

KEYWORD: Guideline F

DIGEST: Applicant failed to show that the adverse decision was influenced by a typographical error in his application. Neither is there evidence that Applicant’s self-described lack of preparation resulted from the conduct of Government officials. Applicant’s brief asserts no harmful error by the Judge. Adverse decision affirmed.

CASE NO: 14-04044.a1

DATE: 11/30/2015

DATE: November 30, 2015

In Re:	)	
	)	
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	)	
Applicant for Security Clearance	)	

**APPEAL BOARD SUMMARY DISPOSITION**

**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 February 4, 2015, 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 hearing. On September 24, 2015, after the hearing, Defense Office of Hearings and Appeals (DOHA) Administrative Judge Francisco Mendez denied Applicant’s request for a security clearance. Applicant appealed pursuant to Directive ¶¶ E3.1.28 and E3.1.30.

Applicant has not raised an issue of harmful error by the Judge. Indeed, he states that, given the record that was before him, the Judge had no choice but to issue an adverse decision. Applicant

avers that a misstatement in his security clearance application (SCA) as to the amount of a judgment against him may have triggered the investigation in the case before us. Applicant had listed the amount of the judgment as \$1,850,000 rather than the \$18,500 that he meant to write. He also states that he was ill-prepared for the hearing. On the first point, there is no reason to believe that the Judge's adverse decision was influenced in any way by Applicant's typographical error in his SCA. On the second point, Applicant cites to no evidence that his level of preparation was a function of conduct by Government officials. Nor is there any proffer as to what he could have submitted had he been better prepared. He also does not draw our attention to anything in the record in support of this contention other than his typographical error.

We do not exercise *de novo* review. Our authority to review a case is limited to cases in which the appealing party has alleged that the Judge committed harmful error. Directive ¶ E3.1.32. Applicant has not made an allegation of harmful error. Therefore, the decision of the Judge is AFFIRMED.

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

Signed: William S. Fields  
William S. Fields  
Administrative Judge  
Member, Appeal Board

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