

117TH CONGRESS  
2D SESSION

# H. R. 9691

To require an investigation into all non-natural deaths of journalists in a foreign nation, who are United States citizens or working on behalf of a United States-based news media entity, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 23, 2022

Mr. CARSON (for himself, Mr. MCGOVERN, Ms. NORTON, and Mr. THOMPSON of Mississippi) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

## A BILL

To require an investigation into all non-natural deaths of journalists in a foreign nation, who are United States citizens or working on behalf of a United States-based news media entity, 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 “Justice For Journalists  
5 Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Without free speech and a free press, the  
4 United States would not be the country it is. Along  
5 with diplomacy and military strength, a free press,  
6 or the Fourth Estate, is another avenue to challenge  
7 the status quo and be a voice for the protection of  
8 the rule of law, civil society, and human rights.

9 (2) While journalists hold the most public fac-  
10 ing position, a free press is comprised of a breadth  
11 of “media workers”. Today, the fields associated  
12 with providing information about current events or  
13 events of current interest to the public, include pho-  
14 tographers, videographers, publishers, editors, and  
15 documentarians.

16 (3) According to the Committee to Protect  
17 Journalists, 60 journalists have been killed while re-  
18 porting on wars and humanitarian crisis around the  
19 world in 2022. Of the 60 journalists killed, 17 were  
20 murdered and the perpetrator had complete impu-  
21 nity from the law. This number may rise as more  
22 cases are solved.

23 (4) The Geneva Convention protects journalists  
24 and media workers in a variety of ways, under—

25 (A) the Fourth Geneva Convention, if they  
26 are not nationals of the country holding them;

1 (B) Article 3 common to the four Geneva  
2 Conventions, and by Additional Protocol II, and  
3 customary international law, which protect jour-  
4 nalists in times of non-international armed con-  
5 flict as civilians; and

6 (C) Article 79 of Additional Protocol I,  
7 which provides that journalists are entitled to  
8 all rights and protections granted to civilians in  
9 international armed conflicts. The same holds  
10 true in non-international armed conflicts by vir-  
11 tue of customary international law.

12 (5) As provided in Article 19 of the United Na-  
13 tions Universal Declaration of Human Rights and  
14 the International Covenant on Civil and Political  
15 Rights, all people enjoy the right to freedom of opin-  
16 ion and expression, which includes the right to seek,  
17 receive, and impart information.

18 (6) The United Nations Plan of Action defines  
19 the safety of journalists as encompassing not only  
20 physical attacks but also prosecution, arrest, impris-  
21 onment, and denial of journalistic access, as well as  
22 impunity for crimes against journalists.

23 (7) According to the United Nations Edu-  
24 cational, Scientific and Cultural Organization, 455  
25 journalists were killed while doing their jobs between

1       2016 and 2021. These cases include deaths as a re-  
2       sult of extrajudicial killings, targeted terrorist at-  
3       tacks, and in conflicts. In more than 8 out of 10  
4       cases, the perpetrators have not been brought to jus-  
5       tice.

6           (8) According to the United Nations, silencing  
7       journalists by killing them is the most egregious  
8       form of censorship. The failure of the State to pros-  
9       ecute and punish serious crimes against journalists  
10      denies justice to the victims' families, emboldens  
11      perpetrators, and can deter other journalists from  
12      reporting high-risk stories. Countries with high rates  
13      of impunity also have high rates of journalist fatali-  
14      ties, underscoring the correlation between impunity  
15      and the perpetuation of such crimes.

16          (9) Strong advocacy from civil society and  
17      growing awareness of the problem have led the  
18      United Nations Security Council and the Human  
19      Rights Council to adopt a series of resolutions call-  
20      ing for prompt and effective investigations into at-  
21      tacks on journalists. In 2021, for the first time in  
22      the context of international efforts to combat crime,  
23      States recognized the importance of ending impunity  
24      for crimes against journalists in General Assembly  
25      Resolution 76/181.

1           (10) The United States, as a force for good in  
2           this world, must defend and protect those who are  
3           committed to raising awareness of the casualties of  
4           war, humanitarian crises, human rights abuses, and  
5           corruption around the world.

6           (11) The United States must preserve and build  
7           upon the leadership of the United States on issues  
8           relating to freedom of the press, on the basis of the  
9           protections afforded the American people under the  
10          First Amendment.

11          (12) The United States must conduct prompt  
12          and effective investigations into all non-natural  
13          deaths of journalists and representative of the news  
14          media in a foreign nation, who are United States  
15          citizens or working on behalf of a United States-  
16          based news media entity.

17          (13) The United States must improve the rapid  
18          identification, publication, and response by the  
19          United States Government to threats against free-  
20          dom of the press around the world, no matter a for-  
21          eign nation's status as ally or adversary.

22   **SEC. 3. DEFINITIONS.**

23          In this Act:

24                  (1) The term “journalist”—

25                          (A) means an individual who—

1 (i) actively gathers information about  
2 current events or events that would be of  
3 current interest to a segment of the public;

4 (ii) uses its editorial skills to turn the  
5 raw materials into a distinct work; and

6 (iii) distributes that work to an audi-  
7 ence; and

8 (B) includes—

9 (i) individuals working for a television  
10 or radio station that broadcasts the news  
11 who do not appear on-air;

12 (ii) individuals who work on a free-  
13 lance basis who demonstrate a solid basis  
14 for expecting publication through a news  
15 media entity, based on publication record  
16 or an existing contract; and

17 (iii) individuals who work on docu-  
18 mentaries who demonstrate a solid basis  
19 for expecting publication or broadcast,  
20 based on their history or an existing con-  
21 tract or grant.

22 (2) The term “covered journalist” means a  
23 journalist who—

24 (A)(i) is a national of the United States; or

1 (ii) is not a national of the United States  
2 and works for a news media entity based in the  
3 United States;

4 (B) suffers a non-natural death in a for-  
5 eign country; and

6 (C) is working as a journalist in the for-  
7 eign country at the time of their death.

8 (3) The term “death” includes, with respect to  
9 an individual, being declared dead after having been  
10 missing for the requisite number of years applicable  
11 law.

12 (4) The term “news media entity” means an  
13 entity engaged in disseminating information to the  
14 general public through a newspaper, magazine, other  
15 publication, radio, television, cable television, or  
16 other medium of mass communication, and includes  
17 publishers of periodicals and publishers of documen-  
18 taries.

19 **SEC. 4. INVESTIGATIONS OF NON-NATURAL DEATHS OF**  
20 **JOURNALISTS IN FOREIGN COUNTRIES.**

21 (a) INVESTIGATION REQUIREMENT.—The Director of  
22 the Federal Bureau of Investigation shall conduct an  
23 international criminal investigation on each non-natural  
24 death of a covered journalist in accordance with the pro-  
25 tocol established under subsection (b).

1 (b) PROTOCOL.—Not later than 30 days after the  
2 date of enactment of this Act, the Director of the Federal  
3 Bureau of Investigation, in coordination with the Sec-  
4 retary of State, and in consultation with the Director of  
5 National Intelligence, the Secretary of Defense, and the  
6 head of other relevant Federal agencies, shall develop a  
7 multi-agency investigative team protocol that includes de-  
8 fined responsibilities for each Federal agency involved,  
9 to—

10 (1) identify non-natural deaths of covered jour-  
11 nalists in foreign countries;

12 (2) conduct prompt and effective, investigations  
13 of all such deaths, using the full investigative and  
14 forensic capabilities of the United States; and

15 (3) aggressively prosecute perpetrators who  
16 may be subject to criminal liability under Inter-  
17 national or Federal law.

18 (c) REPORTS TO CONGRESS.—The Director of the  
19 Federal Bureau of Investigation shall submit to Congress  
20 reports, in accordance with this subsection, to ensure that  
21 Congress is informed about specific investigations, as well  
22 as trends of non-natural deaths of covered journalists in  
23 countries with a history of targeting journalists.

24 (1) SPECIFIC INDIVIDUAL INVESTIGATION.—  
25 For each non-natural death of a covered journalist

1 the Director of the Federal Bureau of Investigation  
2 shall provide to Congress the following reports:

3 (A) An initial report at the beginning of  
4 the investigation containing basic information  
5 about the covered journalist, which shall include  
6 the name of the person, their country of citizen-  
7 ship, the name of the news media entity for  
8 which the covered journalist was working at the  
9 time of their death, the country in which such  
10 news media entity is based, the location of the  
11 covered journalist at time of their death, nature  
12 of their death (if known), and the name and  
13 contact information for the lead investigator at  
14 the Federal Bureau of Investigation.

15 (B) An interim report that includes all ele-  
16 ments of the investigation and information  
17 about each person of interest in the investiga-  
18 tion.

19 (C) A final report, which shall include all  
20 elements of the investigation, and the following:

21 (i) An identification of each person  
22 that carried out, participated in, or was  
23 otherwise complicit in, or responsible for  
24 the non-natural death of the covered jour-  
25 nalist.

1 (ii) A recommendation on how to hold  
2 each person identified under clause (i) ac-  
3 countable.

4 (iii) An identification of the possible  
5 use of defense articles provided by the  
6 United States in connection with a non-  
7 natural death of a covered journalist.

8 (2) ANNUAL REPORTING.—Not later than 30  
9 days after the first end of a fiscal year after the  
10 date of enactment of this Act, and annually there-  
11 after, the Director of the Federal Bureau of Inves-  
12 tigation shall submit to Congress a report that in-  
13 cludes—

14 (A) the status of individual investigations  
15 of non-natural deaths of covered journalists  
16 opened, ongoing, or closed during the reporting  
17 period, including, for each investigation—

18 (i) the status, including the number of  
19 days for which each investigation has been  
20 or was open;

21 (ii) the location of the covered jour-  
22 nalist at time of their death;

23 (iii) the nature of death of the covered  
24 journalist (if known);

1 (iv) whether each person responsible  
2 for the death has been identified; and

3 (v) whether the recommendation de-  
4 scribed in paragraph (1)(C)(ii) was imple-  
5 mented;

6 (B) for each investigation described in sub-  
7 paragraph (A), the interim report described in  
8 paragraph (1)(B) or the final report described  
9 in paragraph (1)(C), as appropriate; and

10 (C) an analysis of whether the non-natural  
11 death of a covered journalist in a foreign coun-  
12 try is a part of a larger trend of that country  
13 involving—

14 (i) a history of corruption or human  
15 rights violations;

16 (ii) intimidation or violence towards  
17 journalists; or

18 (iii) the general attitude of that coun-  
19 try towards the United States.

20 (3) FORM.—The reports required under para-  
21 graphs (1) and (2) shall be submitted in unclassified  
22 form and, at the time of submission to Congress,  
23 shall be made publicly available on the website of the  
24 Department of Justice. The reports required under  
25 paragraph (1) shall be made publicly available on

- 1 the appropriate Department of State country
- 2 website.

