

DATE: November 22, 2006

In re:

SSN: -----

Applicant for Security Clearance

ISCR Case No. 04-12913

PPEAL BOARD SUMMARY DISPOSITION

APPEARANCES

FOR GOVERNMENT

Francisco J. Mendez, Esq., Department Counsel

FOR APPLICANT

Pro Se

The Defense Office of Hearings and Appeals (DOHA) declined to grant Applicant a security clearance due to security concerns raised under Guideline E (Personal Conduct) and Guideline F (Financial Considerations) of Department of Defense Directive 5220.6 (Jan. 2, 1992), as amended (Directive). Applicant requested a hearing. On April 21, 2006, after a hearing, Administrative Judge Shari Dam denied Applicant's request for a security clearance due to security concerns raised by financial considerations under Guideline F, although she did find in favor of Applicant with respect to security concerns under Guideline E. Applicant timely appealed pursuant to the Directive ¶¶ E3.1.28 and E3.1.30.

On appeal, Applicant notes that the Administrative Judge stated in her decision that she found Applicant's testimony credible. The Judge's statement, standing alone, is not indicative of error, since Applicant's credibility is only one factor among many which the Judge was bound to consider.

Applicant does not contest the Administrative Judge's findings of fact or conclusions, nor claim any legal error. Applicant simply requests the Appeal Board to substitute its judgment without offering any reason as to why the Administrative Judge was wrong.

The Appeal Board's authority to review a case is limited to cases in which the appealing party has alleged the Administrative Judge committed harmful error. Applicant has not made any allegation of harmful error. Therefore, the decision of the Administrative Judge denying Applicant a security clearance, and revoking any security clearance currently held by Applicant, is AFFIRMED.

Signed: Michael Y. Ra'anan

Michael Y. Ra'anan

Administrative Judge

Chairman, Appeal Board

Jean E. Smallin

Jean E. Smallin

Administrative Judge

Member, Appeal Board

Signed: David M. White

David M. White

Administrative Judge

Member, Appeal Board