

KEYWORD: Guideline F

DIGEST: Applicant did not raise an allegation of harmful error on the part of the Judge. Adverse decision affirmed.

CASE NO: 12-08577.a1

DATE: 08/17/2016

DATE: August 17, 2016

In Re: ----- Applicant for Security Clearance)))))))	ISCR Case No. 12-08577
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APPEAL BOARD SUMMARY DISPOSITION

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 August 13, 2015, 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 hearing. On May 17, 2016, after the hearing, Defense Office of Hearings and Appeals (DOHA) Administrative Judge Noreen A. Lynch denied Applicant’s request for a security clearance.

Applicant appealed pursuant to the Directive ¶¶ E3.1.28 and E3.1.30.

Applicant's appeal brief contains assertions that her employers were negligent in the processing of her security clearance, and one employer committed a breach of employment. In supported of her claims, she provided a number of documents that were not previously submitted to the Judge. The Appeal Board can neither receive nor consider such new evidence. *See* Directive ¶ E3.1.29.

The Board does not review a case *de novo*. Besides the assertions involving her employers, we are unable to determine with any degree of certitude exactly what error Applicant is raising. An appealing party must state with sufficient specificity what it is about a Judge's decision that he or she believes to be erroneous so as to enable the Appeal Board to address the assignment of error. *See, e.g.*, ISCR Case No. 14-05920 at 3 (App. Bd. Jan. 8, 2016). Because Applicant has not raised an allegation of harmful error on the part of the Judge, the decision is AFFIRMED.

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

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

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