

KEYWORD: Guideline F

DIGEST: Applicant submitted documents in response to the FORM that were not included in the record. Case remanded to the Judge for further processing. Adverse decision remanded.

CASE NO: 10-00133.a1

DATE: 08/18/2011

DATE: August 18, 2011

In Re:	)	
	)	
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	)	
Applicant for Security Clearance	)	
	)	

**APPEAL BOARD DECISION**

**APPEARANCES**

**FOR GOVERNMENT**

Braden M. Murphy, Esq., Department Counsel

**FOR APPLICANT**

*Pro se*

The Defense Office of Hearings and Appeals (DOHA) declined to grant Applicant a security clearance. On December 2, 2010, DOHA 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 30, 2011, after considering the record, Administrative Judge James F. Duffy denied Applicant’s request for a security clearance. Applicant appealed pursuant to Directive ¶¶ E3.1.28 and E3.1.30.

Applicant was afforded an opportunity to reply to the File of Relevant Material. By means of her appeal brief, she has provided credible evidence that she submitted four letters, which were received by DOHA within the prescribed period of time. See Directive ¶ E3.1.7. However, these letters were not made part of the record.

In his reply brief, Department Counsel states that expedited remand is the most equitable resolution of this case. We concur. Accordingly, the case is hereby remanded to the Judge for further processing. Nothing contained in this action shall prejudice the appeal rights of the parties.

Signed: Michael Y. Ra'anan

Michael Y. Ra'anan  
Administrative Judge  
Chairperson, Appeal Board

Signed: Jeffrey D. Billett

Jeffrey D. Billett  
Administrative Judge  
Member, Appeal Board

Signed: James E. Moody

James E. Moody  
Administrative Judge  
Member, Appeal Board