

KEYWORD: Guideline F

DIGEST: Applicant contends the Judge erred in finding he only had one minor child. His personal subject interview reflects that he has two minor children. This error, however, was harmless because it did not likely affect the outcome of the case. Adverse decision is affirmed.

CASE NO: 19-02852.a1

DATE: 08/26/2020

DATE: August 26, 2020

In Re:)	
)	
-----)	ISCR Case No. 19-02852
)	
Applicant for Security Clearance)	
)	

APPEAL BOARD DECISION

APPEARANCES

FOR GOVERNMENT

James B. Norman, Esq., Chief Department Counsel

FOR APPLICANT

Pro se

The Department of Defense (DoD) declined to grant Applicant a security clearance. On November 19, 2019, DoD issued a statement of reasons (SOR) advising Applicant of the basis for that decision—security concerns raised under Guideline F (Financial Considerations) of Department of Defense Directive 5220.6 (Jan. 2, 1992, as amended) (Directive). Applicant requested a decision on the written record. On May 26, 2020, after considering the record, Administrative Judge Robert E. Coacher denied Applicant’s request for a security clearance. Applicant appealed pursuant to Directive ¶¶ E3.1.28 and E3.1.30.

The SOR alleged that Applicant had 17 delinquent debts totaling about \$77,000. In responding to the SOR, he admitted all of the allegations. Noting that Applicant failed to provide documentation showing any efforts to make voluntary payments on the alleged debts, the Judge found against Applicant on all of the SOR allegations.

Applicant contends the Judge erred in finding he only had one minor child. His personal subject interview reflects that he has two minor children. File of Relevant Material, Item 3 at pages 4-5. This error, however, was harmless because it did not likely affect the outcome of the case. *See, e.g.*, ISCR Case No 19-01220 at 3 (App. Bd. Jun. 1, 2020).

Applicant’s appeal brief contains matters from outside the record. We cannot consider new evidence on appeal. Directive ¶ E3.1.29. Except for the error regarding the number of his children, Applicant has not alleged the Judge committed any other error.

The Judge examined the relevant evidence and articulated a satisfactory explanation for the decision. The decision is sustainable on this record. “The general standard is that a clearance may be granted only when ‘clearly consistent with the interests of the national security.’” *Department of the Navy v. Egan*, 484 U.S. 518, 528 (1988). *See also* Directive, Encl. 2, App. A ¶ 2(b): “Any doubt concerning personnel being considered for national security eligibility will be resolved in favor of the national security.”

Order

The Decision is **AFFIRMED**.

Signed: Michael Ra'anan
Michael Ra'anan
Administrative Judge
Chairperson, Appeal Board

Signed: James E. Moody
James E. Moody
Administrative Judge
Member, Appeal Board

Signed: James F. Duffy
James F. Duffy
Administrative Judge
Member, Appeal Board