

KEYWORD: Guideline F

DIGEST: Applicant’s appeal brief raises no allegation of harmful error on the part of the Judge. Rather, it contains a document that is not in the record and a lengthy description of her financial history with several statements of fact that were not previously presented to DOHA. The Appeal Board is prohibited from considering new evidence. Adverse decision affirmed.

CASENO: 18-01360.a1

DATE: 6/10/2019

DATE: June 10, 2019

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In Re:)	
)	
-----)	ISCR Case No. 18-01360
)	
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 23, 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 March 19, 2019, after considering the record, Defense Office of Hearings

and Appeals (DOHA) Administrative Judge Shari Dam 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 contains a document that is not in the record and a lengthy description of her financial history with several statements of fact that were not previously presented to DOHA. The Appeal Board is prohibited from considering new evidence. Directive ¶ E3.1.29.

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

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