

JUN 23 2020

LeeAnn Flynn Hall, Clerk of Court

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UNITED STATES  
FOREIGN INTELLIGENCE SURVEILLANCE COURT  
WASHINGTON, D.C.

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**IN RE ACCURACY CONCERNS REGARDING FBI  
MATTERS SUBMITTED TO THE FISC**

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Docket No. Misc. 19-02

**ORDER**

On May 29, 2020, the government filed in this docket a letter that provided an update regarding the development and implementation of technological improvements to the process of preparing FISA applications and verifying information contained therein. By prior order in this docket, the government is obligated to submit such updates at 30-day intervals. See Corrected Opinion and Order at 17 (March 5, 2020). The government reported that the FBI is transitioning to a new platform to manage the relevant workflow processes, but the new platform is not expected to replace the current one “until at least the end of the fourth quarter of fiscal year 2021,” i.e., September 30, 2021. See May 29, 2020, Letter at 1-2.

On June 4, 2020, the government submitted in this docket a Motion to Modify Reporting Period, so that the next such update would be due on August 31, 2020, with subsequent updates due at 90-day intervals thereafter until the relevant improvements have been fully implemented. In support of that motion, the government notes that the FBI’s “development teams review requirements, and receive authorization from operational personnel to implement those

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requirements, on a quarterly basis,” which it believes is more conducive to 90-day reporting intervals than 30-day ones. See June 4, 2020, Motion at 3.

The government has marked the May 29, 2020, Letter and the June 4, 2020, Motion as “UNCLASSIFIED//FOR OFFICIAL USE ONLY.” This Order is provisionally marked in the same manner because it contains information from those documents.

(1) As the Court finds good cause to modify the above-described reporting requirement in the manner requested by the government, IT IS HEREBY ORDERED THAT the next such report shall be submitted by the government no later than August 31, 2020, and subsequent reports shall be submitted at intervals of no more than 90 days thereafter, until the technological improvements to the FBI’s processes of preparing FISA applications and verifying the information contained therein have been fully implemented;

(2) In order for the public to be better informed about the government’s efforts to improve the accuracy and completeness of FISA applications, IT IS FURTHER ORDERED THAT, by July 15, 2020, the government shall submit to the Court copies of the May 29, 2020, Letter, the June 4, 2020, Motion, and this Order that are suitable for public release, including any redactions the government believes are necessary. If applicable, the submission shall also include a written explanation of why redactions are necessary; and


(3) In order to guard against inadvertent release of information that the government believes should not be made available to the public, IT IS FURTHER ORDERED THAT all future submissions by the government in this docket that contain classified, “Law Enforcement

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Sensitive” or “For Official Use Only” information shall have (a) markings on the top and bottom of each page that indicate the classification level, compartments, and/or other restrictions applicable to the entire document (including any attachments) and (b) separate markings of each paragraph or similar portion that indicate the classification level, compartments, and/or other restrictions applicable to that part of the document.

SO ORDERED.

Entered this 23<sup>rd</sup> day of June, 2020.

  
**JAMES E. BOASBERG**  
Judge, United States Foreign  
Intelligence Surveillance Court

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