

KEYWORD: Guideline F

DIGEST: Applicant has provided evidence that two attachments he submitted to his response to the SOR were not made part of the record. Adverse decision remanded.

CASENO: 11-01455.a1

DATE: 01/23/2012

DATE: January 23, 2012

In Re:)	
)	
-----)	ISCR Case No. 11-01455
)	
Applicant for Security Clearance)	
)	

APPEAL BOARD DECISION

APPEARANCES

FOR GOVERNMENT

James B. Norman, Esq., Chief Department Counsel

FOR APPLICANT

Pro se

The Defense Office of Hearings and Appeals (DOHA) declined to grant Applicant a security clearance. On July 13, 2011, 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 November 16, 2011, after considering the record, Administrative Judge Edward W. Loughran 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 SOR. By means of his appeal brief, he has provided evidence that he submitted two attachments to his response to the SOR. However, these documents were not made part of the record.

In similar circumstances we have remanded the case for resolution of the problem. *See, e.g.*, ISCR Case No. 10-00133 (App. Bd. Aug 18, 2011) and ISCR Case No. 08-11322 (App. Bd. May 7, 2010). 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: Williams S. Fields
William S. Fields
Administrative Judge
Member, Appeal Board