

KEYWORD: Guideline F

DIGEST: The Board does not review cases 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. Because Applicant has not made an allegation of harmful error, the decision of the Judge denying Applicant a trustworthiness designation is affirmed.

CASENO: 16-02557.a1

DATE: 04/11/2018

DATE: April 11, 2018

In Re:)	
)	
-----)	ADP Case No. 16-02557
)	
Applicant for Public Trust Position)	

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 trustworthiness designation. On April 28, 2016, DoD issued a statement of reasons (SOR) advising Applicant of the basis for that decision—trustworthiness 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 January 22, 2018, after considering the record, Administrative Judge Matthew E. Malone 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 about the circumstances that caused Applicant’s financial problems and his efforts to resolve them. He also contends that he is a trusted employee who would never do anything to compromise sensitive information.

The Board does not review cases *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. Because Applicant has not made an allegation of harmful error, the decision of the Judge denying Applicant a trustworthiness designation 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