

119TH CONGRESS
1ST SESSION

S. RES. _____

Expressing that any attempt by foreign entities to censor or penalize
constitutionally protected speech of United States persons shall be opposed.

IN THE SENATE OF THE UNITED STATES

Mr. LEE submitted the following resolution; which was referred to the
Committee on _____

RESOLUTION

Expressing that any attempt by foreign entities to censor
or penalize constitutionally protected speech of United
States persons shall be opposed.

Whereas freedom of speech is a fundamental, constitutional
right of every United States person;

Whereas freedom of speech is a hallmark of American
exceptionalism;

Whereas freedom of speech is necessary to ensure that truth
can always be spoken, lies can always be exposed, and
important questions can always be asked, and that the
strong can always be challenged and the vulnerable can
always be heard;

Whereas no person is fit to govern the thoughts or beliefs of
another;

Whereas public forums, including social media platforms, give people the opportunity to exercise their right to free speech;

Whereas undue foreign influence threatens the constitutionally protected right to freedom of speech;

Whereas the Digital Services Act of the European Union requires large platforms to remove certain speech based on the incorrect assertion that politicians are entitled to govern the thoughts and beliefs of other persons;

Whereas the European Union is attempting to force United States entities to use products and technology to censor and undermine free speech occurring in the United States;

Whereas the European Union is threatening steep penalties under the Digital Services Act if United States entities do not implement the censorship regime required under the Act;

Whereas, on August 12, 2024, the European Union threatened Elon Musk with penalties under the Digital Services Act for conducting an interview with President Trump on X, insinuating that the conversation between United States citizens on United States soil would produce “harmful content” that would “spillover” from the United States;

Whereas, on December 5, 2025, the European Union announced a \$140,000,000 fine against X under the Digital Services Act;

Whereas the European Union is actively investigating and discouraging the use of Community Notes-style policies employed by social media companies to avoid censorship

and institutional bias, instead pushing for aggressive content censorship models;

Whereas the Digital Services Act authorizes fines of up to 6 percent of a company's global revenue for not complying with efforts to target speech by United States persons;

Whereas the actions of the European Union under the Digital Services Act conflict with the sovereign duty of the United States Government to protect the constitutional rights of United States persons; and

Whereas such actions by the European Union, if left unchecked, may cause a chilling effect on free speech in the United States: Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) reaffirms its commitment to protecting the
3 commercial interests and free speech rights of
4 United States persons;

5 (2) recognizes that the Digital Services Act is
6 incompatible with the free speech tradition of the
7 United States and the commitments that technology
8 companies have made to hosting a diversity of opin-
9 ions;

10 (3) disapproves of any attempt by a foreign en-
11 tity to export censorship or limit the exercise of free
12 speech by United States persons;

13 (4) disapproves of any attempt by a foreign en-
14 tity to levy fines or other penalties against United

1 States persons participating in constitutionally pro-
2 tected activities;

3 (5) disapproves of the attempts by the Euro-
4 pean Union to force United States entities to de-
5 velop or use products and technology in ways that
6 undermine free speech or foster censorship;

7 (6) commits to oppose any implementation of
8 disapproved activities; and

9 (7) urges the Trump administration to ensure
10 swift and firm rejoinders to any implementation of
11 disapproved activities.