

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 such an allegation of error, the decision of the Judge denying Applicant a security clearance is affirmed. Adverse decision affirmed.

CASENO: 18-00324.a1

DATE: 06/04/2019

DATE: June 4, 2019

In Re: _____)
-----)
Applicant for Security Clearance)

ISCR Case No. 18-00324

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 February 13, 2018, 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 March 18, 2019, after considering the record, Defense Office of Hearings and Appeals (DOHA) Administrative Judge Edward W. Loughran denied Applicant's request for a security clearance. Applicant appealed pursuant to Directive ¶¶ E3.1.28 and E3.1.30.

Applicant's appeal brief raises no allegation of harmful error on the part of the Judge. More specifically, she has not challenged any of the Judge's rulings, findings of fact, or conclusions. Her brief, however, does contain assertions that are not in the record, including that she recently filed Chapter 13 bankruptcy. The Appeal Board is prohibited from considering new evidence. Directive ¶ E3.1.29.

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 such an allegation of 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: James E. Moody

James E. Moody
Administrative Judge
Member, Appeal Board

Signed: James F. Duffy

James F. Duffy
Administrative Judge
Member, Appeal Board