

KEYWORD: Guideline F

DIGEST: In his appeal brief, Applicant forwarded character reference letters that are not contained in the record. The Appeal Board cannot consider new evidence. Adverse decision affirmed.

CASENO: 18-00198.a1

DATE: 12/20/2018

DATE: December 20, 2018

In Re:

Applicant for Security Clearance

ISCR Case No. 18-00198

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 January 31, 2018, 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 decision on the written record. On October 19, 2018, after considering the record, Administrative Judge Matthew E. Malone 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 forwarded character reference letters that are not contained in the record. The Appeal Board cannot consider new evidence. Directive ¶ E.3.1.29.

Applicant’s appeal brief raises no allegations of error on the part of the Judge. Rather, it contains a request to reinstate his security clearance.

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 made such an allegation of error, the decision of the Judge denying Applicant a security clearance is **AFFIRMED**.

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

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

Signed: Charles C. Hale
Charles C. Hale
Administrative Judge
Member, Appeal Board