

116TH CONGRESS
2D SESSION

S. RES. 622

Condemning attacks against members of the media and reaffirming the centrality of a free and independent press and peaceful assembly to the health of democracy in the United States.

IN THE SENATE OF THE UNITED STATES

JUNE 15, 2020

Mr. MENENDEZ (for Mr. MARKEY (for himself, Mr. BLUMENTHAL, Mr. MERKLEY, Mr. BROWN, Mrs. MURRAY, Ms. CANTWELL, Mrs. FEINSTEIN, Mr. SANDERS, Mr. COONS, Mr. WYDEN, Mr. BOOKER, Mr. CASEY, and Ms. KLOBUCHAR)) submitted the following resolution; which was referred to the Committee on the Judiciary

RESOLUTION

Condemning attacks against members of the media and reaffirming the centrality of a free and independent press and peaceful assembly to the health of democracy in the United States.

Whereas the First Amendment to the Constitution of the United States provides the basis of the freedom of the press and peaceful assembly in the United States, stating “Congress shall make no law . . . abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble . . .”;

Whereas Thomas Jefferson, who recognized the importance of the press in a constitutional republic, wisely declared,

“. . . were it left to me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter.”;

Whereas Article 19 of the United Nations Universal Declaration of Human Rights, adopted in Paris on December 10, 1948, states, “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”;

Whereas, on December 18, 2013, the United Nations General Assembly adopted United Nations General Assembly Resolution 163 (2013) on the safety of journalists and the issue of impunity, which unequivocally condemns, in both conflict and nonconflict situations, all attacks on and violence against journalists and media workers, including torture, extrajudicial killing, enforced disappearance, arbitrary detention, and intimidation and harassment;

Whereas, according to the U.S. Press Freedom Tracker, a nonpartisan website led by the Freedom of the Press Foundation and the Committee to Protect Journalists, not less than 328 press freedom violations by local and State authorities have been reported by journalists across the United States in the course of covering the demonstrations associated with the death of George Floyd, a Black man, while he was in Minneapolis police custody;

Whereas Kirstin McCudden, managing editor of the U.S. Press Freedom Tracker, described the uptick in reports of violations of freedom of the press in the United States between May 25 and June 3, 2020, as “unprecedented in scope without a doubt.”;

Whereas Joel Simon, executive director of the Committee to Protect Journalists, wrote that “[c]overing protests and demonstrations is vital, both in order to inform the public about the demands of the protesters and also to hold officials accountable.”; and

Whereas more than 100 media and press freedom organizations, led by the Reporters Committee for Freedom of the Press, signed a letter demanding that law enforcement officers immediately stop attacks against credentialed, clearly identifiable journalists and stressed that law enforcement officers do not have legal immunity when they violate clearly established rights under the First Amendment to the Constitution of the United States: Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) reaffirms its commitment to the freedom of
3 the press and peaceful assembly as pillars of democ-
4 racy in the United States;

5 (2) condemns in the strongest terms violence
6 committed against people of the United States exer-
7 cising their right to free speech and peaceful assem-
8 bly, including journalists and members of the media,
9 whether that violence is committed by government
10 officials or anyone else;

11 (3) condemns in the strongest terms actions on
12 the part of any local, State, or Federal authorities
13 to limit, restrict, or in any way prevent members of
14 the media from—

1 (A) performing their jobs, which contribute
2 to the distribution of vital information;

3 (B) promoting government accountability;

4 (C) defending democratic activity; and

5 (D) strengthening civil society;

6 (4) recognizes the bravery and courage of the
7 journalists of the United States, foreign journalists,
8 and members of the media who put their own safety
9 at risk in order to cover the demonstrations associ-
10 ated with the death of George Floyd and bring infor-
11 mation to the people of the United States and the
12 world;

13 (5) calls on local, State, and Federal authorities
14 to—

15 (A) take steps to ensure that members of
16 the media are able to safely perform their du-
17 ties without interference, censorship, threats of
18 violence, or physical harm; and

19 (B) explicitly exempt the news media from
20 any curfew regulations; and

21 (6) calls on local, State, and Federal authorities
22 and officials to—

23 (A) identify and thoroughly investigate in-
24 stances in which—

- 1 (i) government officials or members of
2 police forces have restricted media access
3 to the demonstrations associated with the
4 death of George Floyd; or
- 5 (ii) violence was perpetrated against
6 members of the media during those dem-
7 onstrations; and
- 8 (B) ensure that the perpetrators of vio-
9 lence against the media are appropriately dis-
10 ciplined and, if appropriate, charged.

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