

DATE: January 17, 2007

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In Re:

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SSN: -----

Applicant for Security Clearance

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ISCR Case No. 04-05350

## **APPEAL BOARD SUMMARY DISPOSITION**

### **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 July 14, 2005, 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 requested the case be decided on the written record. On June 13, 2006, after considering the record, Administrative Judge Marc E. Curry denied Applicant's request for a security clearance. Applicant timely appealed pursuant to the Directive ¶¶ E3.1.28 and E3.1.30. [\(1\)](#)

Applicant's appeal brief contains no assertion of error on the part of the Administrative Judge. Rather, it contains new evidence in the form of documents and additional statements which indicate that Applicant has paid off, is making payments on, or is disputing the debts listed in the SOR. [\(2\)](#) The Board cannot consider new evidence on appeal. *See* Directive ¶ E3.1.29.

The Appeal 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: Jeffrey D. Billett

Jeffrey D. Billett

Administrative Judge

Member, Appeal Board

Signed: William S. Fields

William S. Fields

Administrative Judge

Member, Appeal Board

Signed: David M. White

David M. White

Administrative Judge

Member, Appeal Board

1. The Administrative Judge found in favor of Applicant with respect to SOR paragraphs 1.b and 1.d. Those favorable findings are not at issue on appeal.
2. Applicant elected to have his case decided on the written record and then did not respond to the government's file of relevant material. The Administrative Judge based his decision, in part, on the fact that Applicant had provided insufficient documentary evidence to corroborate his assertions that he had paid off, disputed, or otherwise resolved the debts at issue. The Board has previously noted that it is reasonable for a Judge to expect applicants to present documentation about the satisfaction of specific debts. *See* ISCR Case No. 04-10671 at 3 (App. Bd. May 1, 2006).