

DATE: January 9, 2007

In Re:

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SSN: -----

Applicant for Security Clearance

ISCR Case No. 04-03215

**PPEAL BOARD SUMMARY DISPOSITION**

**APPEARANCES**

**FOR GOVERNMENT**

Peregrine D. Russell-Hunter, Esq., Chief Department Counsel

**FOR APPLICANT**

*Pro Se*

The Defense Office of Hearings and Appeals (DOHA) declined to grant Applicant a security clearance. On April 7, 2005, DOHA 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 the case be decided on the written record. On June 16, 2006, after considering the record, Administrative Judge Arthur E. Marshall, Jr. denied Applicant's request for a security clearance. <sup>(1)</sup> Applicant timely appealed pursuant to the Directive ¶¶ E3.1.28 and E3.1.30.

Applicant's appeal brief contains no assertion of error on the part of the Administrative Judge. It only contains new evidence, in the form of additional statements relating to the debt alleged in SOR paragraph 1.f. The Board cannot consider new evidence on appeal. *See* Directive ¶ E3.1.29.

The Appeal Board does not review a case *de novo*. The Board's authority to review a case is limited to cases in which the appealing party has alleged the Administrative Judge committed harmful error. Applicant has not made an allegation of harmful error. Therefore, the decision of the Administrative Judge denying Applicant a security clearance is **AFFIRMED**.

Signed: Michael Y. Ra'anan

Michael Y. Ra'anan

Administrative Judge

Chairman, Appeal Board

Signed: Jeffrey D. Billett

Jeffrey D. Billett

Administrative Judge

Member, Appeal Board

Signed: William S. Fields

William S. Fields

Administrative Judge

Member, Appeal Board

1. The Administrative Judge found in favor of Applicant under Guideline E, and with respect to SOR paragraphs 1.a, 1.b, 1.c, 1.d, 1.e, 1.g, and 1.h. Those favorable findings are not at issue on appeal.