

118TH CONGRESS  
1ST SESSION

# H. R. 3121

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 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

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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, nonfie-  
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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