a crossroads where the essence of truth and the integrity of information are at stake.” The remedy, however, is plain: a government empowered to decide what is false and punish those who say it.

The Smith-Mundt Confusion

The Smith-Mundt Act, formally the United States Information and Educational Exchange Act, was passed in 1948. Its stated purpose was to promote “the better understanding” of America abroad and to guard against domestic manipulation. It authorized the State Department and broadcasters such as Voice of America (VOA) to share U.S. policies and culture with foreign audiences. But it drew a firm line: Material created for overseas propaganda was not to be disseminated inside the United States. Congress even required periodic reports and oversight commissions to ensure that line was kept.

That wall stood for decades until 2012, when the [Smith-Mundt Modernization Act](#) softened it. Lawmakers [noted](#) that modern platforms — internet, mobile phone, satellite — do not respect traditional national boundaries. They argued that U.S. public diplomacy materials produced for foreign audiences should be accessible domestically to ensure transparency and that the government could more effectively counter foreign propaganda and disinformation online. Critics warned this opened the door for Washington’s own spin to be laundered back into American media.

What the law never did, however, was regulate private voices. It did not fine newspapers, radio stations, educators, or citizen journalists. It did not empower Washington to punish broadcasters for “lies.” Its entire structure was about limiting what the government itself could say to its own people.

What’s a Lie?

To supporters, the proposal feels obvious: If the media lie, make them pay. If content creators spread hate, shut them down. Who could argue with that?

But the question is not whether media lie — they do, often. Many Americans believe that both mainstream outlets and their supposed “alternatives” have shredded credibility with their brazen partisanship.

Yet the cure on offer is not accountability through debate, correction, or competition. It is to hand Washington the job of national fact-checker in chief. The plan assumes that the same government most accused of lying will suddenly become the final arbiter of truth.

Here lies the trap. Once government holds that power, dissent can be branded propaganda. It is not hard to imagine officials declaring it “false” to report civilian deaths from drone strikes. Or “misinformation” to say the government-cleared vaccine causes harm. Or “propaganda” to argue that the government engages in unwarranted surveillance and should withdraw its support for foreign wars. Each of these positions could be shut down — not because they lack evidence, but because they clash with the official “truth.”

Supporters assume their side will always control the gavel. That is naïve. Administrations change. The same weapon used against enemies today will be turned against them tomorrow.

History shows the pattern. Authoritarian regimes never admit they are censoring critics. They say they



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are protecting the people from lies. At first, the state silences only “dangerous falsehoods.” Inevitably, it declares any criticism a threat.

The Mirror of the Left

What makes this push even more striking is its mirror image on the other side of the aisle. Only three years ago, the Biden administration [attempted to establish](#) a “Disinformation Governance Board” within the Department of Homeland Security (DHS). It claimed the board would coordinate responses to online falsehoods. Conservatives immediately - and rightfully! - blasted it as “Ministry of Truth.” The backlash was so fierce that the [board was abandoned](#) within months.

Now, amid grief and fury after Charlie Kirk’s assassination, a similar proposal has emerged from the right. It calls for penalties on speech, sweeping in scope, and endorsed by the president’s own account. The irony is sharp. The same idea that conservatives decried under Biden has returned, only rebranded in their own partisan colors.

Legal Framework

American law already draws a hard line on what speech government can police. [The First Amendment](#) protects even commentary that is biased, sloppy, or offensive. When officials try to regulate content, [courts apply “strict scrutiny,”](#) the highest standard in constitutional law. The state must prove a compelling interest and show no less restrictive option exists. Almost every attempt fails.

The exceptions are razor thin. [Defamation](#) is one, but public figures must clear a steep hurdle. In [New York Times v. Sullivan](#), the Supreme Court required proof of “actual malice” — that the speaker knew a claim was false or recklessly ignored the truth. That safeguard deliberately shields rough reporting and fierce opinion. [Fraud](#) is another, but only when lies are used to steal money or property. [Incitement](#) applies only when speech is aimed at producing imminent lawless action and likely to cause it, as in [Brandenburg v. Ohio](#).

Everything outside those narrow boxes is protected. Falsehoods, exaggerations, spin, and bad takes all fall under the umbrella of free expression. The law is clear: The cure for lies is more speech, not government truth tribunals.

That is why the core idea of the “Charlie Kirk Act” runs headlong into constitutional brick walls. It does not address fraud or direct threats. It goes after disputed narratives — the lifeblood of political debate. To hand Washington the authority to declare those narratives “propaganda” is not reform. It is an assault on the very thing the First Amendment was written to defend.



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