

AMENDMENT NO. _____ Calendar No. _____

Purpose: To provide adequate protection for grand jury proceedings.

IN THE SENATE OF THE UNITED STATES—111th Cong., 1st Sess.

S. 448

To maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by _____

Viz:

1 At the appropriate place, insert the following:

2 **SEC. ____ . GRAND JURY LEAKS.**

3 Notwithstanding any other provision of this Act, this
4 Act shall not apply if a Federal court finds by a preponderance of the evidence that—

6 (1) the protected information is sought in the
7 investigation or prosecution of an alleged violation of
8 rule 6(e) of the Federal Rules of Criminal Procedure;
9 and

1 (2) based on public information or information
2 obtained from a source other than the covered per-
3 son, there are reasonable grounds to believe that a
4 violation of the rule has occurred.