

KEYWORD: Guideline F

DIGEST: The Board cannot consider Applicant's new evidence on appeal. The Board does not review a case *de novo*. Adverse decision affirmed.

CASENO: 16-00214.a1

DATE: 02/27/2018

DATE: February 27, 2018

In Re:	)	
	)	
-----	)	ISCR Case No. 16-00214
	)	
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 June 7, 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 30, 2017, after considering the record, Defense Office of Hearings and Appeals (DOHA) Administrative Judge Paul J. Mason 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). 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 detailed narrative statement by the Applicant describing the status of individual debts and the steps he has taken to address his financial problems, including the completion of credit counseling and repair courses. Attached to his statement are three credit reports that 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. 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: James F. Duffy  
James F. Duffy  
Administrative Judge  
Member, Appeal Board

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