

KEYWORD: Guideline F

DIGEST: 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. Adverse decision affirmed.

CASENO: 18-01837.a1

DATE: 05/09/2019

DATE: May 9, 2019

In Re:)	
)	
-----)	ISCR Case No. 18-01837
)	
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 July 20, 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 15, 2019, after considering the record, Administrative Judge LeRoy F. Foreman 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. Instead, he disputes a statement that is contained in the summary of his personal subject interview (PSI). He contends the investigator erred in reporting that he paid certain credit card debts when he supposedly told the investigator those debts were charged off. In this regard, we note that Applicant admitted all of the allegations in his SOR response. Furthermore, he was provided a copy of Department Counsel’s File of Relevant Material (FORM), was given the opportunity to object to matters in the FORM, including the PSI summary, and was permitted to submit additional matters for the Judge’s consideration. He did not submit a response to the FORM. We find no error in the Judge’s findings based upon the PSI summary.

Applicant also requests that we review his current credit report. The Appeal Board, however, is not permitted to receive new evidence (Directive ¶ E3.1.29) and 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