



Applicant's appeal brief contains no assertion of error on the part of the Judge. Rather, it contains new evidence in the form of a statement from Applicant which summarizes his recent efforts to pay off the debts listed in the SOR. The Board cannot consider this new evidence on appeal. See Directive ¶ E3.1.29.

In this case, Applicant elected to have a decision based upon the written record, and then did not respond to the government's file of relevant material (FORM). The Judge based her decision, in part, on the fact that: "Applicant provided no persuasive evidence to rebut the financial concerns specified in the SOR . . ." <sup>1</sup> The Board has previously noted that it is reasonable for a Judge to expect applicants to present documentation about the satisfaction of specific debts. See ISCR Case No. 04-10671 at 3 (App. Bd. May 1, 2006). In his brief, Applicant states ". . . I was unaware I needed to send proof." <sup>2</sup> A review of the record indicates Applicant was provided with the procedural rights set forth in Executive Order 10865 and the Directive, including an opportunity to respond to the government's file of relevant material. Although *pro se* applicants cannot be expected to act like lawyers, they are expected to take timely, reasonable steps to protect their rights under the Directive. See, e.g., ISCR Case No. 00-0593 at 4 (App. Bd. May 14, 2001). If they fail to take timely, reasonable steps to protect their rights, that failure to act does not constitute a denial of their rights. See, e.g., ISCR Case No. 02-19896 at 6 (App. Bd. Dec. 29, 2003).

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. The Board does not review a case *de novo*. Applicant has not made an allegation of harmful error. Therefore, the decision of the Judge denying Applicant a security clearance is AFFIRMED.

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

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

Signed: James E. Moody  
James E. Moody

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<sup>1</sup>Decision at 5.

<sup>2</sup>Applicant's Appeal Brief at 1.

Administrative Judge  
Member, Appeal Board