

KEYWORD: Guideline F

DIGEST: Applicant does not challenge any of the Judge's specific findings of fact. Instead, he highlights his contributions to our nation through his military service and as a defense contractor, notes he will continue to make payments on the debts until they are resolved, and asserts he is not a security threat. His arguments amount to a disagreement with the Judge's weighing of the evidence and are not enough to show the Judge's conclusions are arbitrary, capricious, or contrary to law. Adverse decision affirmed.

CASE NO: 19-01572.a1

DATE: 11/18/2020

DATE: November 18, 2020

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In Re:	)	
	)	
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	)	
Applicant for Security Clearance	)	
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**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 June 21, 2019, 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 August 26, 2020, after the hearing, Administrative Judge Michael H. Leonard denied Applicant’s request for a security clearance. Applicant appealed pursuant to Directive ¶¶ E3.1.28 and E3.1.30.

The SOR alleged that Applicant had 11 delinquent debts totaling about \$18,500. Applicant admitted the SOR allegations with an explanation. The Judge concluded the evidence that Applicant presented was not sufficient to fully mitigate the security concerns stemming from his history of financial problems and found against him on all of the SOR allegations.

In his appeal brief, Applicant does not challenge any of the Judge’s specific findings of fact. Instead, he highlights his contributions to our nation through his military service and as a defense contractor, notes he will continue to make payments on the debts until they are resolved, and asserts he is not a security threat. His arguments amount to a disagreement with the Judge’s weighing of the evidence and are not enough to show the Judge’s conclusions are arbitrary, capricious, or contrary to law. Directive ¶ E3.1.32.3. He also notes that the loss of his security clearance will have negative repercussions on him and his family; however, the Directive does not permit us to consider the impact of an unfavorable decision. *See, e.g.*, ISCR Case No. 19-01206 at 2 (App. Bd. May 13, 2020). Further, Applicant requests a year to continue to demonstrate his commitment to repay his delinquent debts. Based on our review of the record, Applicant has not established that the granting of an exception under Appendix C of the Adjudicative Guidelines is merited.

Applicant has failed to establish the Judge committed any harmful errors. The Judge examined the relevant evidence and articulated a satisfactory explanation for the decision. The decision is sustainable on this record. “The general standard is that a clearance may be granted only when ‘clearly consistent with the interests of the national security.’” *Department of the Navy v. Egan*, 484 U.S. 518, 528 (1988). *See also* Directive, Encl. 2, App. A ¶ 2(b): “Any doubt concerning personnel being considered for national security eligibility will be resolved in favor of the national security.”

**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