

KEYWORD: Guideline F; Guideline E

DIGEST: In his appeal brief, Applicant makes no assertion of harmful error on the part of the Judge. Rather, he states that he needs a security clearance for a position with his employer. The impact of an adverse decision on an applicant is not a relevant consideration in determining his or her national security eligibility. Adverse decision affirmed.

CASE NO: 20-01424.a1

DATE: 07/13/2021

DATE: July 13, 2021

_____	)	
In Re:	)	
	)	
-----	)	ISCR Case No. 20-01424
	)	
	)	
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 September 24, 2020, 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 hearing. On April 23, 2021, after the hearing, Administrative Judge John Bayard Glendon denied Applicant’s request for a security clearance. Applicant appealed pursuant to Directive ¶¶ E3.1.28 and E3.1.30.

In his appeal brief, Applicant makes no assertion of harmful error on the part of the Judge. Rather, he states that he needs a security clearance for a position with his employer. The impact of an adverse decision on an applicant is not a relevant consideration in determining his or her national security eligibility. *See, e.g.*, ISCR Case No. 19-01759 at 3 (App. Bd. Jun. 8, 2020).

The Board does not review a case *de novo*. The Appeal Board’s scope of review is limited to addressing allegations that the Judge failed to comply with Executive Order 10865 and the Directive. *See* Directive ¶ E3.1.32. In this case, the Judge’s decision is sustainable because Applicant has not alleged that the Judge committed any harmful error.

**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