

KEYWORD: Guideline C; Guideline B; Guideline F; Guideline E

DIGEST: The Board has sole discretion on whether to exercise its inherent authority to reconsider one of its decisions. Applicant has not drawn attention to anything in the Board's decision or the record to support his contention (he believes he is the victim of discrimination. Applicant has failed to articulate a persuasive reason to change the Board's resolution of the case. Applicant;'s request denied.

CASENO: 06-18918.a2

DATE: 05/23/2008

DATE: May 23, 2008

In Re:  -----  Applicant for Security Clearance	) ) ) ) ) ) )	ISCR Case No. 06-18918
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**APPEAL BOARD DECISION**

**ON APPLICANT'S REQUEST**

**FOR RECONSIDERATION**

**APPEARANCES**

**FOR GOVERNMENT**

James B. Norman, Esq., Chief Department Counsel

**FOR APPLICANT**  
*Pro Se*

The Board issued an Appeal Board Decision in this case on March 28, 2008. On April 21, 2008, Applicant submitted a request for reconsideration of this decision. On May 5, 2008, the Chief Department Counsel advised that he would not file a Reply Brief.

The Board has inherent authority to entertain requests to reconsider its decisions. However, there is no right to reconsideration; the Board has the sole discretion to decide whether to exercise its inherent authority to reconsider one of its decisions. *See* ISCR Case No. 98-0621 at 1-2 (App. Bd. Nov. 23, 1999).

In his request for reconsideration, Applicant asserts that the Board's adverse decision amounts to his being "judged by [his] birthplace." The Board also construes Applicant's request as contending that the Board's decision is arbitrary, capricious, and contrary to law.

The Board has considered Applicant's brief in light of our prior decision. Applicant has not drawn attention to anything in the decision or the record to support his contentions. He merely states that he "believe[s] that [he is] a victim of discrimination . . ." As the Board noted in its decision, an applicant with family members living in a country hostile to the U.S. bears a "heavy burden" in demonstrating that those family members do not pose a security risk. *See, e.g.*, ISCR Case No. 07-00029 at 3 (App. Bd. Dec. 7, 2007). That burden is even heavier where the applicant has close ties to those family members, and there is evidence that the family has previously been targeted by the regime for political reasons. *See, e.g.*, ISCR Case No. 04-02511 at 5 (App. Bd. Mar. 20, 2007).

Applicant has failed to articulate a persuasive reason to change the Board's resolution of his case. *See* ISCR Case No. 03-21012 at 2 (App. Bd. Sep. 20, 2005). Accordingly, Applicant's request is denied.

Signed: Jean E. Smallin  
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Jean E. Smallin  
Administrative Judge  
Member, Appeal Board

Signed: William S. Fields  
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William S. Fields  
Administrative Judge  
Member, Appeal Board

Signed: James E. Moody  
James E. Moody  
Administrative Judge  
Member, Appeal Board