

## HR 984

State Secret Protection Act of 2009

**Congress:** 111 (2009–2011, Ended)

**Chamber:** House

**Policy Area:** Law

**Introduced:** Feb 11, 2009

**Current Status:** Ordered to be Reported (Amended) by the Yeas and Nays: 18 - 12.

**Latest Action:** Ordered to be Reported (Amended) by the Yeas and Nays: 18 - 12. (Nov 5, 2009)

**Official Text:** <https://www.congress.gov/bill/111th-congress/house-bill/984>

### Sponsor

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**Name:** Rep. Nadler, Jerrold [D-NY-8]

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

## Cosponsors (27 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Conyers, John, Jr. [D-MI-14]	D · MI		Feb 11, 2009
Rep. Delahunt, Bill [D-MA-10]	D · MA		Feb 11, 2009
Rep. Doggett, Lloyd [D-TX-25]	D · TX		Feb 11, 2009
Rep. Frank, Barney [D-MA-4]	D · MA		Feb 11, 2009
Rep. Lofgren, Zoe [D-CA-16]	D · CA		Feb 11, 2009
Rep. Petri, Thomas E. [R-WI-6]	R · WI		Feb 11, 2009
Rep. Brady, Robert A. [D-PA-1]	D · PA		Feb 23, 2009
Rep. Van Hollen, Chris [D-MD-8]	D · MD		Feb 23, 2009
Rep. Baldwin, Tammy [D-WI-2]	D · WI		Mar 3, 2009
Rep. DeFazio, Peter A. [D-OR-4]	D · OR		Mar 3, 2009
Rep. Hodes, Paul W. [D-NH-2]	D · NH		Mar 3, 2009
Rep. Lee, Barbara [D-CA-9]	D · CA		Mar 3, 2009
Rep. Pastor, Ed [D-AZ-4]	D · AZ		Mar 3, 2009
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Mar 3, 2009
Rep. Holt, Rush [D-NJ-12]	D · NJ		Mar 12, 2009
Rep. Price, David E. [D-NC-4]	D · NC		Mar 19, 2009
Rep. Boucher, Rick [D-VA-9]	D · VA		Apr 2, 2009
Rep. Filner, Bob [D-CA-51]	D · CA		Apr 2, 2009
Rep. Hinchey, Maurice D. [D-NY-22]	D · NY		Apr 23, 2009
Rep. McDermott, Jim [D-WA-7]	D · WA		May 18, 2009
Rep. Capuano, Michael E. [D-MA-8]	D · MA		May 21, 2009
Rep. Maloney, Carolyn B. [D-NY-14]	D · NY		Jun 11, 2009
Rep. Quigley, Mike [D-IL-5]	D · IL		Jul 22, 2009
Rep. Chu, Judy [D-CA-32]	D · CA		Feb 22, 2010
Rep. Cohen, Steve [D-TN-9]	D · TN		Feb 22, 2010
Rep. Watt, Melvin L. [D-NC-12]	D · NC		Feb 22, 2010
Rep. Stark, Fortney Pete [D-CA-13]	D · CA		Nov 16, 2010

## Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Reported by	Jun 11, 2009

## Subjects & Policy Tags

### Policy Area:

Law

## Related Bills

No related bills are listed.

State Secret Protection Act of 2009 - Declares that in any civil action brought in federal or state court the government has a privilege to refuse to give information and to prevent any person from giving information only if the government shows that public disclosure of the information that the government seeks to protect would be reasonably likely to cause significant harm to the national defense or the diplomatic relations of the United States.

Requires the court to take steps, including in camera hearings and other proceedings, to protect sensitive information that comes before it.

Sets forth rules regarding the participation of counsel or the disclosure of information when it presents a risk of harm. Provides for court-ordered presentation of adequate or nonprivileged substitutes for privileged information.

Allows the government to: (1) assert the privilege in connection with any claim in a civil action to which it is a party; or (2) intervene in a civil action to which it is not a party in order to do so.

Provides that once the government has asserted the privilege, and before the court makes any determinations, the court shall: (1) undertake a preliminary review of the information in question; and (2) provide the government an opportunity to seek protective measures under this Act.

Establishes procedures and a standard for assessing the privilege claim.

Allows disclosure of information to a nongovernmental party, or admission at trial under the rules of evidence, if the court determines that the privilege is not validly asserted. Prohibits such disclosure or admission if the privilege is determined valid.

Grants the courts of appeal jurisdiction of an appeal by any party from any interlocutory decision or order of a U.S. district court.

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## **Actions Timeline**

- **Nov 5, 2009:** Committee Consideration and Mark-up Session Held.
- **Nov 5, 2009:** Ordered to be Reported (Amended) by the Yeas and Nays: 18 - 12.
- **Jun 11, 2009:** Subcommittee Consideration and Mark-up Session Held.
- **Jun 11, 2009:** Forwarded by Subcommittee to Full Committee (Amended) by Voice Vote .
- **Jun 4, 2009:** Subcommittee Hearings Held.
- **May 29, 2009:** Referred to the Subcommittee on the Constitution, Civil Rights, and Civil Liberties.
- **Feb 11, 2009:** Introduced in House
- **Feb 11, 2009:** Referred to the House Committee on the Judiciary.