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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To amend title 28, United States Code, to limit the recognition and enforcement of foreign censorship laws in the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. DAVIDSON introduced the following bill; which was referred to the
Committee on _____

A BILL

To amend title 28, United States Code, to limit the recognition and enforcement of foreign censorship laws in the United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Halting Overseas Man-
5 dates from Extraterritorially Reaching Onto National Ter-
6 ritory Act of 2026” or the “HOMEFRONT Act of 2026”.

1 **SEC. 2. LIMITATION ON RECOGNITION AND ENFORCEMENT**
2 **OF FOREIGN CENSORSHIP LAWS.**

3 (a) IN GENERAL.—Chapter 181 of title 28, United
4 States Code, is amended by adding at the end the fol-
5 lowing:

6 **“§ 4106. Limitation on recognition and enforcement**
7 **of foreign censorship laws**

8 “(a) FIRST AMENDMENT CONSIDERATIONS.—

9 “(1) IN GENERAL.—Notwithstanding any other
10 provision of Federal or State law, a domestic court
11 shall not recognize or enforce a foreign judgment or
12 order entered pursuant to a foreign censorship law
13 on a United States person unless the domestic court
14 determines that the conduct for which the foreign
15 judgment order was imposed would not have been
16 protected under the First Amendment to the Con-
17 stitution of the United States if it occurred within
18 the United States.

19 “(2) BURDEN.—The party seeking recognition
20 or enforcement of the foreign judgment or order
21 shall bear the burden of making the showings re-
22 quired under paragraph (1)

23 “(b) JURISDICTIONAL CONSIDERATIONS.—

24 “(1) IN GENERAL.—Notwithstanding any other
25 provision of Federal or State law, a domestic court
26 shall not recognize or enforce a foreign judgment or

1 order described in subsection (a)(1) unless the do-
2 mestic court determines that the exercise of personal
3 jurisdiction by the foreign court comported with the
4 due process requirements that are imposed on do-
5 mestic courts by the Constitution of the United
6 States.

7 “(2) BURDEN OF ESTABLISHING EXERCISE OF
8 JURISDICTION.—The party seeking recognition or
9 enforcement of the foreign judgment or order shall
10 bear the burden of making the showing that the for-
11 eign court’s exercise of personal jurisdiction com-
12 ported with the due process requirements that are
13 imposed on domestic courts by the Constitution of
14 the United States.

15 “(c) JUDGMENT AGAINST PROVIDER OF INTER-
16 ACTIVE COMPUTER SERVICE.—

17 “(1) IN GENERAL.—Notwithstanding any other
18 provision of Federal or State law, a domestic court
19 shall not recognize or enforce a foreign judgment or
20 order described in subsection (a)(1) against the pro-
21 vider of an interactive computer service, as defined
22 in section 230 of the Communications Act of 1934
23 (47 U.S.C. 230), unless the domestic court deter-
24 mines that the judgment or order would be con-
25 sistent with section 230 if the information that is

1 the subject of such judgment or order had been pro-
2 vided in the United States.

3 “(2) BURDEN OF ESTABLISHING CONSISTENCY
4 OF JUDGMENT.—The party seeking recognition or
5 enforcement of the foreign judgment or order shall
6 bear the burden of establishing that the judgment is
7 consistent with such section 230.

8 “(d) APPEARANCES NOT A BAR.—An appearance by
9 a party in a foreign court rendering a foreign judgment
10 or order to which this section applies shall not deprive
11 such party of the right to oppose the recognition or en-
12 forcement of the judgment or order under this section, or
13 represent a waiver of any jurisdictional claims.

14 “(e) LIMITATION ON COOPERATION.—No officer or
15 employee of the United States or of any State or unit of
16 local government may assist a foreign government in in-
17 vestigating or enforcing a foreign censorship law against
18 a United States person, if the applicable conduct would
19 be protected under the First Amendment to the Constitu-
20 tion of the United States if it occurred in the United
21 States.

22 “(f) EXTRADITION PROTECTIONS.—Notwithstanding
23 any other provision of law or any treaty obligation of the
24 United States, a United States person may not be extra-
25 dited from the United States to a foreign country in con-

1 nection with the violation of a foreign censorship law for
2 conduct that would be protected under the First Amend-
3 ment to the Constitution of the United States if it oc-
4 curred within the United States.

5 “(g) PRIVATE RIGHT OF ACTION.—Notwithstanding
6 chapter 97, any United States person against whom a for-
7 eign judgment or order described in subsection (a)(1) is
8 entered may bring an action in an appropriate district
9 court of the United States seeking a declaratory judgment
10 that such foreign judgment or order is unenforceable
11 under subsection (a), injunctive relief, reasonable attor-
12 ney’s fees, and statutory damages in the amount of
13 \$25,000.

14 “(h) ANNUAL REPORT.—

15 “(1) IN GENERAL.—The Attorney General, in
16 consultation with the heads of other appropriate
17 Federal agencies, shall submit an annual report to
18 the Chair and Ranking Member of the appropriate
19 congressional committees detailing the following:

20 “(A) Instances of foreign censorship laws
21 affecting the speech rights of the ability to con-
22 duct business of United States persons.

23 “(B) The costs imposed upon United
24 States persons to comply with, or the penalties
25 imposed by foreign entities pursuant to, foreign

1 censorship efforts aimed at constitutionally pro-
2 tected speech.

3 “(C) Whether any agreements, treaties, or
4 other cooperative arrangements between the
5 United States and foreign entities that engage
6 in efforts to censor constitutionally protected
7 speech are still in the interests of the United
8 States to maintain.

9 “(D) Recommendations for additional
10 measures to counter foreign censorship efforts
11 affecting the speech of United States persons.

12 “(2) PUBLIC DISCLOSURE.—The report shall,
13 to the extent feasible be made publicly available,
14 with necessary redactions.

15 “(i) DATABASE.—The Federal Trade Commission
16 shall establish and maintain a database that includes in-
17 stances of speech that occurred within the United States
18 and is protected under the First Amendment to the Con-
19 stitution of the United States that have been censored
20 or targeted for censorship under foreign laws, ex-
21 cept that such database shall exclude proprietary company
22 data and information or images that are obscene.

23 “(j) DEFINITIONS.—For purposes of this section:

24 “(1) The term ‘foreign judgment or order’ has
25 the meaning given such term in section 4101 and in-

1 includes a subpoena, an order, an administrative ac-
2 tion, a demand, a fine, and any other similar meas-
3 ure issued by a foreign court.

4 “(2) The term ‘foreign censorship law’ means a
5 law of a foreign country that imposes liability for
6 conduct that would be protected under the First
7 Amendment to the Constitution of the United States
8 if the conduct occurred in the United States, includ-
9 ing restrictions related to online safety, hate speech,
10 misinformation, disinformation, harmful content,
11 compelled disclosure of user information, and other
12 similar restrictions.

13 “(3) The term ‘appropriate congressional com-
14 mittees’ means the Committees on the Judiciary of
15 the House of Representatives and of the Senate, the
16 Committee on Foreign Affairs of the House of Rep-
17 resentatives, and the Committee on Foreign Rela-
18 tions of the Senate.

19 “(k) SEVERABILITY.—If any provision of this section
20 or the application of such provision to any person, entity,
21 government, or circumstance, is held to be unconstitu-
22 tional, the remainder of this section, or the application of
23 such provision to all other persons, entities, governments,
24 or circumstances, shall not be affected thereby.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 for chapter 181 of title 28, United States Code, is amend-
3 ed by adding at the end the following:

“4106. Limitation on recognition and enforcement of foreign censorship laws.”.