

JAN 10 2020

UNITED STATES

LeeAnn Flynn Hall, Clerk of Court

FOREIGN INTELLIGENCE SURVEILLANCE COURT

WASHINGTON, D.C.

IN RE ACCURACY CONCERNS REGARDING

Docket No. Misc. 19-02

FBI MATTERS SUBMITTED TO THE FISC

ORDER APPOINTING AN AMICUS CURIAE

By an order issued on December 17, 2019, in the above-captioned matter, the Court directed the government to make a “sworn written submission” by January 10, 2020, to “inform the Court . . . of what it has done, and plans to do, to ensure that the statement of facts in each FBI application accurately and completely reflects information possessed by the FBI that is material to any issue presented by the application.” Docket No. Misc. 19-02, Order at 3-4. If the FBI “is not yet able to perform any of the planned steps,” the submission “shall also include (a) a proposed timetable for implementing such measures and (b) an explanation of why, in the government’s view, the information in FBI applications submitted in the interim should be regarded as reliable.” *Id.* at 4.

It is critically important that FBI applications accurately and fully reflect information known to the Bureau that is material to those applications. In view of that significance, the Court, pursuant to 50 U.S.C. § 1803(i)(2)(B), finds it appropriate to appoint David S. Kris, Esq., to serve as amicus curiae to assist the Court in assessing the government’s response to the December 17, 2019, Order, and therefore

IT IS HEREBY ORDERED THAT:

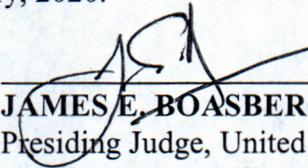
(1) Mr. Kris is appointed to serve as amicus curiae in the above-captioned matter to assist the Court in assessing the government’s response to the December 17, 2019, Order;

(2) The amicus curiae is invited to submit written views regarding the government’s submission by January 31, 2020; and

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(3) The attorney for the government in this matter shall ensure that the Attorney General receives a copy of this Order pursuant to the notification requirement at Section 1803(i)(7).

ENTERED this 10th day of January, 2020.



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