

KEYWORD: Guideline F

DIGEST: The Board does not review a case de novo. Its authority to review a case is limited to cases in which the appealing party has alleged the Judge committed harmful error. Adverse decision affirmed.

CASENO: 15-07517.a1

DATE: 03/08/2018

DATE: March 08, 2018

In Re:)	
)	
-----)	ISCR Case No. 15-07517
)	
Applicant for Security Clearance)	

APPEAL BOARD DECISION

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 11, 2016, 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 November 9, 2017, after considering the record, Defense Office of Hearings and Appeals (DOHA) Administrative Judge David M. White 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 respond to the government’s File of Relevant Material (FORM). On appeal, Applicant states that the various tax liens and debts alleged in the SOR have now been removed from his credit reports, he has no other delinquent accounts, and he is satisfying his debts monthly. In support of his statement, he attaches credit reports which post-date the Judge’s decision in his case.

The Board cannot consider Applicant’s new evidence on appeal. *See* Directive ¶ E3.1.29. The Board does not review a case *de novo*. Its authority to review a case is limited to cases in which the appealing party has alleged the Judge committed harmful error. *See, e.g.*, ISCR Case No. 15-04736 at 2 (App. Bd. Feb. 12, 2018). 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: Charles C. Hale
Charles C. Hale
Administrative Judge
Member, Appeal Board

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