

S 673

Journalism Competition and Preservation Act of 2022

Congress: 117 (2021–2023, Ended)

Chamber: Senate

Policy Area: Science, Technology, Communications

Introduced: Mar 10, 2021

Current Status: Placed on Senate Legislative Calendar under General Orders. Calendar No. 569.

Latest Action: Placed on Senate Legislative Calendar under General Orders. Calendar No. 569. (Nov 28, 2022)

Official Text: <https://www.congress.gov/bill/117th-congress/senate-bill/673>

Sponsor

Name: Sen. Klobuchar, Amy [D-MN]

Party: Democratic • **State:** MN • **Chamber:** Senate

Cosponsors (15 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Booker, Cory A. [D-NJ]	D · NJ		Mar 10, 2021
Sen. Kennedy, John [R-LA]	R · LA		Mar 10, 2021
Sen. Paul, Rand [R-KY]	R · KY		Mar 10, 2021
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Mar 10, 2021
Sen. Collins, Susan M. [R-ME]	R · ME		Jun 24, 2021
Sen. Feinstein, Dianne [D-CA]	D · CA		Jun 24, 2021
Sen. Lummis, Cynthia M. [R-WY]	R · WY		Jun 24, 2021
Sen. Graham, Lindsey [R-SC]	R · SC		Mar 10, 2022
Sen. Cassidy, Bill [R-LA]	R · LA		Jul 13, 2022
Sen. Hirono, Mazie K. [D-HI]	D · HI		Jul 13, 2022
Sen. Blumenthal, Richard [D-CT]	D · CT		Aug 6, 2022
Sen. Durbin, Richard J. [D-IL]	D · IL		Aug 6, 2022
Sen. Thune, John [R-SD]	R · SD		Aug 6, 2022
Sen. Manchin, Joe, III [D-WV]	D · WV		Sep 29, 2022
Sen. Wicker, Roger F. [R-MS]	R · MS		Nov 30, 2022

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Hearings By (subcommittee)	Feb 2, 2022

Subjects & Policy Tags

Policy Area:

Science, Technology, Communications

Related Bills

Bill	Relationship	Last Action
117 S 4796	Related bill	Sep 7, 2022: Read twice and referred to the Committee on Commerce, Science, and Transportation.
117 HR 1735	Identical bill	May 18, 2021: Referred to the Subcommittee on Antitrust, Commercial, and Administrative Law.

Summary (as of Nov 28, 2022)

Journalism Competition and Preservation Act of 2022

This bill sets out a process through which certain broadcast or digital news providers may collectively negotiate with covered online platforms (e.g., social media companies) regarding use of the news providers' content by the platforms.

Specifically, the bill authorizes an eligible provider (e.g., one with no more than 1,500 full-time employees and nonnetwork news broadcasters that engage in specified news practices) to jointly form an entity with other eligible providers to negotiate the pricing, terms, and conditions by which certain online platforms use the providers' content. A covered platform is generally one that (1) has at least 50 million monthly domestic users, and (2) is owned or controlled by a person with either sales or a market capitalization that exceeds a specified amount or at least one billion monthly users worldwide.

The bill establishes requirements concerning the formation, governance, operation, and termination of the joint negotiation entity. It also exempts from antitrust laws certain actions by a joint negotiation entity (e.g., providers jointly denying a platform's access to the providers' content).

The bill outlines requirements governing the conduct of the negotiations by, for example, requiring the parties to negotiate in good faith. Additionally, the bill provides for private rights of action if the requirements for a negotiation are not met and establishes requirements for arbitration in limited circumstances.

The Government Accountability Office must study the impact of the joint negotiations, including their effects on local and regional news and the employment of journalists.

In general, the bill's provisions terminate six years after its enactment.

Actions Timeline

- **Nov 28, 2022:** Committee on the Judiciary. Reported by Senator Durbin with an amendment in the nature of a substitute. Without written report.
- **Nov 28, 2022:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 569.
- **Sep 22, 2022:** Committee on the Judiciary. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Feb 2, 2022:** Committee on the Judiciary Subcommittee on Competition Policy, Antitrust, and Consumer Rights. Hearings held.
- **Mar 10, 2021:** Introduced in Senate
- **Mar 10, 2021:** Read twice and referred to the Committee on the Judiciary.

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