

KEYWORD: Guideline F; Guideline E

DIGEST: Applicant’s appeal brief contains no assertion of harmful error on the part of the Judge. Adverse decision affirmed.

CASENO: 15-07064.a1

DATE: 10/4/2017

DATE: October 4, 2017

In Re:)	
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Applicant for Public Trust Position)	
)	
)	
)	
)	
)	ADP Case No. 15-07064

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 trustworthiness designation. On June 29, 2016, DoD issued a statement of reasons (SOR) advising Applicant of the basis for that decision—trustworthiness 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 July 18, 2017, after the hearing, Defense Office of Hearings and Appeals (DOHA) Administrative Judge Paul J. Mason denied Applicant’s request for a trustworthiness designation. Applicant appealed pursuant to 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 a narrative statement describing her professional qualifications, explaining that she should have paid more attention to her credit reports to verify delinquencies,¹ and indicating that she provided documentation that set forth her objectives in settling her financial delinquencies. She also forwarded some documents that she previously submitted to the Judge for consideration.

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

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

Signed: James F. Duffy
James F. Duffy
Administrative Judge
Member, Appeal Board

¹ To the extent this statement could be interpreted as a challenge to the Judge's adverse findings under Guideline E, we note that the Judge analyzed Applicant's statements to this effect at the hearing, and we see no reason to distribute the Judge's conclusions.