



DEPARTMENT OF DEFENSE
DEFENSE LEGAL SERVICES AGENCY
DEFENSE OFFICE OF HEARINGS AND APPEALS
APPEAL BOARD
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Date: June 18, 2025

In the matter of:

Applicant for Security Clearance

ISCR Case No. 24-00060

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 February 26, 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 April 29, 2025, Defense Office of Hearings and Appeals Administrative Judge Edward W. Loughran denied Applicant national security eligibility. Applicant appealed pursuant to Directive ¶¶ E3.1.28 and E3.1.30.

Discussion

The SOR alleged a 2009 bankruptcy and 23 delinquent debts totaling approximately \$56,200. In his response to the SOR, Applicant admitted all allegations, noting that two of the alleged debts were paid. The Judge found favorably on the bankruptcy allegation and 11 of the alleged debts, but found adversely on the remaining 12 delinquent debts. The Judge acknowledged that events beyond Applicant's control contributed to his financial difficulties and that Applicant

has taken steps to address several delinquencies. He noted, however, that Applicant has accrued new past-due debts, that his taxes are in disarray, and that his financial issues are recent and ongoing.

On appeal, Applicant does not challenge any of the Judge's findings of fact. He asserts that the Judge failed to consider the challenges that his family has endured and his ongoing efforts to resolve his debts. Those arguments amount to a disagreement with the Judge's weighing of the evidence, but none is sufficient to establish the Judge weighed the evidence in a manner that was arbitrary, capricious, or contrary to law. Directive ¶ E3.1.32.3. Applicant reiterates his explanation for the debts, provides additional context for his financial issues, and highlights that he requires a security clearance to retain his job. The Appeal Board does not review cases *de novo* and is prohibited from considering either new evidence or the impact of an unfavorable decision.

Applicant has not established that the Judge committed harmful error. Our review of the record reflects that the Judge examined the relevant evidence and articulated a satisfactory explanation for the decision, which 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.'" *Dept. of 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. 24-00060 is **AFFIRMED**.

Signed: Moira Modzelewski

Moira Modzelewski
Administrative Judge
Chair, Appeal Board

Signed: Allison Marie

Allison Marie
Administrative Judge
Member, Appeal Board

Signed: Jennifer I. Goldstein

Jennifer I. Goldstein
Administrative Judge
Member, Appeal Board