

United States of America  
Merit Systems Protection Board

## I. Documents

### 1. Time Utilization and Record Keeping information

- 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 5/18/09 to the date of production:

Produce all Time Utilization and Record Keeping (TURK) information of all FBI personnel showing work on applicant's ["applicant" or "appellant" means [REDACTED] DOB [REDACTED]] case or otherwise pertaining to applicant, including but not limited to time spent, detail or description of tasks, corrections made after the fact, all other data fields/data points, and any other information in the timekeeping systems on matters pertaining to applicant's case.

The request includes, but is not limited to, records from WebTA, ATCS, paper time cards, and any other timekeeping system used by the FBI.

### 2. Produce the "data flow" map referred to on this FBI webpage:

<http://foia.fbi.gov/webtapia.htm>

### 3. Produce the eight pages of material missing from the FOIPA response sent to applicant on 8/31/09 that were withheld reportedly because of FOIPA exemptions.

### 4. Produce the complete, unredacted version of applicant's file #\_\_\_\_ and all associated files, subfiles, and any other information associated with applicant.

### 5. Produce all Electronically Stored Information in the Bureau Personnel Management System pertaining to applicant, in a machine-readable format without requiring proprietary software.

6. Produce all suitability determinations, information relied upon in making suitability determinations, and any other suitability-related information.

7. Produce all recorded recollections, notes, reports, and all other writings and information pertaining to all communications between SACU and applicant, including but not limited to notes of phone conversations and emails between SA Grahm Coder and applicant.

8. Produce all communications, including but not limited to emails, phone calls, instant messaging, voicemails, and any other information between SA Grahm Coder and any other FBI personnel pertaining to applicant, including but not limited to the analyst responsible for applicant, the Acting Unit Chief, the Field Office, and so on.

9. Produce all communications, including but not limited to emails, phone calls, instant messaging, voicemails, and any other information between SA [REDACTED] and any other FBI personnel pertaining to applicant, including but not limited to the analyst responsible for applicant, SA Grahm Coder, and so on.

10. Produce all questions, including drafts of questions not actually used, prepared by the SACU analyst for use by other FBI personnel such as SA Grahm Coder at any time.

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

12. Produce all written matter ever prepared by the SACU analyst pertaining to applicant, whether notes, a personal journal, intraoffice communications, web-based task management entries, or otherwise.

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2 13. Produce all policies, manuals, guidelines, standing orders, and any other regulations con-  
3 trolling applicant processing from the date of the conditional offer to the applicant's Entrance On  
4 Duty at the FBI Academy, to the extent not contained in Section 67--Bureau Applicant Matters of  
5 the Manual of Investigative Operations and Guidelines.

6  
7 14. Produce all documents identified in your response to interrogatory no. 9 served herewith.

8 15. Produce all documents identified in your response to interrogatory no. 12 served herewith.

9 16. Produce all documents identified in your response to interrogatory no. 19 served herewith.

10 17. Produce all documents identified in your response to interrogatory no. 25 served herewith.

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

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17 19. Minutes of all internal meetings, notes of all phone calls, and records of all decisions  
18 made concerning applicant's application from 5/12/2009 to the date of this request.

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20 20. All records, directives, memoranda, etc. that show how it came to pass that Special Agent  
21 Grahm Coder was assigned to applicant's case, including any instructions to SA Coder.

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

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22. All information, records, or any other materials showing or otherwise recording communications pertaining to applicant's application between the Special Agent Clearance Unit and the [REDACTED] Field Office or [REDACTED] Resident Agency after 6/15/09 but before 7/2/09, including but not limited to:

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 Grahm Coder (SACU)
- (2) The analyst responsible for my application (SACU)
- (3) Special Agent [REDACTED] who conducted my Personnel Security Interview
- (4) Special Agent [REDACTED] polygraph examiner

- 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.

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

24. All Non-Disclosure Agreements signed by applicant.

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25. All records showing a “go/no-go” type recommendation concerning applicant’s application, such as a report of an analyst recommending discontinuation to his/her supervisor.

26. 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.

Date: 10/5/2009

By: /S/

[Redacted Signature]

[Redacted]

CERTIFICATE OF SERVICE

I certify that the attached Document(s) was (were) sent as indicated this day to each of the following:

Agency Representative

FBI

Office of General Counsel

Employment Law Unit

935 Pennsylvania Avenue, NW, Room PA-400

Washington, DC 20535

by way of:

☐ Email

☒ U.S. Mail

☐ Overnight Delivery

☐ Facsimile

I declare under penalty of perjury [REDACTED] that the foregoing is true and correct.

Date: 10/5/2009

By: /S/

[REDACTED]  
Appellant