

S 2528

Civil Liberties Restoration Act of 2004

Congress: 108 (2003–2005, Ended)

Chamber: Senate

Policy Area: Civil Rights and Liberties, Minority Issues

Introduced: Jun 16, 2004

Current Status: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S6891-

Latest Action: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S6891-6894) (Jun 16, 2004)

Official Text: <https://www.congress.gov/bill/108th-congress/senate-bill/2528>

Sponsor

Name: Sen. Kennedy, Edward M. [D-MA]

Party: Democratic • State: MA • Chamber: Senate

Cosponsors (5 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Corzine, Jon S. [D-NJ]	D · NJ		Jun 16, 2004
Sen. Durbin, Richard J. [D-IL]	D · IL		Jun 16, 2004
Sen. Feingold, Russell D. [D-WI]	D · WI		Jun 16, 2004
Sen. Leahy, Patrick J. [D-VT]	D · VT		Jun 16, 2004
Sen. Jeffords, James M. [I-VT]	I · VT		Jul 16, 2004

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Jun 16, 2004

Subjects & Policy Tags

Policy Area:

Civil Rights and Liberties, Minority Issues

Related Bills

Bill	Relationship	Last Action
108 HR 4591	Related bill	Jun 28, 2004: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.

Civil Liberties Restoration Act of 2004 - Amends the Immigration and Nationality Act (INA) to require removal proceedings to be open to the public subject to specified exceptions.

Requires the Secretary of Homeland Security to: (1) serve notice to appear within 48 hours on aliens arrested or detained under the INA and bring them before an immigration judge within 72 hours, with exceptions for aliens certified as engaging in espionage or terrorism; and (2) conduct individualized bond determinations reviewable by an immigration judge.

Limits the authority of the Board of Immigration Review (created by this Act) to stay release orders.

Abolishes the Executive Office of Immigration Review and replaces it with the Immigration Review Commission.

Terminates the National Security Entry-Exit Registration System (NSEERS) and most NSEERS-related removal proceedings.

Requires the Secretary to use prosecutorial discretion in immigration enforcement.

Eliminates criminal penalties and deportation, and establishes civil penalties, for an alien's violation of registration and change of address requirements.

Requires data entered into the National Crime Information Center database to meet Privacy Act accuracy requirements.

Amends the Foreign Intelligence Surveillance Act of 1978 (FISA) to authorize (currently, require) courts to review in camera and ex parte materials relating to, or information derived from, electronic surveillance, physical searches, business records, and pen registers or trap and trace devices under FISA where the Attorney General asserts that disclosure implicates national security. Requires disclosure of such materials to comport with the Classified Information Procedures Act.

Requires Federal agencies to report data-mining activities to Congress.

## **Actions Timeline**

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- **Jun 16, 2004:** Introduced in Senate
- **Jun 16, 2004:** Sponsor introductory remarks on measure. (CR S6889-6891)
- **Jun 16, 2004:** Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S6891-6894)