

sufficient information to mitigate the financial considerations security concern about his failure to timely file Federal and state income tax returns, and pay outstanding Federal and state tax debt.” Decision at 1.

Applicant’s appeal brief makes no assertion that the Judge committed harmful error in his decision. Rather, it contains documents that were not previously provided to the Judge for consideration and makes assertions based on those documents. Those documents and assertions constitute new evidence that the Appeal Board is prohibited from considering. 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 alleged any harmful error, the decision of the Judge denying Applicant security clearance eligibility is sustainable.

Order

The decision is **AFFIRMED**.

Signed: James F. Duffy
James F. Duffy
Administrative Judge
Chairperson, Appeal Board

Signed: Jennifer I. Goldstein
Jennifer I. Goldstein
Administrative Judge
Member, Appeal Board

Signed: Moira Modzelewski
Moira Modzelewski
Administrative Judge
Member, Appeal Board