

Requester

United States of America
Department of Justice
Federal Bureau of Investigation

,
Requester,

v.

United States Department of Justice,
Agency.

) FREEDOM OF INFORMATION
)
) ACT/PRIVACY ACT REQUEST
)

Name:

DOB:

POB:

Current Address:

Mailing Address:

Phone:

Email:

INTRODUCTION

This Freedom of Information Act/Privacy Act (FOIPA) request is directed to the Federal Bureau of Investigation, a component of the United States Department of Justice.

PRELIMINARY NOTE

All requests call for Electronically Stored Information unless otherwise indicated. If the records are only available in paper form, the requests call for paper form.

REQUESTS

1. All policies, portions of manuals, directives, standing orders, regulations, and any other materials that describe, create, authorize, and/or enforce a method, process, or other manner in which a negative suitability determination made by the FBI on an applicant may be appealed, reconsidered, or otherwise contested by the applicant or others. 7/3/2010 [REDACTED]

2. ~~The electronic version of the Manual of Investigative Operations and Guidelines.~~

3. ~~The electronic version of the Manual of Administrative Operations and Procedures.~~ 7/3/2010 [REDACTED]

4. The Adjudication Guidelines for Suitability.

5. All information showing any scores achieved by Requester ["Requester" means [REDACTED] DOB [REDACTED] in the Special Agent Selection System, including but not limited to Phase I and Phase II (both the interview and written exercise).

6. All information showing Requester's Percentile Ranking Grade.

7. All Time Utilization and Record Keeping information (TURK), as follows:

a. In an electronic, tabular, machine-readable format such as a Comma Separated Value (.csv) file or Microsoft Excel (.xls) file provided on a CD-ROM,

b. With identifying information sufficient to enable a reasonable person to associate names of FBI personnel with their time entries, and

c. From 5/18/2009 to the date of production in response to this request:
Produce all Time Utilization and Record Keeping information showing work on Requester's case or otherwise pertaining to Requester, including but not limited to time spent by

1 FBI personnel on Requester's case, detail or description of tasks, corrections made after the fact,
2 all other data fields/data points, and any other information in the timekeeping systems on matters
3 pertaining to Requester's case.

4 The request includes, but is not limited to, records from WebTA, ATCS, paper time cards,
5 and any other timekeeping system used by the FBI and time records of all FBI employees who
6 worked on Requester's case. The request does not seek production of all time records of the em-
7 ployees who worked on Requester's case; rather, the request seeks production of all time records
8 that pertain to Requester's case or otherwise pertain to Requester, with identifying information
9 that shows who did what on Requester's case.

10 7. The "data flow" map referred to on this FBI webpage: <http://foia.fbi.gov/webtapia>.
11 htm.

12 8. Produce the complete, unredacted version of Requester's applicant file #67B-HQ-
13 [REDACTED] and all associated files, subfiles, and any other information associated with Requester.

14 9. Produce all data in the Bureau Personnel Management System pertaining to Re-
15 quester.

16 10. Produce all recorded recollections, notes, reports, and all other writings and
17 information pertaining to all communications between the Special Agent Clearance Unit and
18 Requester at any time, including but not limited to FD-302's, drafts of FD-302's, notes of phone
19 conversations and emails between Special Agent Grahm Coder and Requester.

20 11. Produce all communications, including but not limited to emails, phone calls, in-
21 stant messaging, voicemails, and any other information between SA Grahm Coder and any other
22 FBI personnel pertaining to applicant, including but not limited to the analyst responsible for ap-
23 plicant, the Acting Unit Chief, the Field Office, and so on.

24 12. Produce all questions, including drafts of questions not actually used, prepared by
25 SACU Analyst Abby M. Halle for use by other FBI personnel such as SA Grahm Coder at any
26 time.

27 13. Produce all written matter and electronic data ever prepared by SA Grahm Coder
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1 pertaining to Requester, whether notes, a personal journal, intraoffice communications, web-
2 based task management entries, or otherwise.

3 14. Produce all written matter ever prepared by Analyst Abby M. Halle pertaining to
4 Requester, whether notes, a personal journal, intraoffice communications, web-based task man-
5 agement entries, or otherwise.

6 15. Produce all policies, manuals, guidelines, standing orders, and any other regula-
7 tions controlling applicant processing from the date of the conditional offer to the applicant's En-
8 trance On Duty at the FBI Academy, to the extent not contained in Section 67--Bureau Applicant
9 Matters of the Manual of Investigative Operations and Guidelines.

10 16. All communications, including but not limited to email messages, letters, memo-
11 randa, faxes, notes, phone messages, voicemails, and any other correspondence between Acting
12 Unit Chief Montchell Brice of the Special Agent Clearance Unit (or sent/received at his direction)
13 and any other person in the FBI pertaining to Requester's application.

14 17. Minutes of all internal meetings, notes of all phone calls, and records of all deci-
15 sions made concerning Requester's application from 5/12/2009 to the date of this request.

16 18. All records, directives, emails, memoranda, etc. that show how it came to pass that
17 Special Agent Graham Coder was assigned to Requester's case, including any instructions to SA
18 Coder.

19 19. All information showing any review of Requester's application by a person in the
20 FBI who has the ability to adjudicate applications and/or make suitability determinations, and any
21 notes, comments, reports, or correspondence from such persons.

22 20. All information, records, or any other materials showing or otherwise recording
23 communications pertaining to Requester's application, Merit Systems Protection Board appeal,
24 future litigation, or any other matter concerning Requester, between the Special Agent Clearance
25 Unit and the [REDACTED] Field Office or [REDACTED] Resident Agency after 5/18/2009 but before
26 the date of this request, including but not limited to:

27 a. Notes or other records of any phone conversations between anyone at

SACU and anyone at the [REDACTED] Field Office or [REDACTED] Resident Agency, including but not limited to the following personnel:

(1) Special Agent Graham Coder (SACU)

(2) Analyst Abby M. Halle (SACU)

(3) Special Agent [REDACTED], who conducted Requester's Personnel Security Interview

(4) Special Agent [REDACTED] ([REDACTED] Resident Agency)

b. Any other record of phone calls, such as long distance charges.

c. Any record of computerized instant messaging (gChat, etc.).

d. Any email messages.

e. Any memoranda.

f. Any reports.

g. Any web-based or other task management system entries.

21. Any and all records that show what the FBI considered during the "background initiation consideration" phase of Requester's application, as referred to in section 67-17.3.2(3) of the Manual of Investigative Operations and Guidelines.

22. All Non-Disclosure Agreements ever signed by Requester.

23. All records showing a "go/no-go" type recommendation concerning Requester's application, such as a report of an analyst recommending discontinuation to his/her supervisor.

24. Any and all reports prepared by FBI analysts concerning applicant's application, including but not limited to comparison of the SF-86, SF-86 Cover Sheet and attachments, and any other portion of the application against other applicants and/or established guidelines.

25. Redacted of the actual questions asked by the interviewers, the complete audio recording of Requester's Phase II interview, in a lossless digital format such as WAVE/AIFF; or, in a lossy format such as (1) MPEG-1 Audio Layer 3 (MP3) if and only if the minimum quality is 160 kbps, stereo, 32-bit, 44.1 kHz, or (2) OGG Vorbis set to quality level -q5 or higher; with all metadata intact.

1 26. Redacted of the actual questions asked by the interviewers, the complete Phase II
2 interview booklets containing the interviewers' notes of Requester's Phase II interview conducted
3 on 5/1/2009 in [REDACTED].

4 27. Redacted of the actual questions if any, the complete Phase II interview narrative
5 of Requester's Phase II interview.

6 28. All audio recordings of any telephone conversations between Special Agent
7 Graham Coder and Requester.

8 29. All complaints ever made by an applicant, interview subject, criminal suspect, or
9 other person regarding Special Agent Graham Coder, including but not limited to:

- 10 a. Letters
11 b. Office of Professional Responsibility intake forms
12 c. Records of telephone communications.

13 30. All information that would be responsive to a Brady-Giglio motion regarding the
14 following FBI personnel:

- 15 a. Special Agent Graham Coder

16 Including but not limited to the information described in the *U.S. v. Henthorn* section of
17 Richard G. Schott, "The discovery process and personnel file information - Legal Digest," FBI
18 Law Enforcement Bulletin (November 2003).

19 31. All information showing the chain of command of the Special Agent Clearance
20 Unit as it existed at any time from 5/18/2009 to the date of this request, such as a roster.

21 32. All legal opinions, emails, letters, memoranda, and any other written matter pre-
22 pared by the Office of General Counsel pertaining to Requester.

23 33. All time records of the Office of General Counsel pertaining to Requester at any
24 time.

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27 //

1 I declare under penalty of perjury [REDACTED] that the forego-
2 ing is true and correct.

3 Date: 12/1/2009

By: /S/ [REDACTED]

4 [REDACTED]
5 Requester

6
7 Proof of Service

8
9 On 12/1/2009, I deposited this request in the U.S. Mail, first class, addressed to the fol-
10 lowing addressee:

11 Federal Bureau of Investigation
12 Record/Information Dissemination Section
13 Attn: Work Processing Unit
14 170 Marcel Drive
15 Winchester, VA 22602

16 I declare under penalty of perjury [REDACTED] that the forego-
17 ing is true and correct.

18 Date: 12/1/2009

By: /S/ [REDACTED]

19 [REDACTED]
20 Requester