

DATE: March 31, 2006

In Re:

SSN: -----

Applicant for Security Clearance

ISCR Case No. 04-03485

APPEAL BOARD DECISION

APPEARANCES

FOR GOVERNMENT

Peregrine D. Russell-Hunter, Esq., Chief Department Counsel

FOR APPLICANT

Pro Se

The Defense Office of Hearings and Appeals (DOHA) declined to grant Applicant a security clearance. On May 2, 2005, DOHA issued a statement of reasons advising Applicant of the basis for that decision--security concerns raised under Guideline F (Financial Considerations), Guideline E (Personal Conduct) and Guideline J (Criminal Conduct), of Department of Defense Directive 5220.6 (Jan. 2, 1992), as amended (Directive). Applicant requested a hearing. On January 17, 2006, after the hearing, Administrative Judge Wilford H. Ross denied Applicant's request for a security clearance. Applicant timely appealed pursuant to the Directive ¶¶ E3.1.28 and E3.1.30.

Applicant raised the following issues on appeal: whether the Administrative Judge erred in his synopsis; whether the Administrative Judge erred in his analysis of Applicant's plan to remedy his delinquent debts; and whether the Administrative Judge erred in his consideration of the mitigating conditions under the Adjudicative Guideline. Applicant's first claim of error is not persuasive. The Board reads a Judge's decision as whole. The fact that the Judge's synopsis did not cite facts that were mentioned elsewhere in the Judge's decision does not render the decision defective. Regarding Applicant's second issue, a reading of the Judge's decision as a whole shows that the Judge clearly considered Applicant's recent attempts at improving his financial situation. However, the Judge was not obliged to give those attempts as much weight as Applicant would like. Applicant has not established that the Judge erred because he gave less weight to favorable evidence than Applicant advocates. As to Applicant's third issue, the Judge offered a rational explanation for his decision not to rely on Applicant's ex-wife's admissions to conclude that Applicant's delinquencies were absolved (namely the lack of specificity of the admissions). Thus, Applicant has not demonstrated that the Administrative Judge erred in denying Applicant a clearance.

Order

The decision of the Administrative Judge denying Applicant a clearance is **AFFIRMED**.

Signed: Michael Y. Ra'anan

Michael Y. Ra'anan

Administrative Judge

Member, Appeal Board

Signed: Jean E. Smallin

Jean E. Smallin

Administrative Judge

Member, Appeal Board

Signed: William S. Fields

William S. Fields

Administrative Judge

Member, Appeal Board