

116TH CONGRESS
2D SESSION

S. 5026

To establish the Office of Press Freedom, to create press freedom curriculum at the National Foreign Affairs Training Center, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 16, 2020

Mr. SCHATZ (for himself and Mr. YOUNG) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To establish the Office of Press Freedom, to create press freedom curriculum at the National Foreign Affairs Training Center, 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 “Global Press Freedom
5 Act”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) Freedom of the press is a fundamental civil,
9 political, and human right that is foundational in the
10 United States democratic system and enshrined in

1 the First Amendment of the United States Constitu-
2 tion, which states (in part) “Congress shall make no
3 law . . . abridging the freedom of speech or of the
4 press . . .”.

5 (2) Freedom of the press is essential to a free,
6 open, and democratic system.

7 (3) Historically, United States foreign policy
8 has advanced freedom of the press as a central
9 tenet, at home and abroad.

10 (4) The United States led the drafting of the
11 Universal Declaration of Human Rights, adopted in
12 Paris on December 10, 1948, which enshrines the
13 commitment of countries around the world to protect
14 and promote universal human rights and values that
15 are indispensable for human dignity, including free-
16 dom of expression and of the press.

17 (5) Article 19 of the Universal Declaration of
18 Human Rights states, “Everyone has the right to
19 freedom of opinion and expression; this right in-
20 cludes freedom to hold opinions without interference
21 and to seek, receive and impart information and
22 ideas through any media and regardless of fron-
23 tiers.”.

24 (6) In 1823, Thomas Jefferson wrote, “the only
25 security of all is in a free press”.

1 (7) A free press has long been recognized as an
2 important aspect of the United States national secu-
3 rity and actions taken by foreign governments or or-
4 ganizations that weaken free press protections are a
5 national security threat to the United States.

6 (8) The right to freedom of the press is under
7 renewed and, in some cases, increasing assault
8 around the world, with rhetoric delegitimizing and
9 discrediting the media or journalists, online harass-
10 ment, physical attacks, legal campaigns, censorship,
11 and surveillance, all of which threaten the ability of
12 journalists to do their jobs safely and freely.

13 (9) In the past decade, the world has seen a
14 significant deterioration of press freedoms.

15 (10) According to Freedom House’s “Freedom
16 in the Media 2019” study—

17 (A) 19 percent of the countries it des-
18 ignates as “Free” with respect to press and
19 journalistic freedom have seen reductions in
20 their press freedom score during the past 5
21 years; and

22 (B) 28 percent of the countries it des-
23 ignates as “Not Free” have experienced further
24 declines in press freedom during the past 5
25 years.

1 (11) According to Reporters Without Border’s
2 2020 World Press Freedom Index—

3 (A) approximately 74 percent of the coun-
4 tries of the world are classified as “problematic
5 situation” or worse with respect to journalistic
6 freedom;

7 (B) approximately 26 percent of the coun-
8 tries of the world have “satisfactory” or “good”
9 press freedom environments;

10 (C) among the countries that have recently
11 suffered the largest declines in press freedom
12 are Poland, Turkey, Burundi, Hungary, Bo-
13 livia, Serbia, and the Democratic Republic of
14 Congo;

15 (D) around the world, 2019 marked the
16 fourth consecutive year in which 300 or more
17 journalists were jailed;

18 (E) the COVID–19 pandemic has precip-
19 itated state censorship, harassment, and vio-
20 lence in both authoritarian and democratic
21 states; and

22 (F) authorities have detained journalists
23 for reporting on the pandemic in many nations,
24 including China, Zimbabwe, Bangladesh, Mali,
25 Belarus, Azerbaijan, Iran, the Philippines,

1 Tajikistan, Poland, the Democratic Republic of
2 Congo, and Serbia.

3 (12) According to the Committee to Protect
4 Journalists, in 2019—

5 (A) at least 250 journalists worldwide were
6 in prison for the fourth consecutive year, with
7 Turkey, China, Egypt, and Saudi Arabia re-
8 sponsible for more than 50 percent of the jailed
9 journalists;

10 (B) of the journalists detained—

11 (i) 23 percent were detained without
12 charge; and

13 (ii) 66 percent were imprisoned on
14 anti-state charges;

15 (C) at least 25 journalists were killed for
16 their work; and

17 (D) there was complete impunity for jour-
18 nalists' murders in an estimated 85 percent of
19 cases.

20 (13) Congress has recognized the importance of
21 freedom of the press by enacting—

22 (A) the Daniel Pearl Freedom of the Press
23 Act of 2009 (Public Law 111–166);

1 (B) the Global Magnitsky Human Rights
2 Accountability Act (subtitle F of title XII of
3 Public Law 114–328); and

4 (C) S. Res. 501, 115th Congress (recog-
5 nizing threats to freedom of the press and ex-
6 pression around the world and reaffirming free-
7 dom of the press as a priority in efforts of the
8 Government of the United States to promote
9 democracy and good governance).

10 (14) The importance of freedom of the press
11 has been recognized by numerous United States
12 presidential administrations that span ideological
13 and party lines, including—

14 (A) a 1786 letter to James Currie, in
15 which Secretary of State Thomas Jefferson
16 wrote “our liberty depends on the freedom of
17 the press, and that cannot be limited without
18 being lost.”;

19 (B) an address to Congress on February 6,
20 1986, in which President Ronald Reagan stat-
21 ed, “Victories against poverty are greatest and
22 peace most secure where people live by laws
23 that ensure free press, free speech, and freedom
24 to worship, vote, and create wealth”;

1 (C) a statement by Secretary of State
2 Condoleezza Rice on April 11, 2007, stating
3 that “there is no more important pillar of de-
4 mocracy than a free and active press”;

5 (D) a statement by former Secretary of
6 State Madeline Albright on May 31, 2018, re-
7 porting that “Freedom of the press is a basic
8 aspect of democracy, invented by Americans.”;
9 and

10 (E) a statement by Secretary of State
11 Mike Pompeo on May 3, 2019, stating, “A free
12 and independent media is indispensable to a vi-
13 brant, functioning democracy. Despite some
14 progress, journalists around the world continue
15 to be persecuted, targeted with violence, or even
16 killed—all too often with impunity.”.

17 (15) Protection of a free and open press is not
18 a partisan issue.

19 (16) It is imperative that Congress further en-
20 shrine the Department of State’s role in protecting
21 this basic human right abroad.

22 **SEC. 3. STATEMENT OF POLICY.**

23 It shall be the policy of the United States—

24 (1) to condemn violations of, and attacks on,
25 press freedoms;

1 (2) to promote, and to assist other governments
 2 in the promotion of, the importance of a free and
 3 open press;

4 (3) to support press freedom abroad in all as-
 5 pects of American foreign policy; and

6 (4) to work with foreign governments that af-
 7 firm and protect press freedom—

8 (A) to develop multilateral initiatives to
 9 combat suppression of the free press; and

10 (B) to hold accountable those governments
 11 that violate and attack press freedoms.

12 **SEC. 4. OFFICE OF PRESS FREEDOM; AMBASSADOR-AT-**
 13 **LARGE FOR PRESS FREEDOM.**

14 (a) ESTABLISHMENT.—There is established, within
 15 the United States Department of State, the Office of
 16 Press Freedom (referred to in this Act as the “Office”),
 17 which—

18 (1) shall be situated in the Bureau of Democ-
 19 racy, Human Rights, and Labor; and

20 (2) shall be headed by the Ambassador-at-
 21 Large for Press Freedom (referred to in this Act as
 22 the “Ambassador”).

23 (b) APPOINTMENT.—The Ambassador shall be ap-
 24 pointed by the President, by and with advice and consent
 25 of the Senate, and shall work with the Assistant Secretary

1 of State for Democracy, Human Rights, and Labor to ad-
2 vise the Secretary of State regarding matters related to
3 press freedom.

4 (c) DUTIES.—The Ambassador shall have the fol-
5 lowing duties:

6 (1) GENERAL RESPONSIBILITIES.—The Amba-
7 sador shall have the primary responsibility—

8 (A) to advance the protection and well-
9 being of members of the United States and for-
10 eign press abroad;

11 (B) to denounce violations of press free-
12 dom or freedom of expression by foreign gov-
13 ernments or other actors; and

14 (C) to engage with foreign governments
15 and press freedom organizations around the
16 world concerning press freedom and freedom of
17 expression.

18 (2) SPECIFIC TASKS.—The Ambassador, with
19 the assistance of the Office, and in fulfillment of the
20 responsibilities described in paragraph (1), shall—

21 (A) coordinate efforts between relevant
22 United States embassy personnel and press or-
23 ganizations or threatened individuals in situa-
24 tions in which freedom of the press is threat-
25 ened abroad;

1 (B) publicly and privately denounce op-
2 pression of the press abroad;

3 (C) represent the United States in issues
4 concerning press freedom in diplomatic engage-
5 ment with foreign governments, intergovern-
6 mental organizations, the United Nations, and
7 other international organizations in which the
8 United States is a member;

9 (D) recommend appropriate responses by
10 the United States Government when press free-
11 doms are infringed upon; and

12 (E) provide Congress and the public with
13 a regular report describing the successes and
14 enduring challenges of the Office, based on
15 metrics that the Office shall develop.

16 (3) ADVISORY ROLE.—The Ambassador—

17 (A) shall be a principal advisor to the
18 President and to the Secretary of State regard-
19 ing matters affecting press freedom abroad; and

20 (B) shall make recommendations regarding
21 the policies of the United States Government to-
22 wards governments or other organizations or in-
23 dividuals that—

24 (i) violate press freedoms; or

1 (ii) fail to ensure the protection of
2 members of the press.

3 (4) REPORTING RESPONSIBILITIES.—The Am-
4 bassador shall—

5 (A) work with the staff of the Office to en-
6 sure the success of the Office in carrying out its
7 mission—

8 (i) to promote press freedom abroad;
9 and

10 (ii) to protect members of the press in
11 foreign countries;

12 (B) not later than 1 year after being ap-
13 pointed, ensure that there is a reasonable proc-
14 ess for measuring the efficacy of the Office in
15 carrying out the missions described in subpara-
16 graph (A);

17 (C) not later than 18 months after being
18 appointed, and annually thereafter—

19 (i) submit a report to Congress that
20 describes—

21 (I) the outcomes of the activities
22 of the Office based on the process es-
23 tablished pursuant to subparagraph
24 (B); and

1 (II) the efforts of the National
 2 Foreign Affairs Training Center to
 3 train Foreign Service Officers about
 4 press freedom in accordance with sec-
 5 tion 5; and

6 (ii) make a copy of the report sub-
 7 mitted pursuant to clause (i) available to
 8 the public; and

9 (D) review and approve the language in
 10 the “Freedom of Expression” section of each
 11 country reviewed in the annual Country Report
 12 on Human Rights Practices.

13 (5) FUNDING.—The Secretary of State shall
 14 provide the Ambassador with sufficient funds—

15 (A) to hire the staff for the Office to en-
 16 able the Office to carry out the tasks and re-
 17 sponsibilities described in paragraphs (1), (2),
 18 and (3);

19 (B) to comply with the reporting require-
 20 ments described in paragraph (4); and

21 (C) for necessary travel to carry out this
 22 section.

23 **SEC. 5. PRESS FREEDOM CURRICULUM.**

24 (a) DEVELOPMENT.—The Ambassador and the Of-
 25 fice shall develop a press freedom curriculum for the Na-

1 tional Foreign Affairs Training Center that enables For-
2 eign Service Officers to better understand issues of press
3 freedom and the tools that are available to help protect
4 journalists and promote freedom of the press norms, in-
5 cluding—

6 (1) the historic and current issues facing press
7 freedom, including countries of specific concern;

8 (2) the Department of State’s role in promoting
9 press freedom as an American value, a human rights
10 issue, and a national security imperative;

11 (3) ways to incorporate press freedom pro-
12 motion into other aspects of diplomacy; and

13 (4) existing tools to assist journalists in distress
14 and methods for engaging foreign governments and
15 institutions on behalf of individuals engaged in jour-
16 nalistic activity who are at risk of harm.

17 (b) REQUIRED STUDY.—Any Foreign Service Officer
18 who is assigned to function as a Public Diplomacy Officer,
19 a Political Officer, or a Consular Officer at an overseas
20 mission shall complete the study of the curriculum de-
21 scribed in subsection (a) not later than 90 days after the
22 first day of such assignment.

1 **SEC. 6. GAO STUDY ON THE DANIEL PEARL FREEDOM OF**
2 **THE PRESS ACT OF 2009.**

3 (a) STUDY.—The Comptroller General of the United
4 States shall evaluate the implementation of the Daniel
5 Pearl Freedom of the Press Act of 2009 (Public Law 111–
6 166) by—

7 (1) assessing the effects of including the infor-
8 mation described in section 116(d)(12) of the For-
9 eign Assistance Act of 1961 (22 U.S.C.
10 2151n(d)(12)) in the annual Country Reports on
11 Human Rights Practices; and

12 (2) determining how reporting on instances of
13 governmental suppression of free press abroad and
14 inaction in addressing press freedom violations has
15 changed since the enactment of the Daniel Pearl
16 Freedom of the Press Act of 2009.

17 (b) REPORT.—Not later than 1 year after the date
18 of the enactment of this Act, the Comptroller General shall
19 submit a report to Congress and to the Secretary of State
20 that—

21 (1) summarizes the results of the study re-
22 quired under subsection (a); and

23 (2) provides recommendations for any legisla-
24 tive or regulatory action that would improve the ef-

- 1 forts of the Department of State to report on issues
- 2 of press freedom abroad.

