



**DEPARTMENT OF DEFENSE
 DEFENSE LEGAL SERVICES AGENCY
 DEFENSE OFFICE OF HEARINGS AND APPEALS
 APPEAL BOARD
 POST OFFICE BOX 3656
 ARLINGTON, VIRGINIA 22203
 (703) 696-4759**

Date: April 13, 2023

In the matter of:)	
)	
)	
-----)	ISCR Case No. 22-01232
)	
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 15, 2022, 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 February 6, 2023, after consideration of the record, Administrative Judge Ross D. Hyams denied Applicant’s request for a security clearance. Applicant appealed pursuant to Directive ¶¶ E3.1.28 and E3.1.30.

On appeal, Applicant makes no assertion of harmful error on the part of the Judge. Instead, he requests reversal of the Judge’s decision and provides additional evidence about his debts. The Appeal Board is prohibited from considering new evidence on appeal. Directive E3.1.29. Applicant also asserts that losing of his security clearance will adversely impact his finances and

his family. Those factors, however, are not relevant considerations in evaluating clearance eligibility. *See, e.g.*, ISCR Case No. 11-10758 at 2 (App. Bd. May 21, 2013).

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 that the Judge committed harmful error. Because Applicant has not made an allegation of error, the decision of the Judge is sustainable.

Order

The decision is **AFFIRMED**.

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

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

Signed: Gregg A. Cervi
Gregg A. Cervi
Administrative Judge
Member, Appeal Board