

**Washington, DC** - Congressman Pence wrote the following op-ed commemorating 'Sunshine Week,' and calling for a federal media shield law. [It was published in Editor & Publisher](#)

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*Enshrined in the First Amendment are these words: "Congress shall make no law abridging the freedom of speech, or of the press." As a conservative who believes in limited government, I believe the only check on government power in real time is a free and independent press.*

*This week we celebrate "Sunshine Week" in America, and we take time out to recognize the importance of a free and independent press in our nation. But, we must be ever vigilant about maintaining and protecting the freedoms and independence our press enjoy.*

*Four years ago, I originally authored the Free Flow of Information Act with Congressman Rick Boucher of Virginia. The bill, also known as a federal media shield bill, provides a qualified privilege of confidentiality to journalists, which enables them to bring forward information to the public that might otherwise never see the light of day. The bill is not about protecting journalists, it's about protecting the public's right to know.*

*The Free Flow of Information Act simply provides qualified protection for members of the news media against compelled disclosure of confidential sources. In doing so, this legislation strikes a balance between the public interest in the free flow of information against the public interest in compelling testimony in limited circumstances such as situations involving grave risk to national security or imminent threat of bodily harm.*

*In October 2007, the House of Representatives overwhelmingly passed the Free Flow of Information Act. Unfortunately, the Senate did not pass the legislation before the end of the last Congress. On February 11, 2009, I was pleased to join Congressman Boucher, House Judiciary Committee Chairman John Conyers, Vice Ranking Member Bob Goodlatte and 35 of our colleagues in reintroducing the same legislation that previously garnered 398 votes.*

*I believe that sufficient bipartisan majorities exist in both the House and the Senate to enact this critical legislation this year. President Obama pledged his support for a federal media shield when he was serving as a U.S. Senator. The time for ensuring the free flow of information is now.*

*We all remember when not long ago a confidential source brought to light abuses at the highest levels of government in the long national nightmare of Watergate. History records that W. Mark Felt never would have come forward without the assurance made to him of confidentiality.*

*Over thirty years later, journalists cannot assure confidentiality to sources without risking fines and jail time. The protections provided by the Free Flow of Information Act are necessary so that members of the media can bring forward information to the American public without fear of retribution or prosecution. Without the free flow of information from sources to reporters, stories will not be written that could better inform the public and strengthen our democracy.*

*In recent years, we have famously seen reporters such as Judith Miller jailed and David Ashenfelter, Mark Fainaru-Wada and Lance Williams threatened with imprisonment. They are a few names among many who have been subpoenaed for taking a stand for the First Amendment and refusing to reveal confidential sources.*

*Compelling reporters to testify, and in particular, compelling them to reveal the identity of their confidential sources, is a detriment to the public interest. Without the promise of confidentiality, many important conduits of information about our government will be shut down. The dissemination of information by the media to the public on matters ranging from the operation of our government to events in our local communities is invaluable to the operation of our democracy.*

*Thirty-six states and the District of Columbia have various statutes that protect reporters from being compelled to testify or disclose sources and information in their courts. Thirteen states have protections for reporters as a result of judicial decisions. The Free Flow of Information Act would set national standards similar to those that are in effect in the states, ensuring that the American people have the facts that they need to make choices as an informed electorate.*

*Thomas Jefferson warned that, "Our liberty cannot be guarded but by the freedom of the press, nor that limited without danger of losing it." This Congress would be wise to take those words to heart. Now is the time to heed the advice of Mr. Jefferson, and stitch this tear in the First Amendment freedom of the press.*