KEYWORD: Guideline F

DIGEST: The Board does not review cases de novo. Adverse decision affirmed.

CASENO: 06-19435.a1

DATE: 12/27/2007

DATE: December 27, 2007

In Re:

Applicant for Security Clearance

ISCR Case No. 06-19435

APPEAL BOARD SUMMARY DISPOSITION

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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 January 4, 2007, 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

FOR OFFICIAL USE ONLY When unredacted this document contains information EXEMPT FROM MANDATORY DISCLOSURE under the FOIA Exemption 6 applies requested the case be decided on the written record. On August 29, 2007, after considering the record, Administrative Judge Carol G. Ricciardello denied Applicant's request for a security clearance.¹ Applicant appealed pursuant to the Directive \P E3.1.28 and E3.1.30.

Applicant's appeal brief contains no assertion of harmful error on the part of the Judge. Rather, it contains new evidence which indicates that Applicant has paid off her remaining debts. The Board cannot consider this new evidence on appeal. *See* Directive \P E3.1.29.

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. It does not review cases *de novo*. Applicant has not made an allegation of harmful error. Therefore, the decision of the Judge denying Applicant a security clearance is AFFIRMED.

Signed: Michael Y. Ra'anan Michael Y. Ra'anan Administrative Judge Chairman, Appeal Board

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

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

¹The Judge found in favor of Applicant with respect to SOR paragraphs 1.e, 1.f, and 1.g. Those favorable findings are not at issue on appeal.