KEYWORD: Guideline B; Guideline E

DIGEST: In accordance with a joint motion of the parties, the Board is remanding the case to the Administrative Judge for further processing. Adverse decision remanded.

CASENO: 06-04371.a1

DATE: 05/29/2007

DATE: May 29, 2007

In Re:	
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-----SSN: -----

Applicant for Security Clearance

ISCR Case No. 06-04371

APPEAL BOARD SUMMARY REMAND

APPEARANCES

FOR GOVERNMENT Melvin A. Howry, Esq, Department Counsel

FOR APPLICANT

James Krueger, Esq.

The Defense Office of Hearings and Appeals (DOHA) declined to grant Applicant a security clearance. On November 8, 2006, DOHA issued a statement of reasons (SOR) advising Applicant of the basis for that decision—security concerns raised under Guideline B (Foreign Influence) and Guideline E (Personal Conduct) of Department of Defense Directive 5220.6 (Jan. 2, 1992, as amended) (Directive). Applicant requested a hearing. On May 3, 2007, after the hearing, Administrative Judge Martin H. Mogul denied Applicant's request for a security clearance.

Applicant timely appealed pursuant to the Directive ¶¶ E3.1.28 and E3.1.30.

On May 15, 2007, Department Counsel filed a Motion for Expedited Remand. On May 16, 2007, Applicant filed a response to the government's motion stating that he joined in Department Counsel's motion.

Accordingly, in the interest of administrative economy, the case his hereby remanded to the Judge for further processing. Nothing about this action shall prejudice the appeal rights of the parties.

Signed: Michael Y. Ra'anan Michael Y. Ra'anan Administrative Judge Chairman, 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