

KEYWORD: Guideline F

DIGEST: Applicant’s appeal brief contains a document and assertions that were not previously submitted to the Judge for consideration. The Appeal Board is prohibited from considering new evidence. Directive ¶ E3.1.29. His brief raises no allegation of error on the part of the Judge that is based on evidence that we can consider. Adverse decision affirmed

CASENO: 18-01133

DATE: 08/08/2019

DATE: August 8, 2019

In Re:)	
)	
-----)	ISCR Case No. 18-01133
)	
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 October 9, 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 hearing. On June 6, 2019, after the hearing, 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 contains a document and assertions that were not previously submitted to the Judge for consideration. The Appeal Board is prohibited from considering new evidence. Directive ¶ E3.1.29. His brief raises no allegation of error on the part of the Judge that is based on evidence that we can consider.

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.

Order

The Decision 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