

Department of Defense Directive 5220.6 (Jan. 2, 1992, as amended) (Directive). Applicant requested the case be decided on the written record. On April 20, 2007, after considering the record, Administrative Judge Roger C. Wesley denied Applicant's request for a trustworthiness designation. Applicant timely appealed pursuant to the Directive ¶¶ E3.1.28 and E3.1.30.¹

Applicant's appeal brief contains no assertion of harmful error on the part of the Judge. Rather, it contains new documentary evidence which indicates that Applicant has established a repayment plan for her outstanding debt, through a credit counseling service, and has been making monthly payments in furtherance of that plan. The Board cannot consider this new evidence on appeal. *See* Directive ¶ E3.1.29.

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. It does not review cases *de novo*. Applicant has not made an allegation of harmful error. Therefore, the decision of the Judge denying Applicant a trustworthiness designation is AFFIRMED.

Signed: Michael Y. Ra'anan
Michael Y. Ra'anan
Administrative Judge
Chairman, Appeal Board

Signed: Jean E. Smallin
Jean E. Smallin
Administrative Judge
Member, Appeal Board

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

¹The Judge found in favor of Applicant with respect to SOR paragraph 1.a. That favorable finding is not at issue on appeal.