

KEYWORD: Guideline F

DIGEST: Applicant’s appeal brief raises no allegation of harmful error on the part of the Judge. Rather, it does contain a document that is not in the record. The Appeal Board is prohibited from considering new evidence. Directive ¶ E3.1.29. In this case, the Judge found that Applicant presented no documentary proof of participating in a repayment plan. As the Appeal Board has previously stated, it is reasonable for Judges to expect applicants to present documentation that shows their efforts to resolve financial problems. Adverse decision affirmed.

CASENO: 18-01094.a1

DATE: 04/09/2019

DATE: April 9, 2019

In Re:	)	
	)	
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	)	
Applicant for Security Clearance	)	

**APPEAL BOARD DECISION**

**APPEARANCES**

**FOR GOVERNMENT**

James B. Norman, Esq., Chief Department Counsel

**FOR APPLICANT**

*Pro se*

The Department of Defense (DoD) declined to grant Applicant a security clearance. On May 8, 2018, DoD 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 February 28, 2019, after considering the record, Administrative Judge Paul J. Mason denied Applicant’s request for a security clearance. Applicant appealed pursuant to Directive ¶¶ E3.1.28 and E3.1.30.

Applicant’s appeal brief raises no allegation of harmful error on the part of the Judge. Rather, it does contain a document that is not in the record. The Appeal Board is prohibited from considering new evidence. Directive ¶ E3.1.29. In this case, the Judge found that Applicant presented no documentary proof of participating in a repayment plan. As the Appeal Board has previously stated, it is reasonable for Judges to expect applicants to present documentation that shows their efforts to resolve financial problems. *See, e.g.*, ISCR Case No. 07-10310 at 2 (App. Bd. Jul. 30, 2008).

The Board does not review cases *de novo*. The Appeal Board’s authority to review a case is limited to cases in which the appealing party has alleged the Judge committed harmful error. Because Applicant has not made such an allegation of error, the decision of the Judge denying Applicant a security clearance is **AFFIRMED**.

Signed: Michael Ra’anan  
Michael Ra’anan  
Administrative Judge  
Chairperson, Appeal Board

Signed: James F. Duffy  
James F. Duffy  
Administrative Judge  
Member, Appeal Board

Signed: Charles C. Hale  
Charles C. Hale  
Administrative Judge  
Member, Appeal Board