

APR 11 2019

UNITED STATES
FOREIGN INTELLIGENCE SURVEILLANCE COURT

LeeAnn Flynn Hall, Clerk of Court

WASHINGTON, D.C.

IN RE MOTION FOR APPOINTMENT
OF THOMAS C. GOLDSTEIN AS
AMICUS CURIAE PURSUANT TO
50 U.S.C. § 1803(i)(2)(B)

Docket No. Misc. 18-04

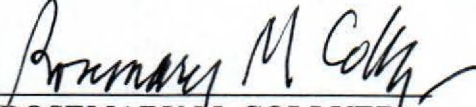
ORDER

On December 11, 2018, Movant Thomas C. Goldstein filed a motion for appointment as amicus curiae and for leave to file an amicus curiae brief to assist the Court in deciding whether the appointment of Matthew Whitaker as Acting Attorney General was unlawful, such that he could not properly act as Attorney General pursuant to the Foreign Intelligence Surveillance Act (FISA), codified as amended at 50 U.S.C. §§ 1801-1885c. Docket No. Misc. 18-04, Mot. of Thomas C. Goldstein for Appointment as Amicus Curiae and for Leave to File Amicus Curiae Brief (Dec. 11, 2018) at 1-3.

The concerns raised by Movant are not before the Court. The government has not relied on any action taken by Mr. Whitaker as the Acting Attorney General in any submission to the Court. On February 14, 2019, the Senate confirmed the nomination of William P. Barr as Attorney General, 165 Cong. Rec. S1353, S1397 (daily ed. Feb. 14, 2019), and he was sworn into office on the same date. Press Release, U.S. Dep't of Justice, William P. Barr Confirmed as 85th Attorney General of the United States (Feb. 14, 2019), <https://www.justice.gov/opa/pr/william-p-barr-confirmed-85th-attorney-general-united-states>. Accordingly,

IT IS HEREBY ORDERED that the above-referenced motion is DENIED.

ENTERED this 11th day of April, 2019, in Docket No. Misc. 18-04.


ROSEMARY M. COLLYER
Judge, United States Foreign
Intelligence Surveillance Court