

KEYWORD: Guideline F

DIGEST: The Board has no authority to remand a case simply to take in new evidence. Adverse decision affirmed.

CASENO: 14-04398.a1

DATE: 06/18/2015

DATE: June 18, 2015

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In Re: )  
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 ----- ) ISCR Case No. 14-04398  
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 Applicant for Security Clearance )  
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**APPEAL BOARD SUMMARY DISPOSITION**

**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 30, 2014, 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 April 2, 2015, after the hearing, Defense Office of Hearings and Appeals (DOHA) Administrative Judge Noreen A. Lynch denied Applicant's request for a security clearance. Applicant appealed pursuant to Directive ¶¶ E3.1.28 and E3.1.30.

Applicant's appeal brief requests a new hearing "so that the records can be set straight." We have no authority to remand a case for a new hearing simply for the purpose of taking in new evidence. *See, e.g.*, ISCR Case No. 14-00976 at 3 (App. Bd. Feb. 5, 2015). Our authority to review cases is limited to those in which the appealing party has raised an issue of harmful error. To the extent that Applicant is arguing that the Judge either mis-weighed the evidence or failed to consider all of the evidence in the record, the argument fails for lack of specificity. *See, e.g.*, ISCR Case No. 09-06067 at 2 (App. Bd. Oct. 22, 2010). Applicant has not rebutted the presumption that the Judge considered all of the evidence in the record. Neither has he shown that the Judge weighed the evidence in a manner that was arbitrary, capricious, or contrary to law. *See, e.g.*, ISCR Case No. 08-06438 at 2 (App. Bd. Aug. 4, 2009). Accordingly, the Decision is **AFFIRMED**.

Signed: Michael Ra'anan  
Michael Ra'anan  
Administrative Judge  
Chairperson, Appeal Board

Signed: William S. Fields  
William S. Fields  
Administrative Judge  
Member, Appeal Board

Signed: James E. Moody  
James E. Moody  
Administrative Judge  
Member, Appeal Board