

Telecommunications

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23 May 1984

MEMORANDUM FOR: General Counsel

C/L&LD/OGC

C/ILD/OGC

STAT

FROM:

[Redacted]

Legislation Division
Office of Legislative Liaison

SUBJECT: HPSCI Report on the Implementation of FISA

1. Attached for your information is the House Permanent Select Committee (HPSCI) report entitled "Implementation of the Foreign Intelligence Surveillance Act," H.R. Rep. No. 738, 98th Cong., 2d Sess. (1984).

2. This report fulfills HPSCI's statutory obligation to report annually on the implementation of FISA and to recommend that it be either amended, repealed, or permitted to continue in effect without amendment. In this, the fifth and final report required by FISA, HPSCI recommends that the Act should be permitted to continue in effect without amendment. C. W. Bill Young (R-Fla.) and Bob Stump (R-Ariz.) dissent from this view stating that FISA should be repealed to restore the law to its pre-FISA status, which, in their view, would permit the President to authorize electronic surveillance for foreign intelligence purposes without a warrant.

3. Although not required to file further annual reports by FISA, HPSCI states in this report that it will continue to issue an unclassified annual report on the implementation of FISA. Hence, annual FISA hearings can be expected in the future.

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Attachment

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