



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: June 30, 2025

In the matter of:

Applicant for Security Clearance

ISCR Case No. 24-02098

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 December 11, 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 May 12, 2025, Defense Office of Hearings and Appeals Administrative Judge Charles C. Hale denied Applicant national security eligibility. Applicant appealed pursuant to Directive ¶¶ E3.1.28 and E3.1.30.

In her Answer to the SOR, Applicant requested a decision based on the written record in lieu of a hearing. On January 30, 2025, Department Counsel submitted the Government's File of Relevant Material (FORM) and provided a copy to Applicant, who acknowledged receipt but elected not to respond. The SOR alleged six financial concerns: four delinquent consumer debts that total approximately \$23,500, a 2009 Chapter 7 bankruptcy, and a 2021 Chapter 7 bankruptcy. The Judge found favorably for Applicant on two consumer debts but adversely on the remaining two delinquent debts and on both bankruptcies. The Judge acknowledged that Applicant had

experienced unforeseen personal and professional events that contributed to her financial issues, but he found that Applicant failed to show that she acted responsibly under the circumstances. In particular, he concluded that Applicant did not provide sufficient evidence to show that she was in a payment plan or attempted to establish plans for the two remaining alleged debts, which total approximately \$21,100. The Judge highlighted that Applicant's second bankruptcy filing was in 2021 and that over \$107,000 was discharged in unsecured obligations before concluding: "Insufficient time has elapsed since her most recent discharge of her debts in bankruptcy in September 2021 to establish a track record of financial stability, living within her means, and satisfying her debts." Decision at 5.

There is no presumption of error below and the appealing party has the burden of raising claims of error with specificity. Directive ¶ E3.1.30. On appeal, Applicant restates the explanations that she provided in her Answer to the SOR and provides information about her professional duties and accomplishments in her current employment. To the extent that the documents submitted constitute new evidence, the Appeal Board is prohibited from considering new evidence on appeal. Directive ¶ E3.1.29.

Applicant has failed to establish any harmful error below. The record supports a conclusion that 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). "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. 24-02098 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