

KEYWORD: Guideline F; Guideline E

DIGEST: Applicant’s brief contains no assertion of harmful error. Our authority is limited to cases in which the appealing party has raised an issue harmful error. Adverse decision affirmed.

CASE NO: 15-00423.a1

DATE: 04/06/2017

DATE: April 6, 2017

In Re:)	
)	
-----)	ISCR Case No. 15-00423
)	
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 August 27, 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 hearing. On January 23, 2017, after the hearing, Defense Office of Hearings and Appeals (DOHA) Administrative Judge Mark Harvey denied Applicant’s request for a security clearance. Applicant appealed pursuant to Directive ¶¶ E3.1.28 and E3.1.30.

Applicant’s brief includes copies of documents that Applicant had submitted at the hearing regarding the status of his debts. These documents contain handwritten annotations by Applicant that post-date the Judge’s decision. We cannot consider new evidence on appeal. Directive ¶

E3.1.29. In any event, they address the Guideline F allegations, which the Judge had resolved in Applicant's favor. Applicant's brief contains no assertion of harmful error concerning the Guideline E allegation of deliberate falsification which the Judge resolved adversely to him. Our scope of review is limited to cases in which the appealing party has asserted that the Judge committed harmful error. Directive ¶ E3.1.32. *See* ISCR Case No. 15-01778 at 2 (App. Bd. Jan. 31, 2017). Applicant has not made such an assertion regarding the allegation of deliberate falsification. Therefore, the Judge's decision is **AFFIRMED**.

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

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

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