

KEYWORD: Guideline F

DIGEST: Applicant raises no allegation of harmful error on the part of the Judge. Rather, he states the Judge’s decision was based on outdated information. His brief also provides a narrative statement about his efforts to resolve his debts and forwards a copy of a credit report that post-dates the Judge’s decision. These matters, however, constitute new evidence that the Appeal Board cannot consider. Adverse decision affirmed.

CASENO: 16-01046

DATE: 04/11/2018

DATE: April 11, 2018

In Re:)	
)	
-----)	ISCR Case No. 16-01046
)	
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 July 1, 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 that the case be decided on the written record. On January 19, 2018, after considering the record, Defense Office of Hearings and Appeals (DOHA) Administrative Judge Claude R. Heiny denied Applicant's request for a security clearance. Applicant appealed pursuant to Directive ¶¶ E3.1.28 and E3.1.30.

In responding to the SOR on August 4, 2016, Applicant admitted the alleged delinquent debts, indicated that he fully intended to reconcile those debts, but also stated that he did not have extra money to devote to them. On September 14, 2016, Applicant received a copy of Department Counsel's File of Relevant Material (FORM) and was advised that he had 30 days from its receipt to submit additional information. He did not submit a response to the FORM.

In his appeal brief, Applicant raises no allegation of harmful error on the part of the Judge. Rather, he states the Judge's decision was based on outdated information. His brief also provides a narrative statement about his efforts to resolve his debts and forwards a copy of a credit report that post-dates the Judge's decision. These matters, however, constitute new evidence that the Appeal Board cannot consider. *See* Directive E3.1.29.

The Board does not review cases *de novo*. Our authority to review a case is limited to cases in which the appealing party has alleged the Judge committed harmful error. Because Applicant has not made such an allegation of harmful error, the decision of the Judge denying Applicant a security clearance 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: James F. Duffy
James F. Duffy
Administrative Judge
Member, Appeal Board