



**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: March 20, 2025

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 In the matter of:)
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 Applicant for Security Clearance)
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ISCR Case No. 24-01471

APPEAL BOARD DECISION

APPEARANCES

FOR GOVERNMENT

Andrea M. Corrales, Esq., Deputy Chief Department Counsel

FOR APPLICANT

Pro se

The Department of Defense (DoD) declined to grant Applicant a security clearance. On October 29, 2024, DoD issued a Statement of Reasons (SOR) advising Applicant of the basis of that decision – security concerns raised under Guideline F (Financial Considerations) of the National Security Adjudicative Guidelines (AG) in Appendix A of Security Executive Agent Directive 4 (effective June 8, 2017) and DoD Directive 5220.6 (Jan. 2, 1992, as amended) (Directive). On February 19, 2025, Defense Office of Hearings and Appeals Administrative Judge Jennifer I. Goldstein denied Applicant national security eligibility. Applicant appealed pursuant to Directive ¶¶ E3.1.28 and E3.1.30.

Discussion

Under Guideline F, the SOR alleged five delinquent debts totaling approximately \$46,000. In response to the SOR, Applicant admitted the three largest debts with explanation and tentatively denied two minor past-due student loans on the basis that she believed they were in good standing and were currently paid in advance. She requested that her case be decided based on the written record and received a complete copy of the Government’s File of Relevant Material (FORM) on

January 27, 2025, through which she was notified of her ability to respond with objections or additional information for the Judge to consider. Applicant responded to the FORM with further explanation for her debts and argument for why she should be granted eligibility. She provided no documentation, in either her response to the SOR or FORM, reflecting the status of her debts or efforts to resolve the same.

The Judge found in Applicant's favor regarding the student loan debts, which had been reported as delinquent for about \$400 but appeared to be current based on an updated credit report contained in the Government's FORM. While acknowledging that Applicant "had significant periods of unemployment," the Judge noted that the last period was in 2019, and Applicant presented no evidence of any efforts to resolve the largest debts. Decision at 6. The Judge held adversely regarding the three unresolved debts and concluded that "Applicant's finances cast doubt on her current reliability, trustworthiness, and judgment." *Id.*

On appeal, Applicant suggests that the Judge focused on her 2018 unemployment and thereby failed to properly consider her "whole career," citing to the fact that she has held a security clearance since 1988 without issue. Appeal Brief at 1. We interpret this as a challenge to the Judge's analysis under the Whole-Person Concept; however, it is unpersuasive. The Judge specifically noted Applicant's security clearance history and considered her "significant periods of unemployment, as well as her long history of service to the United States as a military member and government contractor," but ultimately concluded that the security concerns raised under Guideline F were not mitigated. Decision at 6. This analysis reflects that the Judge weighed the record evidence and reached a reasonable conclusion. The Whole-Person analysis is sustainable.

Applicant also argues that the Judge failed to consider that she has been "up to date" on her bills and "working towards addressing [the] concerns slowly." Appeal Brief at 1. She points to no evidence in the record to support this argument, however, other than referring again to being ahead on her two student loans, which represented about \$400 of over \$46,000 alleged delinquent debt. In its FORM, the Government identified the lack of documentation regarding any resolution efforts (*see* FORM at 6-7), but Applicant declined to provide such supporting documentation when given the opportunity to respond. The Judge's findings that Applicant presented no documentation of efforts to resolve the three larger delinquencies, which alone totaled nearly \$46,000, and had not demonstrated a plan to resolve them are supported by the record evidence.

Conclusion

Applicant has not established that the Judge's conclusions were arbitrary, capricious, or contrary to law. In the instant case, the Judge examined the relevant evidence, weighed the disqualifying and mitigating evidence, and articulated a satisfactory explanation for the decision. The record is sufficient to support that the Judge's findings and conclusions are sustainable. "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). "Any doubt concerning personnel being considered for national security eligibility will be resolved in favor of the national security." AG ¶ 2(b).

Order

The decision in ISCR Case No. 24-01471 is **AFFIRMED**.

Signed: Moira Modzelewski

Moira Modzelewski
Administrative Judge
Chair, Appeal Board

Signed: James B. Norman

James B. Norman
Administrative Judge
Member, Appeal Board

Signed: Allison Marie

Allison Marie
Administrative Judge
Member, Appeal Board