

KEYWORD: Guideline F; Guideline E

DIGEST: Applicant did not raise an issue of harmful error by the Judge. Our jurisdiction is limited to cases in which the appealing party alleges harmful error. Adverse decision affirmed.

CASE NO: 14-02633.a1

DATE: 06/09/2016

DATE: June 9, 2016

In Re:	)	
	)	
-----	)	ISCR Case No. 14-02633
	)	
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 May 21, 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 31, 2016, after considering the record, Defense Office of Hearings and Appeals (DOHA) Administrative Judge Shari Dam denied Applicant’s request for a security clearance. Applicant appealed pursuant to the Directive ¶¶ E3.1.28 and E3.1.30.

Applicant requested that his case be decided on the written record and then did not file a response to the government's File of Relevant Material (FORM). On appeal, he states he now has proof that his delinquent debts have been paid-off, which he did not have at the time his case was submitted to the Judge for decision. No documents are attached to the brief and the brief contains no assertion of harmful error on the part of the Judge.

The Board cannot consider any new evidence on appeal. See Directive ¶ E3.1.29. Additionally, 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 Y. Ra'anan  
Michael Y. Ra'anan  
Administrative Judge  
Chairperson, Appeal Board

Signed: Catherine M. Engstrom  
Catherine M. Engstrom  
Administrative Judge  
Member, Appeal Board

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