

118TH CONGRESS
1ST SESSION

H. RES. 934

Expressing the sense of the House of Representatives that regular journalistic activities are protected under the First Amendment, and that the United States ought to drop all charges against and attempts to extradite Julian Assange.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 13, 2023

Mr. GOSAR (for himself, Mr. MCGOVERN, Mr. MASSIE, Ms. GREENE of Georgia, Mrs. LUNA, Mr. BURLISON, Mr. DUNCAN, and Ms. OMAR) submitted the following resolution; which was referred to the Committee on the Judiciary

RESOLUTION

Expressing the sense of the House of Representatives that regular journalistic activities are protected under the First Amendment, and that the United States ought to drop all charges against and attempts to extradite Julian Assange.

Whereas regular journalistic activities, including the obtainment and publication of information, are protected under the First Amendment to the Constitution of the United States;

Whereas, in 2010, WikiLeaks, a media organization established by Julian Assange, published a cache of hundreds of thousands of pieces of information including Guanta-

namo Bay detainee assessment briefs, State Department cables, rules of engagement files, and other United States military reports;

Whereas the disclosure of this information promoted public transparency through the exposure of the hiring of child prostitutes by Defense Department contractors, friendly fire incidents, human rights abuses, civilian killings, and United States use of psychological warfare;

Whereas, in 2018, Mr. Assange was charged with one count under the Computer Fraud and Abuse Act (CFAA) for alleged conspiracy to help a United States Army intelligence analyst access Defense Department computers without authorization;

Whereas the charge under the CFAA was despite the fact that said intelligence analyst already had access to the mentioned computer, that the purported breaching of the Defense Department computers was impossible, and that there was no proof Mr. Assange had any contact with said intelligence analyst;

Whereas, in 2019, Mr. Assange was charged with an additional 17 counts under the Espionage Act for alleged obtainment and disclosure of classified national defense information;

Whereas no other publisher had ever been prosecuted under the Espionage Act prior to these 17 charges;

Whereas Mr. Assange could face up to 175 years behind bars, effectively a death sentence, for these charges;

Whereas, in 2019, Mr. Assange was arrested by the London Metropolitan Police for an outstanding warrant and is currently being held at HM Prison Belmarsh while he

battles the United States request that the United Kingdom extradite him;

Whereas the successful prosecution of Mr. Assange under the Espionage Act would set a precedent allowing the United States to prosecute and imprison journalists for First Amendment protected activities, including the obtainment and publication of information, something that occurs on a regular basis;

Whereas First Amendment freedom of the press is essential to promote public transparency and is a crucial safeguard for our Republic;

Whereas numerous human rights, press freedom, and privacy rights advocates and organizations have disclosed their sincere and steadfast support for Mr. Assange; and

Whereas at least 70 Senators and Members of Parliament from Australia, a critical United States ally and Mr. Assange's native country, support actions that would allow Mr. Assange to return home: Now, therefore be it

1 *Resolved*, That it is the sense of the House of Rep-
2 resentatives that—

3 (1) regular journalistic activities, including the
4 obtainment and publication of information are pro-
5 tected under the First Amendment of the Constitu-
6 tion of the United States;

7 (2) First Amendment freedom of the press pro-
8 motes public transparency and is crucial for the
9 American Republic;

1 (3) the Federal Government ought to drop all
2 charges against and attempts to extradite Julian
3 Assange; and

4 (4) the Federal Government allow Julian
5 Assange to return home to his native Australia if he
6 so desires.

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