KEYWORD: Guideline F

DIGEST: Applicant's appeal brief contains no assertion of harmful error on the part of the Judge. Rather, it contains a detailed narrative statement by the Applicant explaining that he is currently working with a debt consolidation agency, and that once he gets a contract with that company he could possibly submit it to the Appeal Board as evidence. Adverse decision affirmed.

CASENO: 15-01834.a1

DATE: 09/14/2017

DATE: September 14, 2017

In Re:

ISCR Case No. 15-01834

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 December 13, 2015, DoD 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 a decision on the written record. On May 4, 2017, after considering the record, Defense Office of Hearings and

Appeals (DOHA) Administrative Judge Francisco Mendez 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 submitted only a one page letter in response to the government's File of Relevant Material (FORM). "He provided no documentary evidence to corroborate or substantiate his efforts to address the debts alleged in the SOR or basis to dispute their legitimacy. He also provided no documentary evidence regarding the current state of his finances or addressing the whole person factors in AG \P 2(a)." Decision at 2.

Applicant's appeal brief contains no assertion of harmful error on the part of the Judge. Rather, it contains a detailed narrative statement by the Applicant explaining that he is currently working with a debt consolidation agency and that once he gets a contract with that company he could possibly submit it to the Appeal Board as evidence.

The Appeal Board cannot receive and consider new evidence on appeal. See Directive \P E3.1.29. It 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 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: James E. Moody James E. Moody Administrative Judge Member, Appeal Board

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