

KEYWORD: Guideline f

DIGEST: With his brief, Applicant submitted new evidence that the Board may not consider. Adverse decision affirmed.

CASENO: 14-05934.a1

DATE: 09/23/2016

DATE: September 23, 2016

In Re:

Applicant for Security Clearance

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) ISCR Case No. 14-05934
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)
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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 April 5, 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 decision on the written record. On June 27, 2016, after considering the record, Defense Office of Hearings and Appeals (DOHA) Administrative Judge Matthew E. Malone 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 eight delinquent debts totaling about \$20,000. Six of those debts were student loans totaling about \$12,000. The Judge found against Applicant on all the debts.

In the decision, the Judge noted that Applicant claimed in his SOR response that he was paying the student loans and had resolved the two other debts. The Judge noted that Applicant did not submit any corroborating evidence to support his claims.

In his appeal brief, Applicant presented documents that were not part of the record before the Judge. These documents constitute new evidence that the Board can neither receive nor consider. *See* Directive ¶ E3.1.29. Applicant has not shown that the Judge committed any harmful error. The Judge’s decision is sustainable on the record.

Order

The Decision is **AFFIRMED**.

Signed: Michael Y. Ra’anan
Michael Y. 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