

KEYWORD: Guideline F

DIGEST: The impact of an unfavorable decision is not a relevant consideration in evaluating national security eligibility. Adverse decision is affirmed.

CASE NO: 19-02861.a1

DATE: 08/10/2020

DATE: August 10, 2020

_____)	
In Re:)	
)	
-----)	ISCR Case No. 19-02861
)	
)	
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 November 1, 2019, 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 May 19, 2020, after considering the record, Administrative Judge Eric H. Borgstrom denied Applicant’s request for a security clearance. Applicant appealed pursuant to Directive ¶¶ E3.1.28 and E3.1.30.

Applicant’s appeal brief makes no assertion of harmful error on the part of the Judge. Her brief does contain assertions and documents that were not presented to the Judge for consideration. The Appeal Board cannot consider new evidence. Directive ¶ E3.1.29. Applicant noted the decision will have a negative impact on her financially. However, the impact of an unfavorable decision is not a relevant consideration in evaluating national security eligibility. *See, e.g.*, ISCR Case No. 18-02239 at 3 (App. Bd. Jul. 20, 2020).

The Board does not review a case *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. Applicant has not made an allegation of harmful error on the part of the Judge. Therefore, the decision of the Judge is sustainable.

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