

KEYWORD: Guideline F

DIGEST: Applicant has not made an allegation of harmful error. Adverse decision affirmed.

CASENO: 04-07214.a1

DATE: 03/16/2007

DATE: March 16, 2007

In Re:)	
)	
)	
-----)	ADP Case No. 04-07214
SSN: -----)	
)	
Applicant for Trustworthiness Determination)	

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) proposed to deny or revoke access to automated information systems in ADP-I/II/III sensitivity positions for Applicant. On June 17, 2005, DOHA issued a statement of reasons (SOR) advising Applicant of the basis for that decision—trustworthiness 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 April 27, 2006, after considering the record, Administrative Judge Darlene Lokey Anderson denied Applicant’s request for a trustworthiness

designation. Applicant timely 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 statement from the Applicant, which indicates that she has obtained a current copy of her credit report, determined the status of her outstanding debts, enlisted the assistance of a credit attorney to clear up those debts, and is awaiting a plan of action from that attorney. The Board cannot consider this 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 Judge committed harmful error. It does not review cases *de novo*. Applicant has not made an allegation of harmful error. Therefore, the decision of the Judge denying Applicant a trustworthiness designation is AFFIRMED.

Signed: Jean E. Smallin
Jean E. Smallin
Administrative Judge
Member, Appeal Board

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

Signed: James E. Moody
James E. Moody
Administrative Judge
Member, Appeal Board