



In his brief, Applicant contends the Government submitted an outdated credit report (Government Exhibit (GE) 2) into evidence. This contention establishes no error. We note the Government also submitted three more recent credit reports, and Applicant submitted one from June 2022. In examining alleged financial delinquencies, a Judge may consider an applicant's financial history. *See, e.g.*, Directive, Encl. 2, App. ¶ 19(c). Applicant further asserts that his most recent credit report does not reflect any delinquent debts. This assertion is not persuasive. As the Board previously noted, there is more than one plausible explanation for the absence of debts from a credit report, such as their removal due to the passage of time, and the absence of unresolved debts from an applicant's credit report does not establish meaningful evidence as to the disposition of those debts or constitute evidence of financial reform or rehabilitation. *See, e.g.*, ISCR Case No. 15-02957 at 3 (App. Bd. Feb. 17, 2017).

Furthermore, Applicant's brief does not contend the remaining debt was resolved, but rather states he established a repayment plan for it. In this regard, he claims he did not submit evidence regarding the first payment on that plan because it did not appear on his bank statement until after the hearing closed. This claim, however, constitutes new evidence that the Appeal Board is prohibited from considering. Directive ¶ E3.1.29.

Applicant argues the Judge did not consider Mitigating Conditions 20(b), "the conditions that resulted in the financial problem were largely beyond the person's control (e.g., loss of employment, a business downturn, unexpected medical emergency, a death, divorce or separation, clear victimization by predatory lending practices, or identity theft), and the individual acted responsibly reasonably under the circumstances;" and 20(d), "the individual initiated and is adhering to a good-faith effort to repay overdue creditors or otherwise resolve debts[.]" In his argument, Applicant contends the challenges of raising a family caused him to lose track of his bills and indicated he plans to pay all of them. None of his arguments are sufficient to demonstrate that the Judge analyzed the evidence in a manner that was arbitrary, capricious, or contrary to law. Directive ¶ E3.1.32.3.

Applicant failed to establish that the Judge committed any harmful error. The Judge examined the relevant evidence and articulated a satisfactory explanation for the decision. The decision is sustainable on the record. "The general standard is that a clearance may be granted only when 'clearly consistent with 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 national security."

**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 D. Modzelewski

Moira D. Modzelewski  
Administrative Judge  
Member, Appeal Board