

KEYWORD: Guideline F; Guideline E

DIGEST: Applicant did not raise an issue on harmful error. The Appeal Board’s jurisdiction is limited to cases in which the appealing party asserts harmful error. We cannot consider new evidence on appeal. Adverse decision affirmed.

CASE NO: 14-05141.a1

DATE: 05/03/2016

DATE: May 3, 2016

In Re:	)	
	)	
-----	)	ISCR Case No. 14-05141
	)	
Applicant for Security Clearance	)	
	)	

**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 April 4, 2015, DoD issued a statement of reasons (SOR) advising Applicant of the basis for that decision—security concerns raised under Guideline F (Financial Considerations) and Guideline E (Personal Conduct) of Department of Defense Directive 5220.6 (Jan. 2, 1992, as amended) (Directive). Applicant requested a decision on the written record. On March 3, 2016, after considering the record, Defense Office of Hearings and Appeals (DOHA) Administrative Judge Darlene D. Lokey Anderson 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 no assertion of harmful error on the part of the Judge. Rather, it contains new evidence in the form of a narrative statement about the origins of Applicant's financial problems, and her intention to file for bankruptcy in the near future. The Board cannot consider Applicant's new evidence on appeal. *See* Directive ¶ E3.1.29.

The Board does not review a case *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. Applicant has not made an allegation of harmful error on the part of the Judge. Therefore, the decision of the Judge is AFFIRMED.

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

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

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