

KEYWORD: Guideline F

DIGEST: It is well established that the Government need not wait until a person has engaged in conduct adverse to the United States before it can deny a security clearance. Adverse decision is affirmed.

CASE NO: 19-02113.a1

DATE: 02/25/2020

DATE: February 25, 2020

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In Re:	)	
	)	
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	)	
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 26, 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 hearing. On January 8, 2020, after the hearing, Administrative Judge Robert E. Coacher denied Applicant’s request for a security clearance. Applicant appealed pursuant to Directive ¶¶ E3.1.28 and E3.1.30.

Applicant says that he is not a “threat to national security.” He notes no evidence was presented of “espionage or treasonable activities[.]” However, it is well established that the Government need not wait until a person has engaged in conduct adverse to the United States before it can deny a security clearance. *See, e.g.*, ISCR Case No. 17-04278 at 3 (App. Bd. May 23, 2019).

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