



Date: August 28, 2025

In the matter of:

Applicant for Security Clearance

ISCR Case No. 24-02035

APPEAL BOARD DECISION

APPEARANCES

FOR GOVERNMENT

Andrea M. Corrales, Deputy Chief Department Counsel

FOR APPLICANT

Pro se

The Department of Defense (DoD) declined to grant Applicant a security clearance. On February 21, 2025, 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 August 5, 2025, Defense Office of Hearings and Appeals Administrative Judge Mark Harvey denied Applicant national security eligibility. Applicant appealed pursuant to Directive ¶¶ E3.1.28 and E3.1.30.

Discussion

Under Guideline F, the SOR alleged four delinquent debts, all of which Applicant admitted, asserting his intention to pursue repayment plans with the creditors following receipt of an anticipated inheritance. The Judge resolved one minor allegation favorably, finding that Applicant had paid the debt the week prior to his hearing. The remaining three debts totaling approximately \$22,800 were resolved adversely.

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 reiterates the circumstances leading to his financial problems, requests reconsideration of his case and a different weighing of those circumstances, and provides new narrative evidence about the status of his debts. 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.

Applicant also provides new evidence in the form of a narrative update regarding the status of his three outstanding debts, contending that, “[t]oward the end of the hearing, the judge asked whether I could pay off my debts within thirty days. I assured him I could—and I did.” Appeal Brief at 2. Although the Appeal Board is prohibited from considering new evidence on appeal (Directive ¶ E3.1.29), Applicant’s contention warrants brief discussion as it differs slightly from the evidence.

At hearing, the Judge asked Applicant, “how close are you to getting money from the inheritance that you could use to pay off your debts. Do you think it’d be in the next 30 days?” Tr. at 43. Applicant responded that the funds were in his son’s and wife’s names and, upon further questioning by the Government, acknowledged that his wife had gained access to the funds at least one month prior to the hearing. *Id.* at 45. In that time, however, only one SOR debt was resolved. The Judge found that Applicant provided no documentation to demonstrate responsible action for the three outstanding SOR debts – e.g., payments made, correspondence with creditors, attempts at negotiating settlements – and opined that he was “not confident that [Applicant] will establish payment plans, pay, or otherwise resolve any of the three unmitigated SOR debts.” Decision at 9. Considering the relevant timeline and Applicant’s lack of debt resolution efforts as of the close of the record, the Judge’s adverse decision is sustainable.

Conclusion

Applicant has not established that the Judge’s conclusions were arbitrary, capricious, or contrary to law. Rather, the Judge examined and 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. 24-02035 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