

117TH CONGRESS  
1ST SESSION

# H. R. 4857

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

JULY 29, 2021

Mr. SWALWELL (for himself, Mr. CICILLINE, Mr. COHEN, Ms. JACKSON LEE, Mr. GRIJALVA, Mr. KEATING, Mr. KHANNA, Ms. LEE of California, Mrs. CAROLYN B. MALONEY of New York, Ms. MOORE of Wisconsin, Mrs. NAPOLITANO, Ms. NORTON, Mr. RUSH, Mr. TAKANO, and Ms. WILD) 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”.

1 **SEC. 2. ASSAULT AGAINST JOURNALISTS.**

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

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

6 “(a) DEFINITIONS.—In this section:

7 “(1) BODILY INJURY; SERIOUS BODILY IN-  
8 JURY.—The terms ‘bodily injury’ and ‘serious bodily  
9 injury’ have the meanings given those terms in sec-  
10 tion 1365(h).

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

13 “(A) is an employee, independent con-  
14 tractor, or agent of an entity or service that  
15 disseminates news or information—

16 “(i) by means of a newspaper, nonfie-  
17 tion book, wire service, news agency, news  
18 website, mobile application or other news  
19 or information service (whether distributed  
20 digitally or otherwise), news program,  
21 magazine, or other periodical (whether in  
22 print, electronic, or other format); or

23 “(ii) through a television broadcast,  
24 radio broadcast, multichannel video pro-  
25 gramming distributor (as defined in section  
26 602 of the Communications Act of 1934

1 (47 U.S.C. 522)), or motion picture for  
2 public showing; and

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

9 “(3) NEWSGATHERING.—The term ‘newsgath-  
10 ering’ means engaging in regular gathering, prepara-  
11 tion, collection, photographing, recording, writing,  
12 editing, reporting, or publishing concerning a local,  
13 national, or international event or other matter of  
14 public interest.

15 “(b) PROHIBITED CONDUCT.—Whoever, in or affect-  
16 ing interstate or foreign commerce, intentionally commits,  
17 or attempts to commit—

18 “(1) an act described in subsection (c) shall be  
19 fined under this title or imprisoned not more than  
20 3 years, or both; or

21 “(2) an act described in subsection (d) shall be  
22 fined under this title or imprisoned not more than  
23 6 years, or both.

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

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

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

5 “(3) committed—

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

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

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

11 An act described in this subsection is an act—

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

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

16 “(3) committed—

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

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

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

“120. Assault against journalists.”.

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