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**Delete. Silence. Abolish:
How Europe's Digital Services
Act Threatens Free Speech and
Faith Worldwide**

Before the
**United States House of Representatives
Committee on the Judiciary**

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Hearing on Europe's Threat to American Speech
and Innovation

Introduction

Europe's Digital Services Act ("DSA") and its proponents seek worldwide narrative control in the digital age. Its goal is censorship; its means draconian centralization; its reach global. The DSA is the head of a growing censorship industrial complex. It must be stopped.

Europe wants to be the global leader in censorship. Its obsession with harmonization and regulation is at odds with the values of free speech and a free press. Those are universal human freedoms as well as traditional European values, but increasingly they are treated by some as a social ill that should be purged from enlightened society. Europe's online speech codes not only violate these human rights but are deliberately designed to position European authorities as the arbiter of truth in virtually every online controversy.

Rather than a suffocating list of regulations dictating what can and cannot be said, the DSA operates to create a tangled web where it is never clear whether something is illegal or simply unwise, where there are punishments for leaving content up but not for taking too much content down, and where even appealability is obscured by a morass of "optional" procedures spanning platforms, member states, and EU courts. The DSA enables threats and intimidation rather than setting forth a clear and unbiased rule of law. Former EU Commissioner Thierry Breton threatened Elon Musk last summer over Musk's plans to interview then-candidate Donald Trump in a livestream on X. If you can't host an interview with a U.S. presidential candidate on your own major speech platform without upsetting the EU, what *can* you do?

Former Commissioner Breton admits that the DSA is already being used against American tech companies, which function as the digital public square. And Europe isn't slowing down. In fact, it continues to add new Codes of Conduct to the DSA, new Guidelines, and has planned a "European Democracy Shield" that will strengthen the DSA in the realm of so-called election integrity and political processes. Additionally, the EU is using the DSA as an element of its negotiations in wider trade agreements with Canada, and at least one member of European Parliament has called on Europe to partner with other nations on regulating technology companies. Because the Internet is global, the DSA's proposed reach is global, too.

The DSA operates through an unwieldy and bureaucratic web where all roads eventually lead back to the European Commission and censorship. The Commission oversees a purposefully confusing morass of often Orwellian-sounding censors, including Digital Services Coordinators, Very Large Online Platforms (VLOPs), Very Large Online Search Engines (VLOSEs), Non-Governmental Organizations (NGOs), Trusted Flaggers, Monitoring Reporters, boards, adjudicators, and courts.

Specifically, the two VLOSEs are the two largest search engines operated by American companies: Google and Bing. Of the 19 VLOPs, 10 are large online platforms operated by American companies—including Amazon, the Apple App store, Pinterest, LinkedIn, the Meta family of sites (Facebook, Instagram, WhatsApp), X (formerly Twitter), and Wikipedia. And as discussed more fully below, these American enterprises are increasingly the tools of censorship by the EU for speech in Europe, the U.S., and around the world.

Because the Commission has broad investigatory powers against Internet companies, including dawn raids with law enforcement to conduct a surprise investigation, companies are incentivized to avoid any questions from the Commission. If after the investigation, the Commission finds that a service provider has made insufficient commitments to enforcing the DSA, it may impose fines up to 6% of the total worldwide annual revenue. If this persists, the Commission can restrict EU access to the platform or suspend operations.

With penalties this severe, you would think the crime would be egregious. But instead, the crime is vague: posting or permitting “anything that is not in compliance with Union law or the law of any Member State.”¹ The examples would be cartoonish if they weren’t so horrifying: people being arrested for yodeling in their own backyards, posting Bible verses, and retweeting memes are all enough to get individuals in trouble with the law in various European jurisdictions, to say nothing of requiring the Internet service providers to cease being digital public squares and start being the first line of censorship.

When 6% of your global revenue is at stake, complying with speech codes is never voluntary. And now that the DSA is mandatory and additional add-ons are coming, American companies will be, at best, forced to stop innovating and start policing speech.

If you don’t like nationwide injunctions, get ready for global injunctions based on an Internet user’s complaint or an ideologically biased NGO’s disgruntled scrolling. This is an affront to the First Amendment²—your right to speak will be curtailed if an unelected European bureaucrat believes it is “misinformation,”

¹ Regulation (EU) 2022/2065 of the European Parliament and of the Council, art. 3(h), 2022 O.J. (L 277) 1 (Oct. 19, 2022), https://www.eu-digital-services-act.com/Digital_Services_Act_Article_3.html

² John Rosenthal, *Make Speech Free Again: How the U.S. Can Defeat E.U. Censorship*, CLAREMONT REV. BOOKS, Spring 2025, at 22-26.

“disinformation,”³ “information manipulation” or a threat to “information integrity.”⁴ This is not just a European problem. It is the frontline of a global struggle over whether people can speak the truth—and live by it—without fear, and whether American companies including Google, Bing, and Meta are free to continue to drive Internet innovation or instead be forced to help Europe silence speech worldwide.

Yesterday it was European speech, but today and tomorrow it will be American speech that will be removed from American platforms at the threat of European bureaucrats. This is a global, coercive effort against not just American companies, but global platforms for the free exchange of ideas.

I. The DSA has created a “Censorship Industrial Complex” for the EU and the World

The unelected and largely unaccountable European Commission has positioned itself under the DSA to enable sweeping censorship in the name of “public safety” and “democracy.” It does this through an elaborate cast of characters, but ultimately the Commission always pulls the strings of censorship, making private enterprises its puppets lest they face draconian fines.⁵

A. The DSA Enforcement Apparatus

The DSA is enforced via a web of censors, with the European Commission in the center of the web. Through its Commissioner for Internal Markets, the European Commission sets and coordinates policy and initiates enforcement actions. The Commission also has exclusive authority over certain provisions of the DSA, including the supervision of VLOPs and VLOSEs.

But the DSA does not rely exclusively on the Commission for its enforcement. Each EU member state must designate at least one “competent authority” to serve as the “Digital Services Coordinator,” which is responsible for administering and enforcing the DSA within that member state, except for the provisions of the DSA

³ European Partnership for Democracy, *Civic Discourse and Electoral Processes in the Risk Assessment and Mitigation Measures Reports under the Digital Services Act: An Analysis* (Mar. 2025), <https://epd.eu/news-publications/civic-discourse-and-electoral-processes-in-the-risk-assessment-and-mitigation-measures-reports-under-the-digital-services-act-an-analysis/>.

⁴ Naja Bentzen, *Information Integrity Online and the European Democracy Shield*, EUR. PARL. THINK TANK (Dec. 2024); www.europarl.europa.eu/thinktank/en/document/EPRS_BRI%282024%29767153; Copenhagen Conference on Information Integrity, *Danish Presidency of the Council of the European Union*, Nov. 11–12, 2025, <https://danish-presidency.consilium.europa.eu/en/events/copenhagen-conference-on-information-integrity/>.

⁵ ADF International, *Unpacking the EU Digital Services Act*, ADF INT’L (Apr. 17, 2025), <https://adfinternational.org/article/digital-services-act-unpacked>.

that are the sole province of the Commission. The Commission can also supersede the Digital Services Coordinators' decisions.

Moving towards the edges of the web, we find the “Trusted Flaggers,” a network of “civil society organisations,” industry organizations, law enforcement, and other private or semi-public bodies that member states may deputize to monitor and flag potentially illegal content.⁶ The Commission may also designate non-profit or public entities with “expertise on illegal hate speech” as “Monitoring Reporters,” whose job it is to surveil the internet to identify “illegal hate speech.”⁷

When a Trusted Flagger speaks, the service provider must listen and prioritize the review of the flagged content before that of its regular users. The service provider must review the flagged content to determine whether it violates the law of an EU member state or the EU itself. If so, the service provider must remove or disable access to the content. If the service provider determines the content is not illegal, it may permit the content to remain but must document its reasoning and share its decision with the Trusted Flagger and record the decision in a database that will be made available to regulators and researchers.⁸

Finally, at the edges of the web are the service providers themselves. Under the DSA, service providers are obligated to proactively search for and remove so-called “illegal content.” Failure to do so—or do so adequately in the eyes of the Commission—will expose the platform to punishment, as described in the next section.

In practice, this amounts to a regime of pre-publication review—content must be filtered, flagged, or throttled before it ever reaches the public.

More troubling still, the DSA requires companies to engage in opaque forms of “risk assessment and mitigation,” effectively pushing them to re-engineer their algorithms and train their artificial intelligence systems to suppress categories of lawful but disfavored speech. Because these decisions happen inside corporate systems, they are nearly impossible for the public to see, debate, or challenge. The result is a hidden form of mass, pre-publication censorship at a scale never before witnessed—a model that threatens not only European discourse but speech, debate, and dialogue around the globe. The DSA creates a strong incentive for service providers to remove flagged content regardless of its legality. A service provider

⁶ Digital Services Coordinators, European Commission Digital Strategy, <https://digital-strategy.ec.europa.eu/en/policies/dsa-dscs>.

⁷ European Commission, Code of Conduct on Countering Illegal Hate Speech Online+ at 5.

⁸ If the flagged content is deemed to pose “a threat to the life or safety of a person or persons” the service provider is also obligated to notify the police of the relevant member state. Regulation (EU) 2022/2065 of the European Parliament and of the Council, art. 18(1), 2022 O.J. (L 277) 1 (Oct. 19, 2022) <https://eur-lex.europa.eu/eli/reg/2022/2065/oj/eng>.

paying an employee to conduct a legal review is expensive, especially given the scope and complexity of European speech law. Given that the financial value of most individual pieces of content to a service provider is minimal, the procedural requirements of the DSA alone create a bias towards censorship.

The individuals whose content is targeted by a Trusted Flagger are at a distinct disadvantage. Appeals may be handled by the service provider (who is subject to the DSA), by a non-judicial “out-of-court dispute settlement body” that is dependent on the member state’s Digital Services Coordinator (who enforces the DSA) for its continued certification, or in some cases by a court—a costly and lengthy process that most individuals will lack the means and sophistication to pursue.

If the Commission or a member state’s Digital Services Coordinator believes there has been a violation of the DSA, the Commission or a Digital Services Coordinator may initiate an investigation. However, if the Commission initiates an investigation, the Digital Services Coordinator loses its jurisdiction over the alleged violation, exemplifying how the DSA centralizes power within the Commission.

B. The DSA Enforcement Process and Punishment

While the procedural requirements of the DSA create powerful incentives for service providers to censor their users at the drop of a hat, that is nothing compared to the incentives created by the DSA’s enforcement regime. When an investigatory proceeding is initiated, the DSA provides the European Commission and its member states with broad and invasive investigatory powers. If a DSA violation is found, or the service provider fails to be sufficiently responsive, the DSA provides the Commission and its member states with the ability to discipline the service provider with massive fines, exclusion from the EU market, and even criminal sanctions.

Commission Investigations of VLOPs and VLOSEs. The DSA permits the Commission to send VLOPs (*e.g.*, Amazon, Meta, X/Twitter, and other American companies) and VLOSEs (Google and Microsoft’s Bing) the equivalent of a subpoena, conduct interviews, and send investigators to “inspect” the service provider’s premises. It also permits the Commission to require the service provider to document and explain their internal systems, including sensitive commercial information like algorithms, and seal the premises of the European operations of these companies—again, many of which are U.S.-based companies. To compel compliance with these investigatory demands, the Commission may fine X/Twitter, Meta, Google, Amazon, or any other non-compliant VLOP or VLOSE up to 5% of its *global* daily revenue for each day the company fails to comply.

If the Commission finds *prima facie* evidence of a DSA violation, it may impose interim measures on the service provider for a “specified period of time.”⁹ However, the Commission may also determine what that specified period of time is and renew the order so long as the renewal is considered, in the sole discretion of the Commission, to be “necessary and appropriate.”¹⁰

If, as part of the investigation, the service provider offers sufficient commitments that it will comply with the DSA, the Commission may reach a binding agreement with the provider and close the proceedings.¹¹ However, if the Commission does not believe the commitments are sufficient, it may, in effect, convict the service provider via a “non-compliance decision.”¹²

In certain instances, a non-compliance decision, as well as instances where a VLOP or VLOSE fails to comply with an “interim measure” imposed by the Commission or conditions imposed by a Commission decision, allows the Commission to impose a fine on the VLOP or VLOSE of up to 6% of its *global* annual revenue. Other infractions can result in fines of up to 1% of *global* annual revenue. For U.S. companies like X/Twitter, Google, and Meta, this represents an existential threat to their operations and coerces them to become co-censors with the EU.

Proceedings by Digital Services Coordinators. An EU member state’s Digital Services Coordinator may enforce the DSA against service providers in that state. While the Digital Services Coordinator’s powers are similar to those of the Commission, each EU state may implement its own rules and procedures for investigations of and penalties for infringements.

Exclusion from the EU Marketplace. If all else fails, a Digital Services Coordinator, at the request of the Commission in the case of VLOPs and VLOSEs or on its own initiative for other service providers, may request that a competent judicial authority in the EU member state where the service provider resides temporarily restrict access to the service provider or seek assistance from other intermediaries, such as ISPs, to prevent the service provider from being accessed.

Emergency Powers. Under mundane circumstances, the DSA provides the EU and its member states with a huge tool to force service providers into compliance, but that is nothing compared to the powers provided in a crisis. When the Commission determines that “extraordinary circumstances lead to a serious threat to public

⁹ Regulation (EU) 2022/2065 of the European Parliament and of the Council, art. 70, 2022 O.J. (L 277) 1 (Oct. 19, 2022), https://www.eu-digital-services-act.com/Digital_Services_Act_Article_70.html.

¹⁰ *Id.*

¹¹ Regulation (EU) 2022/2065 of the European Parliament and of the Council, art. 71, 2022 O.J. (L 277) 1 (Oct. 19, 2022), https://www.eu-digital-services-act.com/Digital_Services_Act_Article_71.html.

¹² Regulation (EU) 2022/2065 of the European Parliament and of the Council, art. 73, 2022 O.J. (L 277) 1 (Oct. 19, 2022), https://www.eu-digital-services-act.com/Digital_Services_Act_Article_73.html.

security or public health in the Union or in significant parts of it”¹³ the DSA permits the Commission to impose additional censorial requirements.

These include requiring VLOPs and VLOSEs to determine how their services are contributing to the crisis, take steps to prevent or curtail the threat, and report to the Commission on what measures are being taken.¹⁴ The DSA also permits the Commission to, *inter alia*, demand that VLOPs and VLOSEs increase their content moderation efforts, devote more resources to those efforts, increase their cooperation with trusted flaggers, and change their terms of service. In short, if the Commission declares a crisis, then it can micromanage VLOPs and VLOSEs.

The Lack of Meaningful Judicial Review. While the DSA technically allows service providers and individual users to challenge censorship decisions in court, the DSA also prohibits the courts of EU member states from contradicting the Commission.¹⁵ Instead, appeals must go to the Court of Justice for the European Union, a complex and expensive proposition that generally takes at least 1-2 years to reach a decision.

In short, the DSA enables extensive EU regulation of the largely American digital public square against individual users across the world. The key goal of the DSA, according to the EU, is that the “roles of users, platforms, and public authorities are rebalanced according to European values”¹⁶— not American ones.

II. Extraterritoriality: The Global Reach of the DSA Is a Feature, Not a Bug

By its very nature, the DSA is extraterritorial. Like an invisible digital force field, it seeks to bounce any so-called illegal speech away before it can land on the heads of its citizens. Although the DSA pays lip service to being “limited to what is strictly necessary” to achieve its objectives, its objectives are so sweeping that this is

¹³ Regulation (EU) 2022/2065 of the European Parliament and of the Council, art. 36(2), 2022 O.J. (L 277) 1 (Oct. 19, 2022), https://www.eu-digital-services-act.com/Digital_Services_Act_Article_36.html.

¹⁴ See Regulation (EU) 2022/2065 of the European Parliament and of the Council, art. 91, 2022 O.J. (L 277) 1 (Oct. 19, 2022), https://www.eu-digital-services-act.com/Digital_Services_Act_Article_91.html.

¹⁵ Regulation (EU) 2022/2065 of the European Parliament and of the Council, art. 82, 2022 O.J. (L 277) 1 (Oct. 19, 2022), https://www.eu-digital-services-act.com/Digital_Services_Act_Article_82.html.

¹⁶ The Digital Services Act, *European Commission* (last updated 2024), https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/europe-fit-digital-age/digital-services-act_en.

a toothless limitation.¹⁷ The DSA covers platforms used by Europeans, regardless of where the companies are based.¹⁸

Even more, the DSA leverages the mixed jurisdictions of the European Union to cast the broadest possible net to deem speech illegal. Thus, if speech in one member state violates the law of *a different member state*,¹⁹ that may trigger a cross-border enforcement.²⁰

If fellow member states and their citizens enjoy no cross-border courtesies, it is readily foreseeable that Americans' constitutionally protected rights won't either.

As a result of the DSA's weedy procedures and severe penalties for under- and non-compliance, as well as European courts' comfort with extraterritorial application regarding Internet regulation,²¹ any VLOP or VLOSE (including X/Twitter, Meta, Google, and Amazon) is incentivized to adapt its international content moderation policies to EU censorship. If platforms deem something "illegal" under EU rules, that content may be banned everywhere, even in countries with strong free speech protections.²² If Americans' speech is taken down because it allegedly violates the

¹⁷ Regulation (EU) 2022/2065 of the European Parliament and of the Council, art. 9(2)(b), 2022 O.J. (L 277) 1 (Oct. 19, 2022), https://www.eu-digital-services-act.com/Digital_Services_Act_Article_9.html.

¹⁸ Regulation (EU) 2022/2065 of the European Parliament and of the Council, art. 2(1), 2022 O.J. (L 277) 1 (Oct. 19, 2022), https://www.eu-digital-services-act.com/Digital_Services_Act_Article_2.html.

¹⁹ See, e.g., DSA, art. 9(2)(b) and DSA, art. 36.

²⁰ Although the DSA in principle sets out that take-down orders should be limited to the territory of the issuing member state, exceptions are allowed. Those exceptions are likely to become the norm: if the illegality comes from EU law or if the authority determines that the rights at stake justify a wider territorial scope. Accordingly, in cases judged sensitive, a national authority in an EU member state could issue global takedown orders.

²¹ Adina Portaru, *The EU Digital Services Act and Freedom of Expression: Friends or Foes?*, CONST. DISCOURSE (Oct. 17, 2022), <https://constitutionaldiscourse.com/the-eu-digital-services-act-and-freedom-of-expression-friends-or-foes/>. See, e.g., Google LLC v Commission nationale de l'informatique et des libertés (CNIL) (2019) EUR-Lex - 62017CJ0507 - EN - EUR-Lex. In this ruling on the "right to be forgotten on the Internet," the Court of Justice of the EU ordered Google to erase results from all EU member state domain names (i.e., google.fr, google.it, google.de, etc.) and is keeping open a back door for worldwide enforcement. Additionally, see Glawischnig-Piesczek v. Facebook EUR-Lex - 62018CJ0018 - EN - EUR-Lex. In response to defamatory content posted on Facebook, the Court of Justice of the EU decided that a member state may make global takedown orders and, more importantly, that such orders are not prohibited under Art. 15 of the E-Commerce directive. The Court held that it is up to the member state to determine the geographic scope of the restriction, as long as it is within the "framework of the relevant international law." Glawischnig-Piesczek v. Facebook, para. 49-52.

²² The Irish Institute of International and European Affairs highlights that the DSA incentivizes platforms to over remove content—including legal and truthful posts—and may encourage authoritarian regimes. *The Digital Services Act: Censorship Risks for Europe*, IIEA (Dec. 18, 2024), https://www.iiea.com/publications/the-digital-services-act-censorship-risks-for-europe?utm_source=chatgpt.com; See also ADF Int'l, *Unpacking the EU Digital Services Act*, ADF INT'L (Apr. 17, 2025), <https://adfinternational.org/article/digital-services-act-unpacked>.

DSA, that infringes on the constitutionally protected rights of U.S. citizens. The guarantees of the First Amendment of the U.S. Constitution cannot co-exist with the censorship powers of the DSA.²³

In fact, European politicians have made it clear that they view their ability to regulate American Internet companies as an issue of “European sovereignty.” After President Trump threatened tariffs on Ireland and other nations inflicting penalties on American companies, Member of the European Parliament Barry Andrews called on Europe to “stand up to Trump” by using the Anti-Coercion Instrument.²⁴ Called the “big bazooka,” the ACI has never before been used, but could offer Europe a variety of options to retaliate against America.²⁵

Member of European Parliament Alexandra Geese, who negotiated the DSA, has called on Europe to “enforce DSA and DMA [the Digital Markets Act] in a meaningful and effective manner,” claiming that “virtually all platforms utilize algorithms to amplify outrage, anger, and fear, overriding users’ explicit content choices. Those emotions serve to perpetuate the dissemination of disinformation and undermine trust in science, media, and governments.”²⁶ She believes that “[a]lgorithmic control over speech by platform owners is currently the biggest risk to freedom of speech,” not because of platforms shadow-banning speech, but because they might leave speech in place and thus people might view speech she dislikes.

Geese believes Europe needs to “build a European sovereign digital infrastructure” from “data centers and undersea cables to software, AI, and social media” so that Europe is no longer “dependent” on U.S. technology. And she is reaching outside of Europe: Geese has called on Europe to partner with other nations,

²³ Staff of the House Judiciary Committee, *The Foreign Censorship Threat: How the European Union’s Digital Services Act Compels Global Censorship and Infringes on American Free Speech* (Report & Appendix) (July 25, 2025), U.S. House Judiciary Comm., https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/2025-07/DSA_Report%26Appendix%2807.25.25%29.pdf “Though nominally applicable to only EU speech, the DSA, as written, may limit or restrict Americans’ constitutionally protected speech in the United States. Companies that censor an insufficient amount of ‘misleading or deceptive’ speech—as defined by EU bureaucrats—face fines up to six percent of global revenue, which would amount to billions of dollars for many American companies. Furthermore, because many social media platforms generally maintain one set of content moderation policies that they apply globally, restrictive censorship laws like the DSA may set de facto global censorship standards.”

²⁴ Barry Andrews MEP, *Appeasement Won’t Work: Why Europe Must Stand Up to Trump*, BRUSSELS TIMES (Aug. 27, 2025) <https://www.brusselstimes.com/1719562/appeasement-wont-work-why-europe-must-stand-up-to-trump>.

²⁵ Vassilis Akritidis & Jean-Baptiste Blancardi, *The Anti-Coercion Instrument: What Is It and How Europe Might Use It Over the Next Four Years*, CROWELL & MORING (Feb. 4, 2025), <https://www.crowell.com/en/insights/client-alerts/the-anti-coercion-instrument-what-is-it-and-how-europe-might-use-it-over-the-next-four-years>.

²⁶ Alexandra Geese, *Europe Cannot Wait to Fight Trump’s Assault on Democracy*, TECHPOLICY.PRESS (Aug. 27, 2025), <https://www.techpolicy.press/europe-cannot-wait-to-fight-trumps-assault-on-democracy/>.

including Brazil, Canada, Taiwan, South Korea, India, Mexico, “and numerous other nations to promote democratic principles in the digital age.” Why? To “cooperate and exchange on enforcing democratic legislation on technology companies.”²⁷

Indeed, expanding the formal scope of the DSA is part of the official European Union agenda. In June, an EU-Canada Summit took place in Brussels to try to export and universalize the principles of the DSA against U.S. demands. Canada and the EU agreed to advance the Digital Trade Agreement “to align standards and infrastructure,” which would allow European and Canadian regulators to issue parallel alerts or requests for takedowns during times of geopolitical tension.²⁸ As the United States approaches 250 years since the Declaration of Independence, it is notable that Americans are still fighting against European efforts to control Americans’ speech, censor unpopular views, and exert their will over the lives of Americans through draconian laws that lack any meaningful due process protections.

The comments of EU Parliamentarians and officials belie the argument that the DSA does not reach beyond the EU: this is no simple content moderation law and no simple request to respect the online cultural mores of the Continent. Instead, this is a quest for narrative control over the entire globe: mandating that American companies remove American content and threatening economic sanctions through a never-before-used tool.

III. The DSA Imposes Speech Restrictions Globally That Dramatically Contradict the American Tradition

A. The Sweeping Restrictions on Speech imposed by the DSA

The First Amendment to the U.S. Constitution safeguards the freedom to speak and engage in expressive conduct. It also prohibits restricting speech using a standard that is so vague that a person cannot understand beforehand what is prohibited or that is so broad that it allows the state to sweep protected speech up with the unprotected.²⁹ Unfortunately, the DSA embodies the polar opposite of this tradition.

The DSA prohibits any speech that violates the laws of the EU or any EU member state.³⁰ It is respectfully submitted that many of these national laws in

²⁷ *Id.*

²⁸ EU and Canada Sign Security and Defense Partnership at 20th Summit, *Directorate-General for Trade and Economic Security, European Commission* (June 24, 2025), https://policy.trade.ec.europa.eu/news/eu-and-canada-sign-security-and-defence-partnership-20th-summit-2025-06-24_en.

²⁹ See, e.g., *Smith v. Goguen*, 415 U.S. 566 (1974); *City of Houston v. Hill*, 482 U.S. 451 (1987).

³⁰ DSA art. 3(h).

Europe rely on the very sort of vague and arbitrary language that is repugnant to the American Constitution and tradition.

Even when the laws the DSA will impose online are clear in their prohibitions, they still have a chilling effect on free speech. For example, in Germany, it can be illegal to mock or insult a government official, regardless of whether or not the insult is true.³¹

In America, speech criticizing the government or government officials is protected because it is such an important tool to defend against tyranny.³² However, in Germany, and therefore under the DSA, German government officials are actually shielded from criticism to a higher level than regular German citizens, and this protection is backed by the threat of prosecution.³³

This threat is not idle either. For example, on June 25th, 2025, in what it called a “day of action against hate-posts” the German Federal Criminal Police Office raided homes for cases of “hate speech” or criminal insults to politicians.³⁴ Among the examples of criminal speech cited by the police was that of a journalist who had posted a clearly satirical, photoshopped image of the German interior minister holding a sign that said “I hate free speech”³⁵—much like the humor of the Babylon Bee or similar satirical websites in the U.S.

Unfortunately, Germany does not have a monopoly on criminalizing speech that would clearly be protected under the United States Constitution.

- In Austria, a man was fined for yodeling in his backyard because his Muslim neighbor believed it was a mockery of the Muslim call to prayer.³⁶

³¹ Dr. Anthea Pitschel, *Allegation of Insult Under § 185 StGB, MPP Rechtsanwälte* (Nov. 17, 2024, updated Jan. 7, 2025), <https://muegge-pitschel.de/en/criminal-law/allegation-of-insult-under-%C2%A7-185-stgb/>.

³² See *New York Times v. Sullivan*, 376 U.S. 254 (1964).

³³ *Criminal Liability in Germany for “Insulting a Politician?”*, BRG Rechtsanwälte (Apr. 15, 2025), <https://brg-recht.de/en/news/criminal-liability-in-germany-for-insulting-a-politician.html>.

³⁴ *Police in Germany Launch Nationwide Operation Against Online Hate Speech*, YAHOO NEWS (June 24, 2025), <https://www.yahoo.com/news/german-police-launch-nationwide-operation-061636979.html>.

³⁵ *Raid on Germany’s “Digital Arsonists” Feeds Row Over Free Speech*, Times (London), June 25, 2025, <https://www.thetimes.com/world/europe/article/raid-on-germanys-digital-arsonists-feeds-row-over-free-speech-pq6dxlkxq>.

³⁶ *Austrian, 63, Fined £700 After Muslim Neighbours Claim Yodelling Mocks Prayer*, Daily Mail (Dec. 17, 2010), www.dailymail.co.uk/news/article-1339150/Helmut-Griese-fined-700-Muslim-neighbours-claim-yodelling-mocks-prayer.html.

- In Ireland, a Catholic Bishop was investigated by the police in response to a complaint from an atheist activist who objected to a homily the Bishop preached criticizing secularism.³⁷
- And in Finland, a member of the Finnish parliament, Päivi Räsänen, has faced trial three times for comments she made in a pamphlet and on social media, peacefully arguing that marriage should be between one man and one woman.³⁸

Proponents of the DSA justify it with the saying: “What is illegal offline should be illegal online.”³⁹ Given what is illegal offline in Europe, this is terrifying. But in fact, the DSA is far worse.

While offline speech is subject to the laws of a particular jurisdiction, under the DSA, online speech is subject to *all* EU jurisdictions’ laws.

This means that online speech is limited by the most restrictive law of an EU member state, or the EU itself, because under the DSA that is what dictates how online platforms must moderate their content. This creates a race to the bottom where a person’s ability to speak and hear is controlled by the most restrictive bureaucrat’s most restrictive interpretation of the most restrictive law in Europe.

This is bad enough, but in addition to formal laws and regulations, the DSA permits the use of “voluntary” guidelines that suppress speech. Under Article 45 of the DSA, several “voluntary” codes of conduct have been promulgated, including codes related to “hate speech”, “disinformation” and “misinformation.”⁴⁰ Not only do these codes increase the already burdensome reporting requirements imposed by the DSA proper, but they also increase the power of non-governmental organizations, many of which are directly funded by European governments, which, as discussed above, are empowered by the DSA to control the content available online.⁴¹

Similar codes were previously used by the EU during COVID where the EU established a program to fight so-called “disinformation” about the disease. This program resulted in widespread removal or shadow-banning of communications

³⁷ *Bishop Accused of Incitement to Hatred in Homily*, Irish Independent (Jan. 29, 2012), www.independent.ie/irish-news/bishop-accused-of-incitement-to-hatred-in-homily/26815932.html.

³⁸ *Alliance Defending Freedom International Homepage*, ADF INTERNATIONAL, <https://adfinternational.org/> (last accessed Sept. 1, 2025).

³⁹ *What Is Illegal Offline Should Be Illegal Online: Council Agrees Position on the Digital Services Act*, Press Release 887/21, Council of the EU (Nov. 25, 2021), www.consilium.europa.eu/en/press/press-releases/2021/11/25/what-is-illegal-offline-should-be-illegal-online-council-agrees-on-position-on-the-digital-services-act/.

⁴⁰ *Codes of Conduct Under the Digital Services Act*, European Commission Digital Strategy (last updated Feb. 2025), <https://digital-strategy.ec.europa.eu/en/policies/dsa-codes-conduct>.

⁴¹ Dr. Norman Lewis, *Manufacturing Misinformation: The EU-Funded Propaganda War Against Free Speech*, MCC Brussels (May 15, 2025), <https://brussels.mcc.hu/publication/manufacturing-misinformation-the-eu-funded-propaganda-war-against-free-speech>.

questioning the official position on COVID’s origin, the efficacy of treatment, and the government’s response, as well as resulting in the suspensions of thousands of social media accounts whose users refused to hold to the party line, including accounts outside of the EU.⁴² Put differently, criticism of the ruling elite’s views was suppressed at the exact moment when open debate is most critical in a self-governing democracy.

While these codes are technically voluntary, there is reason to believe that this voluntariness is more ephemeral than real. For example, X’s (formerly Twitter) recent decision to stop complying with the Code of Practice against disinformation prompted overt threats against X from EU officials.⁴³ European Commission Vice President Věra Jourová stated:

Twitter has chosen the hard way. They chose confrontation. This was noticed very much in the commission. I know the code is voluntary but make no mistake, by leaving the code, Twitter has attracted a lot of attention, and its actions and compliance with EU law will be scrutinised (sic) vigorously and urgently[.]⁴⁴

The threat of enhanced regulatory scrutiny for leaving a nominally voluntary agreement raises the question of whether such codes are *de facto* mandatory.

B. The DSA versus Americans

Extraterritorial enforcement is already happening, both against American companies and American users.

Consider former EU Commissioner Thierry Breton’s letter to Elon Musk last year, in which he threatened to “make full use of our toolbox, including by adopting interim measures” (code for “shutting down your website”) over Musk’s “planned broadcast on your platform X of a live conversation between a US presidential candidate and yourself” because it would “also be accessible to users in the EU.”⁴⁵ Although his letter contained lip service to “ensuring, on one hand, that freedom of expression and of information, including media freedom and pluralism, are effectively protected,” he demanded Musk inform EU “judicial and administrative authorities” on the measures taken to address “orders against content considered illegal,” taking

⁴² *BRG Rechtsanwälte, Criminal Liability in Germany for “Insulting a Politician?”*

⁴³ Carl Vander Maelen & Rachel Griffin, *Twitter’s Retreat from the Code of Practice on Disinformation Raises a Crucial Question: Are DSA Codes of Conduct Really Voluntary?*, DSA OBSERVATORY (June 12, 2023), <https://dsa-observatory.eu/2023/06/12/twitters-retreat-from-the-code-of-practice-on-disinformation-raises-a-crucial-question-are-dsa-codes-of-conduct-really-voluntary/>.

⁴⁴ Lisa O’Carroll, *Google and Facebook Urged by EU to Label AI-Generated Content*, Guardian (London), June 5, 2023, <https://www.theguardian.com/technology/2023/jun/05/google-and-facebook-urged-by-eu-to-label-ai-generated-content>.

⁴⁵ Letter from Thierry Breton, Eur. Comm’n, to Elon Musk, CEO of X (Aug. 12, 2024), <https://x.com/ThierryBreton/status/1823033048109367549>.

action on such content, and informing users and the public of those measures. Continuing the threatening language, he reminded Musk/X “[a]s you know, formal proceedings are already ongoing against X under the DSA.”⁴⁶

And this is not unique to presidential election years—European-compliant censorship was used against Americans during COVID.

WhatsApp introduced a limit on forwarding “highly forwarded” messages to a single chat at a time in April 2020⁴⁷—an anti-virality measure later tracked in EU monitoring reports—and this restriction was enforced globally, directly shaping how U.S. users could share COVID-related information.

In February 2021, Meta expanded its list of removable COVID/vaccine claims globally.⁴⁸

The same week, Instagram banned RFK Jr.’s account.⁴⁹

Twitter, while filing monthly reports to the European Commission in March 2021, detailed that over 22,000 tweets had been removed globally under its COVID misinformation rules; these rules were applied in the U.S. as well, where American accounts received labels, strikes, and suspensions under the same standards.⁵⁰

YouTube reported to the EU and adopted a WHO-aligned global medical misinformation policy.⁵¹ This was enforced against Florida’s Governor Ron DeSantis, whose roundtable video was removed in April 2023.⁵² As a frightening reminder, 2021 was when the DSA was still voluntary. Imagine the response now that it is binding law.

⁴⁶ See also Thierry Breton (@ThierryBreton), *Twitter Leaves EU Voluntary Code of Practice Against Disinformation*, X (May 26, 2023, 5:02 PM), <https://x.com/ThierryBreton/status/1662194595755704321> (calling into question whether the DSA Codes of Conduct were *ever* voluntary).

⁴⁷ Jon Porter, *WhatsApp Says Its Forwarding Limits Have Cut the Spread of Viral Messages by 70 Percent*, Verge (Apr. 27, 2020), <https://www.theverge.com/2020/4/27/21238082/whatsapp-forward-message-limits-viral-misinformation-decline>.

⁴⁸ Elizabeth Culliford, Sheila Dang, *Facebook to Remove More False Coronavirus Claims From Platform*, Reuters (Feb. 8, 2021), <https://www.reuters.com/business/media-telecom/facebook-remove-more-false-coronavirus-claims-platform-2021-02-08/>.

⁴⁹ Rishi Iyengar, *Robert F. Kennedy Jr. Banned From Instagram*, CNN (Feb. 10, 2021, updated Feb. 11, 2021), <https://edition.cnn.com/2021/02/10/tech/robert-kennedy-jr-instagram-ban>.

⁵⁰ X (formerly Twitter), *Updates to Our Work on COVID-19 Vaccine Misinformation* (Mar. 1, 2021), https://blog.x.com/en_us/topics/company/2021/updates-to-our-work-on-covid-19-vaccine-misinformation.

⁵¹ *YouTube Announces New Policies to Target Medical Misinformation*, Global Center for Health Security (Aug. 15, 2023), <https://www.unmc.edu/healthsecurity/transmission/2023/08/15/youtube-announces-new-policies-to-target-medical-misinformation/>.

⁵² *YouTube Pulls Florida Gov.’s Video, Says His Panel Spread COVID-19 Misinformation*, NBC News (Apr. 9, 2021), <https://www.nbcnews.com/news/us-news/youtube-pulls-florida-governor-s-video-says-his-panel-spread-n1263635>.

C. The DSA versus the United States Constitution

As discussed above, the DSA requires suppressing speech that violates the law of any EU member state as well as the EU itself. These laws are often broad and vague, providing those responsible for enforcing them significant discretion as to how they are actually enforced. Even when the laws are clear, they often prohibit the sort of core political and religious speech the First Amendment was enshrined to protect.

European law not only provides weaker protection for speech than the U.S. Constitution, it also empowers bureaucrats with tools that U.S. law expressly forbids. The DSA threatens to expand those tools into instruments of global censorship.

The way the DSA is enforced is anathema to the American Constitutional order. The U.S. Supreme Court has consistently rejected approaches similar to the EU's threats against platforms that don't censor speech the EU dislikes. This began at least as far back as 1963 in the case of *Bantam Books, Inc. v. Sullivan*.⁵³ In *Bantam*, the Court clarified that even if the government coerces a private actor to censor speech protected by the First Amendment, the government is still responsible for the censorship.⁵⁴

That precedent continues today, such as in the recent decision of *National Rifle Association of America v. Vullo*.⁵⁵ There, the Court reaffirmed that a government official violates the First Amendment when he attempts to silence a speaker by threatening an intermediary on whom the speaker relies. The Court recognized that the distinction between such an effort and direct censorship is equivalent to the difference between killing someone by "cutting off his oxygen supply rather than by shooting him."⁵⁶

The DSA allows the EU to grab the throat of global speech and squeeze. Instead of directly attacking the speaker, the EU places the online platforms in the precarious position of having to choose between crippling fines and a loss of access to valuable market or the speech of a subset of its customers. As the Court recognized in *Vullo*, the insidiousness of this strategy is that the intermediary is unlikely to care as much about the speech being targeted as the speaker, and therefore less willing to risk a fight with a regulator.⁵⁷ Given the extraterritorial pretensions of the EU, if America

⁵³ *Bantam Books, Inc. v. Sullivan*, 372 U.S. 58 (1963).

⁵⁴ See, e.g., Brief of Amicus Curiae Alliance Defending Freedom in Support of Respondents, *Murthy v. Missouri*, No. 23-411, at 2 (U.S. filed Feb. 9, 2024)..

⁵⁵ *Nat'l Rifle Ass'n of Am. v. Vullo*, 602 U.S. 175 (2024).

⁵⁶ *Vullo* at 197 (quoting *Backpage.com, LLC v. Dart*, 807 F.3d 229, 231 (7th Cir. 2015)).

⁵⁷ *Vullo* at 198.

does not do something to safeguard the speech of its citizens, Americans will find themselves *de facto* controlled by a foreign power.

The DSA exploits the nature of online speech, which relies on a handful of centralized, and almost exclusively American, platforms on which most online expression and activity occur. In other words, America built the online free marketplace of ideas—and now Europe wants to regulate what can and cannot be said there.

These platforms are where people go to speak and to be heard. Sure, an American could still host a blog. But without the large reach of social media platforms, it's the difference between a hermit in the wilderness and a man speaking on the public square.

The DSA exploits the reality that these large platforms' economic interests will push them to acquiesce to European demands for censorship, permitting the EU to extend its grip globally. Something the EU has already shown itself willing to attempt. Geo-blocking will soon become global blocking.

IV. The Time to Act is Now: Review is Coming

This month is a critical time for America and the DSA, as the DSA comes under mandatory review this November. It is not yet too late for America and free-speech-minded Europeans to fight back against the DSA's oppressive reach. But Europe is preparing to double down.

In advance of the November review, the Council of the EU is convening a conference in Copenhagen under the auspices of the Danish Council Presidency. The Orwellian description speaks for itself: "Conference on promoting information integrity online, with the aim of scaling regional and local experiences and solutions from different contexts into a global dialogue and effort to strengthen information integrity in the digital age, combat mis- and disinformation, and promote reliable information, thereby contributing to strengthening democracy digitally."⁵⁸ To translate: how to expand and enforce the DSA to restrict the greatest amount of speech such that no one is permitted to speak or think for themselves.

⁵⁸ Copenhagen Conference on Information Integrity, Conference / Colloquium / Seminar, 11–12 Nov. 2025, FN-byen, Copenhagen, Denmark, organized by the Ministry of Foreign Affairs of Denmark & International Media Support, Danish Presidency of the Council of the European Union, <https://danish-presidency.consilium.europa.eu/en/events/copenhagen-conference-on-information-integrity/>.

This review is a critical time to repeal the DSA, as it violates not only the constitutional rights of Americans, but also European and international law.⁵⁹

V. The United Kingdom’s Online Safety Act Poses a Significant Threat to Online Speech Too

The DSA is not the only threat to digital freedom of speech emerging from Europe. The United Kingdom has enacted its own sweeping legislation—the Online Safety Act of 2023—that poses many of the same threats to free speech as the DSA. While framed as a safeguard against harmful online content, this law, when combined with existing UK communications and public order statutes, poses serious risks to open debate, particularly around controversial political and religious issues.

A. Pre-Online Safety Act Laws

Several laws already regulate online speech in the UK. The *Malicious Communications Act 1988, section 1* prohibits sending a “grossly offensive” message to a person, originally aimed at criminalizing hate mail or poison pen letters. Similarly, *section 127 of the Communications Act 2003* makes it an offence to send a “grossly offensive message” over a public communications network, even if no one actually receives it or feels offended. Additionally, the *Public Order Act 1986*, specifically sections 4A and 5, prohibits “insulting, abusive or threatening words” if they result in harassment, alarm, or distress. The *Crime and Disorder Act 1998* further extends these provisions by including offences that are racially or religiously aggravated. For instance, ADF client Pastor Dia Moodley was arrested under this law after publicly debating Islam.⁶⁰ Furthermore, the *Public Order Act sections 19*

⁵⁹ Adina Portaru, *Is the EU’s Digital Services Act Compliant with the Right to Freedom of Expression?* (Feb. 14, 2025), <https://ohrh.law.ox.ac.uk/is-the-eus-digital-services-act-compliant-with-the-right-to-freedom-of-expression/>; See also Charter of Fundamental Rights of the European Union, art. 11, O.J. C 326/391 (Oct. 26, 2012), reproduced on European Union Agency for Fundamental Rights website, <https://fra.europa.eu/en/eu-charter/article/11-freedom-expression-and-information>. “Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers;” European Convention on Human Rights art. 10, 213 U.N.T.S. 221, <https://www.equalityhumanrights.com/human-rights/human-rights-act/article-10-freedom-expression>; “Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers;” International Covenant on Civil and Political Rights art. 19, Dec. 16, 1966, 999 U.N.T.S. 171, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>; “Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print...”

⁶⁰ Dia Moodley: *Censored and arrested for preaching in public*, UK, ADF International, <https://adfinternational.org/en-gb/cases/dia-moodley-uk>.

and 29AB criminalize “stirring up” racial or religious hatred. In 2025, John Wik was convicted for inciting religious hatred for displaying the peaceful message, “We love you Europe. The Islamisation of Europe is already happening and it is getting worse each day.”⁶¹

B. The Online Safety Act

The Online Safety Act introduced further obligations on internet service providers. Section 10 of the Act requires them to take “proportionate measures” to prevent adults from encountering illegal content, with “priority illegal content” defined in Schedule 7. This includes offences from the Public Order Act 1986, many of which are ambiguously worded. Because of the vague definitions, companies are likely to err on the side of over-censorship, blocking content even when its legality is unclear. This could mean that UK residents may be restricted from viewing political content created abroad, including from the United States.

Under Chapter 6 of the Act, the Office of Communications (“Ofcom”) is empowered to issue sanctions against service providers if they are deemed to be in breach of these duties. Penalties can reach up to 10% of a company’s global turnover or £18 million, whichever is higher.⁶²

Section 62 of the Act introduces duties to protect children from “priority content” that is abusive and targets characteristics such as race, religion, sex, sexual orientation, disability, or gender reassignment.⁶³ The provision further defines priority content as material inciting hatred against these groups.⁶⁴ The terms “abusive” and “targeting” are highly subjective and could be applied broadly, potentially censoring even legitimate discussions on controversial topics such as gender identity or religion if they are perceived as offensive. Since there is no existing case law clarifying these definitions, Ofcom is effectively granted the authority to determine what qualifies as abusive or targeting content. This provision has already been used to remove content of political significance. For example, a video depicting UK police assaulting a protestor during anti-migration demonstrations in Epping was censored under this section.

⁶¹ Tristan Kirk, *IT Worker Spared Prison for Anti-Islam Cyber Attack on Wi-Fi at UK Train Stations*, Yahoo News UK (July 11, 2025), <https://uk.news.yahoo.com/worker-spared-prison-anti-islam-071354977.html>.

⁶² *Online Safety Act: Explainer*, GOV.UK (updated Apr. 24, 2025), <https://www.gov.uk/government/publications/online-safety-act-explainer/online-safety-act-explainer>.

⁶³ Online Safety Act 2023, c. 50, § 62 (UK), <https://www.legislation.gov.uk/ukpga/2023/50/section/62>.

⁶⁴ *Id.*

Section 152 of the Act mandates the creation of an advisory committee on disinformation and misinformation.⁶⁵ This body is tasked with advising Ofcom on how regulated services should deal with such content, as well as on Ofcom’s powers under section 77 to require annual transparency reports from providers. This committee will almost certainly function as an unofficial body for developing censorship guidance, determining how platforms should address “misinformation and disinformation,” which will inevitably lead to the suppression of legitimate debate.

Section 179 of the Online Safety Act criminalizes sending a message that conveys information the sender knows to be false, with the intent of causing “non-trivial psychological harm” to an audience, and without a “reasonable excuse.”⁶⁶ This provision effectively criminalizes “disinformation,” a concept that is open to broad interpretation. Notably, Section 180 exempts “recognised news publishers”⁶⁷ from liability, raising questions as to why large media outlets with greater reach are immune, while ordinary citizens face criminal penalties. Concerns about overreach are not merely theoretical. In 2024, Dmitrie Stoica was sentenced to three months in prison after creating a satirical video claiming he was being chased by rioters during the August 2024 riots.⁶⁸ His case shows how the law is being abused to suppress satire and political speech, rather than narrowly targeting genuinely harmful falsehoods.

C. The Online Safety Act, like the DSA, Is a Global Threat to Speech Online

The UK’s Online Safety Act poses a major threat to free speech online. Together with earlier legislation like the Malicious Communications Act and Public Order Act, the new Act expands censorship powers through vague and broad definitions of illegal or harmful content. By empowering Ofcom to issue sweeping sanctions and by institutionalizing a committee to advise on “misinformation,” the law risks chilling debate and limiting public access to legitimate political and religious discourse.

Moreover, just like the DSA, the Online Safety Act has extraterritorial effects: it threatens American companies operating in the UK with harsh penalties and compels them to censor speech that would otherwise be protected under the U.S.

⁶⁵ Online Safety Act 2023, c. 50, § 152 (UK), <https://www.legislation.gov.uk/ukpga/2023/50/section/152>.

⁶⁶ Online Safety Act 2023, c. 50, § 179 (UK), <https://www.legislation.gov.uk/ukpga/2023/50/section/179>.

⁶⁷ Online Safety Act 2023, c. 50, § 180 (UK), <https://www.legislation.gov.uk/ukpga/2023/50/section/180>.

⁶⁸ Greig Watson, *TikToker Jailed Over Hoax Riot Claim*, BBC (U.K.) (Aug. 12, 2024), <https://www.bbc.com/news/articles/czrg70xgm5zo>.

Constitution. As with the DSA, the Act's censorious demands will spill over and harm American speech.

VI. How America can preserve free speech for itself, and the world.

European censorship laws cannot coexist with America's robust protections for free speech. Offline, national borders separate these rival systems, but online, the DSA threatens to impose its restrictive framework globally. Unlike in the U.S., where the First Amendment protects speech, the EU is not bound by those limits. That means America's courts cannot intervene when Americans face censorship by European regulators. The duty is on Congress and the executive branch to defend Americans' rights from being subordinated to foreign regulation.

There are two avenues within Europe that could help rein in or reform the DSA: its mandated review process and the possibility of annulment before the Court of Justice of the European Union. Both paths give member states and advocates an opportunity to raise concerns about transparency, impartiality, and fundamental rights. But the United States cannot rely solely on Europe to fix its own overreach.

Respectfully, Congress must investigate, legislate, and ensure U.S. law equips diplomats, trade officials, and platforms to resist foreign censorship. Whether through trade tools, expanded legal protections, or stronger support for American companies, the United States has both the responsibility and the strategic interest to safeguard free expression at home and abroad.

Conclusion

America has long been a "shining city on a hill"—a land where every person is free to speak and live according to the dictates of their conscience. Its history is one of throwing off oppressive laws of European powers and crafting a New World of possibility, freedom, and ingenuity. Despite America's leadership in creating the Internet and its digital public square where ideas from across the globe can be shared, debated, and refined, Europe is once again trying to put America's light under a bushel,—this time under the pretext of online safety and international compliance.

Americans must remain vigilant. Congress must not back down in defending freedom of speech and expression—not just for Americans but for the entire world. And American companies must not bend the knee to the Orwellian DSA. Help us stop the DSA before it reveals its true nature: Delete, Silence, Abolish.