To amend title 18, United States Code, to provide a penalty for assault against journalists, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 5, 2023

Mr. Swalwell (for himself, Ms. Norton, Mr. Keating, and Ms. Moore of Wisconsin) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to provide a penalty for assault against journalists, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Journalist Protection Act”.

SEC. 2. ASSAULT AGAINST JOURNALISTS.

(a) In General.—Chapter 7 of title 18, United States Code, is amended by adding at the end the following:
§ 120. Assault against journalists

“(a) DEFINITIONS.—In this section:

“(1) BODILY INJURY; SERIOUS BODILY INJURY.—The terms ‘bodily injury’ and ‘serious bodily injury’ have the meanings given those terms in section 1365(h).

“(2) JOURNALIST.—The term ‘journalist’ means an individual who—

“(A) is an employee, independent contractor, or agent of an entity or service that disseminates news or information—

“(i) by means of a newspaper, nonfiction book, wire service, news agency, news website, mobile application or other news or information service (whether distributed digitally or otherwise), news program, magazine, or other periodical (whether in print, electronic, or other format); or

“(ii) through a television broadcast, radio broadcast, multichannel video programming distributor (as defined in section 602 of the Communications Act of 1934 (47 U.S.C. 522)), or motion picture for public showing; and

“(B) engages in newsgathering with the primary intent to investigate an event or pro-
cure material in order to disseminate to the public news or information concerning a local, national, or international event or other matter of public interest.

“(3) NEWSGATHERING.—The term ‘newsgathering’ means engaging in regular gathering, preparation, collection, photographing, recording, writing, editing, reporting, or publishing concerning a local, national, or international event or other matter of public interest.

“(b) PROHIBITED CONDUCT.—Whoever, in or affecting interstate or foreign commerce, intentionally commits, or attempts to commit—

“(1) an act described in subsection (c) shall be fined under this title or imprisoned not more than 3 years, or both; or

“(2) an act described in subsection (d) shall be fined under this title or imprisoned not more than 6 years, or both.

“(c) BODILY INJURY TO A JOURNALIST.—An act described in this subsection is an act—

“(1) that causes bodily injury to an individual who is a journalist;

“(2) committed with knowledge or reason to know the individual is a journalist; and
“(3) committed—

“(A) while the journalist is taking part in
newsgathering; or

“(B) with the intention of intimidating or
impeding newsgathering by the journalist.

“(d) SERIOUS BODILY INJURY TO A JOURNALIST.—

An act described in this subsection is an act—

“(1) that causes serious bodily injury to an in-
dividual who is a journalist;

“(2) committed with knowledge or reason to
know the individual is a journalist; and

“(3) committed—

“(A) while the journalist is taking part in
newsgathering; or

“(B) with the intention of intimidating or
impeding newsgathering by the journalist.”.

(b) CLERICAL AMENDMENT.—The table of sections

for chapter 7 of title 18, United States Code, is amended

by adding at the end the following:

“120. Assault against journalists.”.