

[REDACTED]

September 23, 2009


Federal Bureau of Investigation
Security Division
Special Agent Clearance Unit
Attn: Acting Unit Chief Montchell Brice
935 Pennsylvania Ave. NW
Washington, D.C. 20004

Re: Special Agent Applicant File #67B-HQ-[REDACTED]
[REDACTED]

Subject: Request for Information

Dear Acting Unit Chief Brice,

Applicant respectfully acknowledges receipt of the Acting Unit Chief's letter dated 7/1/09 discontinuing applicant's application.

It appears to applicant that a negative suitability determination was made, and that the Merit Systems Protection Board has appellate jurisdiction under 5 CFR § 1201.3(a)(7) and 5 CFR § 731.501. 

Although applicant has made inferences from the available information as indicated in applicant's letter dated 9/16/09, applicant has not received notice of the suitability action that was apparently taken. Applicant believes the time limits for appeal to the MSPB would be tolled until applicant receives the required notice. 5 CFR § 1201.22(b). Applicant hereby requests notice of the action.

This will confirm that the applicant file and Polygraph Results file produced to applicant in response to his 7/6/09 FOIPA request contain no suitability determination or other notice of action. The enclosed index may assist in confirmation of this. This is to advise that applicant's subsequent FOIPA requests of 7/23/09, 8/20/09, 9/11/09, and 9/11/09, which call for production of suitability-related information, have not been acknowledged as of this writing.

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In addition to requesting notice of action, applicant seeks to meet and confer regarding the bases for the decision that was made, in an attempt to resolve the issue at the lowest level possible. Applicant is available to meet and confer at any reasonable time.


Sincerely,

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cc: Applicant Coordinator

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Page no.	Item Description	Date (if applicable)	Notes
1-3	FBI Freedom of Information/Privacy Act response letter and attachment describing FOIPA exemptions By: Section Chief David M. Hardy	8/31/2009	
4	FOIPA Deleted Page Information Sheet	n/a	8 pages are deleted, citing 5 U.S.C. 552a(k)(6) (selection test materials, et al.)
5-6	Polygraph Report By: SA [REDACTED] Reviewed By: SSA "RGL"	6/11/2009	Deception not indicated. Actual questions redacted.
7-8	SF-86C Certification updating applicant's address and employment status By: Applicant	6/12/09	
9	SF-86 Attachment 23—Illegal Drugs By: Applicant	n/a	Handwritten notes apparently written by polygraph examiner, SA [REDACTED]
10	SF-86 Attachment 24—Alcohol By: Applicant	n/a	
11	SF-86 13A—Employment Information By: Applicant	n/a	
12	Second Supplemental Attachment 1. To SF-86 Cover Sheet: Personal Declarations By: Applicant	5/18/2009	Additions to SF-86 cover sheet due to clarification from Field Office staff regarding scope of question.
13	Supplemental Attachment 1. To SF-86 Cover Sheet: Personal Declarations By: Applicant	5/18/2009	Additions to SF-86 cover sheet due to clarification from Field Office staff regarding scope of question. Margin note and underlining by unknown author.
14-17	SF-86 Cover Sheet and Personal Declarations By: Applicant	5/18/2009	
18-21	SF-86A Continuation Sheet By: Applicant	5/18/2009	Additions to employment section of SF-86 due to later-recalled employer
22-48	SF-86 By: Applicant	5/17/2009	SF-86 is missing additional information provided during the Personnel Security Interview p. 29 (education information) corrected by letter to Applicant Coordinator dated 7/25/09 (p. 58 of this file)
49-57	Authorizations for Release of Medical/Financial Information		
58	Letter from Applicant to Applicant Coordinator regarding error in higher	7/25/09	Post-rejection correction from applicant.

	education portion of SF-86 By: Applicant		
59	Handwritten notes from unnamed reviewer of SF-86 and SF-86 Cover Sheet	Undated	
60-76	Personnel Security Interview Form By: SA [REDACTED]	5/28/2009	
77-79	FD-991 Illegal Drug History Disclosure	5/28/2009	
80-84	Passport and Driver's License photocopies	5/28/2009	
85-112	Medical Records; Fitness For Duty Exam	5/27/2009	
113-114	Memo from [REDACTED] Applicant Unit to [REDACTED] Security requesting pre-employment polygraph examination	6/8/2009	
115	Memo from [REDACTED] Applicant Unit to SA Clearance Unit—Security Division requesting initiation of Background Investigation	6/15/2009	Memo encloses SF-86, PSI Form, and all required hiring forms.
116-117	Duplicate of 113-114		
118	Personnel Consent to Release Information	5/15/2009	
119	Non-Personnel Consent to Release Information	5/15/2009	
120	Memo from [REDACTED] Applicant Unit to CJIS requesting fingerprint processing of applicant fingerprints.	6/8/2009	
121	Page 2 of SF-86 Roommate Attachment (partial)	5/17/2009	
122-123	Memo from [REDACTED] Applicant Unit to [REDACTED] Security requesting pre-employment polygraph examination	5/28/2009	Exam rescheduled by examiner.
124-125	Memo from [REDACTED] Applicant Unit to SA Clearance Unit—Security Division, [REDACTED] Security requesting pre-employment investigative checks	5/22/2009	
126-128	Memo from [REDACTED] Applicant Unit to [REDACTED] Security requesting Personnel Security Interview	5/22/2009	Encloses PSI Form, SF-86
129	Electronic FBI Physical Fitness Test score report	5/13/2009	
130	PSI assignment sheet and instructions	Undated	
131	TB Skin Test result	5/29/2009	
132	Paper FBI PFT score report	5/12/2009	
133-134	FBI PFT liability waiver	5/12/2009	
135-136	FBI PFT Certificate of Wellness	3/31/2009	
137-140	FBI Phase II Conditional Appointment Offer	5/6/2009	
141-142	Updated applicant resume	3/13/2009	
143	FBI PFT Self-Test Evaluation	2/3/2009	

144- 157	FBI Online Application	12/2/2008	
158	FBI PFT Self-Test Evaluation	1/18/2009	
159	FBI Phase I Results letter	1/12/2009	
160- 165	File Closures from withdrawn 2005 application	9/23/2005- 11/10/2005	