

THE GRANITE ACT

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TOPLINE: H.R. 10174, The Guaranteeing Rights Against Novel International Tyranny and Extortion (GRANITE) Act is a necessary step for the protection of First Amendment rights on the internet. The provisions of the GRANITE Act serve as a good foundation to fully protect Americans and our businesses and institutions from foreign lawfare.

BACKGROUND: The [GRANITE Act](#) provides an explicit limitation on U.S. domestic courts enforcing foreign judgments, fines, orders, or demands if the legal basis of the action is to enforce a foreign censorship law. A foreign censorship law is one that restricts expression that “would conflict with the protections of the First Amendment” if it were law in the United States. The bill also provides Americans who are served or purportedly served by a foreign government with a right of action for a declaratory judgment that these measures are unenforceable. Finally, the bill prevents foreign governments from claiming sovereign immunity in these cases.

While federal law already bars American courts from enforcing foreign defamation judgments under the [SPEECH Act of 2010](#), the GRANITE Act extends this to all speech protected by the First Amendment.

The GRANITE Act Addresses a Growing Problem on the Internet

For many years, governments around the world deferred to the American model of a lightly regulated internet, with the First Amendment as the gold standard for online speech regulation. However, Western countries are increasingly passing digital laws that regulate online speech in ways that force American companies to adopt foreign regulations that go well beyond what the First Amendment would allow.

This results in a chilling effect on American speech, most prominent among smaller websites, which cannot risk the fines (that are calculated as a share of total global revenue) that these countries often impose. The United Kingdom's Online Safety Act, for example, allows fines of up to £18 million or 10 percent of global revenue, whichever is greater. A fine, which can be interpreted as a tax in this instance, against revenue assumes as profit what is mostly used to cover production costs. For example, the average profit across the Magnificent-7 is roughly 30%. So, a 10% revenue “fine” is more honestly thought of as a 33% corporate income tax.

Aside from direct financial penalties, smaller sites operating within the United States are increasingly having to consider foreign regulations when designing their services. The GRANITE Act protects the culture of dynamic startups which the United States uniquely nurtures in small and medium-sized enterprises. Elected governments in foreign countries may regulate their own people and it was a choice for EU member nations as to whether to cede national sovereignty to the EU. However, it is utterly unacceptable that American firms and citizens should, in the course of their global

online endeavors, be forced to abide by the laws of the EU or another nation as it relates to the foundational right of freedom of speech.

The Ofcom Example

As of February 26, 2026, The United Kingdom's internet regulator, the Office of Communications (Ofcom), [sent 197 information notices](#) to businesses with U.S. addresses. The most prominent target is 4chan, which [received a £520,000](#) fine in March 2026 for violations of the UK Online Safety Act.

When 4chan and Kiwi Farms sued Ofcom in federal court, the court [dismissed](#) the case on September 15, holding that Ofcom performs “quintessential government functions” and is immune as a foreign state. Under the GRANITE Act, 4chan could have asked the court to declare Ofcom’s demands unenforceable, and Ofcom could not have escaped the suit by claiming sovereign immunity. Thus, the Act powerfully adjusts the balance of power between American companies and foreign regulators.

The GRANITE Act Does Not Violate Foreign Sovereignty

While some may argue that stripping a foreign regulator’s immunity invites other countries to do the same to American agencies, the First Amendment justifies the exception. Congress has long made narrow exceptions to sovereign immunity, such as for a foreign state’s commercial activity in the United States (28 U.S.C. §1605(a)(2)).

Other countries extend similar extraterritorial reach as the GRANITE Act. The European Union, for example, passed [anti-SLAPP laws](#) that explicitly allow losers of U.S. lawsuits to seek damages in European courts, effectively relitigating American legal decisions.

The GRANITE Act applies only to laws that conflict with the First Amendment, and it can only grant a right of action to Americans. The act only applies to the proceedings of American courts. Companies with staff, offices, or assets in a foreign country can still be fined and regulated there, so the act’s protection matters most for American companies with no presence abroad.

The GRANITE Act Should Be the Foundation and Not Where Congress Stops

The GRANITE Act should be considered the minimum protection Congress must give Americans. Other legislation, such as the HOMEFRONT Act (H.R. 10309), go further by adding damages, attorney’s fees, and a bar on extradition for protected speech. While some may prefer the stronger HOMEFRONT Act over the GRANITE Act, the GRANITE Act remains the floor of what Congress can do to protect Americans.

Importantly, speech is not the only aspect of foreign law that unfairly targets Americans. Foreign governments also reach American companies through competition law and supply-chain mandates. The provisions of the [PROTECT USA Act](#) and the [Protect U.S. Companies from Foreign Regulatory Taxation Act](#) are other legislative examples that would protect American businesses from similar harmful European regulations that go beyond violating speech protections.

BOTTOMLINE: The provisions of the GRANITE Act are necessary steps for protecting the First Amendment online. Congress should pass the Act among other legislation that serve to protect essential American rights.