

S 1094

Journalism Competition and Preservation Act of 2023

Congress: 118 (2023–2025, Ended)

Chamber: Senate

Policy Area: Science, Technology, Communications

Introduced: Mar 30, 2023

Current Status: Placed on Senate Legislative Calendar under General Orders. Calendar No. 135.

Latest Action: Placed on Senate Legislative Calendar under General Orders. Calendar No. 135. (Jul 18, 2023)

Official Text: <https://www.congress.gov/bill/118th-congress/senate-bill/1094>

Sponsor

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

Party: Democratic • State: MN • Chamber: Senate

Cosponsors (20 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Blumenthal, Richard [D-CT]	D · CT		Mar 30, 2023
Sen. Booker, Cory A. [D-NJ]	D · NJ		Mar 30, 2023
Sen. Cassidy, Bill [R-LA]	R · LA		Mar 30, 2023
Sen. Collins, Susan M. [R-ME]	R · ME		Mar 30, 2023
Sen. Daines, Steve [R-MT]	R · MT		Mar 30, 2023
Sen. Durbin, Richard J. [D-IL]	D · IL		Mar 30, 2023
Sen. Graham, Lindsey [R-SC]	R · SC		Mar 30, 2023
Sen. Kennedy, John [R-LA]	R · LA		Mar 30, 2023
Sen. Lummis, Cynthia M. [R-WY]	R · WY		Mar 30, 2023
Sen. Manchin, Joe, III [D-WV]	D · WV		Mar 30, 2023
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Mar 30, 2023
Sen. Wicker, Roger F. [R-MS]	R · MS		Mar 30, 2023
Sen. Feinstein, Dianne [D-CA]	D · CA		May 17, 2023
Sen. Hirono, Mazie K. [D-HI]	D · HI		May 17, 2023
Sen. King, Angus S., Jr. [I-ME]	I · ME		May 17, 2023
Sen. Barrasso, John [R-WY]	R · WY		Jan 8, 2024
Sen. Hickenlooper, John W. [D-CO]	D · CO		Jan 8, 2024
Sen. Murkowski, Lisa [R-AK]	R · AK		Mar 14, 2024
Sen. Capito, Shelley Moore [R-WV]	R · WV		Jul 25, 2024
Sen. Reed, Jack [D-RI]	D · RI		Nov 21, 2024

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Reported By	Jul 18, 2023

## Subjects & Policy Tags

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### Policy Area:

Science, Technology, Communications

## Related Bills

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*No related bills are listed.*

## Summary (as of Jul 18, 2023)

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### Journalism Competition and Preservation Act of 2023

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 covered 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

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- **Jul 18, 2023:** Committee on the Judiciary. Reported by Senator Durbin without amendment. Without written report.
- **Jul 18, 2023:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 135.
- **Jun 15, 2023:** Committee on the Judiciary. Ordered to be reported without amendment favorably.
- **Mar 30, 2023:** Introduced in Senate
- **Mar 30, 2023:** Read twice and referred to the Committee on the Judiciary.