



Date: August 12, 2025

In the matter of:

Applicant for Security Clearance

ISCR Case No. 24-01400

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 August 30, 2024, DoD issued a Statement of Reasons (SOR) advising Applicant of the basis of that decision – security concerns raised under Guideline E (Personal Conduct), Guideline J (Criminal Conduct), and Guideline H (Drug Involvement and Substance Misuse) 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 June 17, 2025, Defense Office of Hearings and Appeals Administrative Judge Roger C. Wesley denied Applicant national security eligibility. Applicant appealed pursuant to Directive ¶¶ E3.1.28 and E3.1.30.

Discussion

Under Guideline J, the SOR alleged that Applicant was cited or charged on approximately 15 occasions for various drug, alcohol, property, driving, and obstruction offenses between 2005 and 2014. The SOR cross-alleged the drug offenses under Guideline H and further alleged that Applicant used methamphetamine from about 2006 to 2014. Finally, the SOR alleged that

Applicant falsified certain information about her criminal and drug use histories during her current national security eligibility determination, including in her May 2023 security clearance application and August 2024 interrogatory response. In response to the SOR, Applicant admitted all allegations without further explanation and requested that her case be decided based on the written record. She received a complete copy of the Government's File of Relevant Material on January 31, 2025, and was notified of her ability to respond with any objections or additional information for the Judge to consider. Applicant did not respond to the FORM. The Judge found favorably regarding the Guideline H concerns and drug-related falsifications alleged under Guideline E, and adversely regarding the Guideline J concerns and the related falsification allegations.

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 makes no assertion of error on the part of the Judge, but rather requests reconsideration and the opportunity to continue in her job. The Appeal Board does not review cases *de novo* and our authority to review a case is limited to matters in which the appealing party has raised a claim of harmful error. Applicant has not alleged any such error, and the adverse impact of an unfavorable eligibility determination on an applicant's employment is not relevant in evaluating her security suitability. *See* DISCR OSD Case No. 91-0322, 1993 WL 99569 at *3 (App. Bd. Mar. 9, 1993). Accordingly, the Judge's decision is affirmed.

Order

The decision in ISCR Case No. 24-01400 is **AFFIRMED**.

Signed: Moira Modzelewski

Moira Modzelewski
Administrative Judge
Chair, Appeal Board

Signed: Jennifer I. Goldstein

Jennifer I. Goldstein
Administrative Judge
Member, Appeal Board

Signed: Allison Marie

Allison Marie
Administrative Judge
Member, Appeal Board