

KEYWORD: Guideline E; Guideline F

DIGEST: Applicant’s appeal brief raises no allegation of error on the part of the Judge. Rather, it contains documents 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. Adverse decision affirmed.

CASENO: 18-01874.a1

DATE: 08/07/2019

DATE: August 7, 2019

In Re:))	
-----))	ISCR Case No. 18-01874
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 July 19, 2018, DoD issued a statement of reasons (SOR) advising Applicant of the basis for that decision—security concerns raised under Guideline F (Financial Considerations) and Guideline E (Personal Conduct) of Department of Defense Directive 5220.6 (Jan. 2, 1992, as amended) (Directive). Applicant requested a decision on the written record. On June 18, 2019, after the hearing, Defense Office of Hearings and Appeals (DOHA) Administrative Judge Darlene D. Lokey Anderson 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 error on the part of the Judge. Rather, it contains documents 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.

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