



**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: August 27, 2025

In the matter of:

Applicant for Security Clearance

ISCR Case No. 22-00243

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 January 2, 2025, DoD issued a Statement of Reasons (SOR) advising Applicant of the basis of that decision – security concerns raised under Guideline B (Foreign Influence) and Guideline E (Personal Conduct) of the National Security Adjudicative Guidelines 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 January 29, 2025, Department Counsel moved to amend the SOR to include two additional allegations under Guideline E, and to add one new concern under Guideline F (Financial Considerations). On June 26, 2025, Defense Office of Hearings and Appeals Administrative Judge Gatha LaFaye denied Applicant national security eligibility. Applicant appealed pursuant to Directive ¶¶ E3.1.28 and E3.1.30.

The SOR alleged six concerns under Guideline B, including that Applicant's mother (SOR ¶ 1.a), three sisters (SOR ¶ 1.b), three brothers (SOR ¶ 1.c), and six friends (SOR ¶ 1.d) are citizens and residents of Djibouti; from 2017 to 2023, that he provided his mother with over \$112,000 in financial support (SOR ¶ 1.e); and that along with his brother, he co-owns an auto parts store located in Djibouti (SOR ¶ 1.f). Under Guideline E, the SOR alleged that Applicant falsified his

March 2021 and August 2023 security clearance applications when he failed to disclose the financial support he provides to his mother (SOR ¶¶ 2.a-2.b); that, from October 2020 to February 2021, Applicant collected unemployment in a U.S. state even though he was living abroad in Djibouti at the time and not eligible for unemployment (SOR ¶ 2.c); and that he demonstrated unexplained affluence (SOR ¶ 2.d) as cross-alleged under Guideline F (SOR ¶ 3.a), which alleged that Applicant's total combined gross income for the years 2014 to 2023, was approximately \$190,000, yet during that time frame he sent (directly or indirectly) at least approximately \$95,000 to family members and/or friends in Djibouti, invested \$70,000 in a business in Djibouti, and purchased and paid off at least four vehicles, one of which cost approximately \$34,000.

In responding to the SOR and the amended SOR allegations, Applicant admitted the allegations under Guideline B, but denied the allegations under Guideline E and Guideline F. The Judge found adversely on SOR ¶¶ 1.b through 1.f,¹ 2.d, and 3.a.

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 submits new evidence and requests reconsideration of the adverse decision. The Appeal Board does not review cases *de novo* and is prohibited from considering new evidence. Directive ¶ E3.1.29. Our authority to review a case is limited to matters in which the appealing party has raised a claim of harmful error. Applicant has alleged no such error, and the Judge's decision is sustainable.

¹ The Judge found that SOR ¶¶ 1.a and 1.e were duplicate allegations, and thus SOR ¶ 1.a was decided in Applicant's favor.

Order

The decision in ISCR Case No. 22-00243 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