

116TH CONGRESS  
1ST SESSION

# S. 751

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

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IN THE SENATE OF THE UNITED STATES

MARCH 12, 2019

Mr. BLUMENTHAL (for himself and Mr. MENENDEZ) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To amend title 18, United States Code, to provide a penalty for assault against journalists, 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 “Journalist Protection  
5 Act”.

6 **SEC. 2. ASSAULT AGAINST JOURNALISTS.**

7 (a) IN GENERAL.—Chapter 7 of title 18, United  
8 States Code, is amended by adding at the end the fol-  
9 lowing:

1 **“§ 120. Assault against journalists**

2 “(a) DEFINITIONS.—In this section:

3 “(1) BODILY INJURY; SERIOUS BODILY IN-  
 4 JURY.—The terms ‘bodily injury’ and ‘serious bodily  
 5 injury’ have the meanings given those terms in sec-  
 6 tion 1365(h).

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

9 “(A) is an employee, independent con-  
 10 tractor, or agent of an entity or service that  
 11 disseminates news or information—

12 “(i) by means of a newspaper, nonfic-  
 13 tion book, wire service, news agency, news  
 14 website, mobile application or other news  
 15 or information service (whether distributed  
 16 digitally or otherwise), news program,  
 17 magazine, or other periodical (whether in  
 18 print, electronic, or other format); or

19 “(ii) through a television broadcast,  
 20 radio broadcast, multichannel video pro-  
 21 gramming distributor (as defined in section  
 22 602 of the Communications Act of 1934  
 23 (47 U.S.C. 522)), or motion picture for  
 24 public showing; and

25 “(B) engages in newsgathering with the  
 26 primary intent to investigate an event or pro-

1           cure material in order to disseminate to the  
 2           public news or information concerning a local,  
 3           national, or international event or other matter  
 4           of public interest.

5           “(3)           NEWSGATHERING.—The           term  
 6           ‘newsgathering’ means engaging in regular gath-  
 7           ering, preparation, collection, photographing, record-  
 8           ing, writing, editing, reporting, or publishing con-  
 9           cerning a local, national, or international event or  
 10          other matter of public interest.

11          “(b) PROHIBITED CONDUCT.—Whoever, in or affect-  
 12       ing interstate or foreign commerce, intentionally commits,  
 13       or attempts to commit—

14               “(1) an act described in subsection (c) shall be  
 15       fined under this title or imprisoned not more than  
 16       3 years, or both; or

17               “(2) an act described in subsection (d) shall be  
 18       fined under this title or imprisoned not more than  
 19       6 years, or both.

20          “(c) BODILY INJURY TO A JOURNALIST.—An act de-  
 21       scribed in this subsection is an act—

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

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

1 “(3) committed—

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

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

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

7 An act described in this subsection is an act—

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

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

12 “(3) committed—

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

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

17 (b) **CLERICAL AMENDMENT.**—The table of sections  
18 for chapter 7 of title 18, United States Code, is amended  
19 by adding at the end the following:

“120. Assault against journalists.”.

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