

HR 4591

Civil Liberties Restoration Act of 2004

Congress: 108 (2003–2005, Ended)

Chamber: House

Policy Area: Civil Rights and Liberties, Minority Issues

Introduced: Jun 16, 2004

Current Status: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.

Latest Action: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security. (Jun 28, 2004)

Official Text: <https://www.congress.gov/bill/108th-congress/house-bill/4591>

Sponsor

Name: Rep. Berman, Howard L. [D-CA-28]

Party: Democratic • **State:** CA • **Chamber:** House

Cosponsors (22 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Delahunt, William D. [D-MA-10]	D · MA		Jun 16, 2004
Rep. Conyers, John, Jr. [D-MI-14]	D · MI		Oct 4, 2004
Rep. Emanuel, Rahm [D-IL-5]	D · IL		Oct 4, 2004
Rep. Frank, Barney [D-MA-4]	D · MA		Oct 4, 2004
Rep. Gutierrez, Luis V. [D-IL-4]	D · IL		Oct 4, 2004
Rep. Honda, Michael M. [D-CA-15]	D · CA		Oct 4, 2004
Rep. Jackson-Lee, Sheila [D-TX-18]	D · TX		Oct 4, 2004
Rep. Jones, Stephanie Tubbs [D-OH-11]	D · OH		Oct 4, 2004
Rep. McDermott, Jim [D-WA-7]	D · WA		Oct 4, 2004
Rep. Nadler, Jerrold [D-NY-8]	D · NY		Oct 4, 2004
Rep. Owens, Major R. [D-NY-11]	D · NY		Oct 4, 2004
Rep. Rahall, Nick J., II [D-WV-3]	D · WV		Oct 4, 2004
Rep. Rush, Bobby L. [D-IL-1]	D · IL		Oct 4, 2004
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Oct 4, 2004
Rep. Udall, Mark [D-CO-2]	D · CO		Oct 4, 2004
Rep. Weiner, Anthony D. [D-NY-9]	D · NY		Oct 4, 2004
Rep. Wexler, Robert [D-FL-19]	D · FL		Oct 4, 2004
Rep. Woolsey, Lynn C. [D-CA-6]	D · CA		Oct 4, 2004
Resident Commissioner Acevedo-Vila, Anibal [D-PR-At Large]	D · PR		Oct 4, 2004
Rep. Hinchey, Maurice D. [D-NY-22]	D · NY		Nov 17, 2004
Rep. Sánchez, Linda T. [D-CA-39]	D · CA		Nov 17, 2004
Rep. Stark, Fortney Pete [D-CA-13]	D · CA		Nov 17, 2004

Committee Activity

Committee	Chamber	Activity	Date
Intelligence (Permanent Select) Committee	House	Referred To	Jun 16, 2004
Judiciary Committee	House	Referred to	Jun 28, 2004
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Subjects & Policy Tags

Policy Area:

Civil Rights and Liberties, Minority Issues

Related Bills

Bill	Relationship	Last Action
108 S 2528	Related bill	Jun 16, 2004: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S6891-6894)

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.

Prohibits orders requiring the production of certain business records in the course of foreign intelligence or international terrorism investigations absent a finding that specific and articulable facts support the belief that the person to whom the records pertain is a foreign power.

Actions Timeline

- **Jun 28, 2004:** Referred to the Subcommittee on Immigration, Border Security, and Claims.
- **Jun 28, 2004:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
- **Jun 16, 2004:** Introduced in House
- **Jun 16, 2004:** Introduced in House
- **Jun 16, 2004:** Sponsor introductory remarks on measure. (CR E1144)
- **Jun 16, 2004:** Referred to the Committee on the Judiciary, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
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