



**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: November 18, 2025

In the matter of:)
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-----) ISCR Case No. 23-02832
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Applicant for Security Clearance)
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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 March 19, 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).¹ On September 2, 2025, Defense Office of Hearings and Appeals Administrative Judge Benjamin R. Dorsey denied Applicant national security eligibility. Applicant appealed pursuant to Directive ¶¶ E3.1.28 and E3.1.30.

On appeal, Applicant provided additional explanations for her delinquent debt, asserted that her financial problems were temporary, and claimed they have since been fully resolved. Appeal Brief at 2. Consistent with the following, we affirm.

¹ The SOR identified Applicant via her married name. The Government's FORM and the Judge's decision identify her via her maiden name. There is nothing in the record that explains the change in last names between these pleadings. In all other record documents, including her Appeal Brief, Applicant has identified herself using her married name, and the Board's decision is captioned accordingly.

Discussion

Applicant, in her early 40s, earned an associate's degree in 2005 and a bachelor's degree in 2019. She married in 2012 and legally separated in 2015. She served on active duty with the Navy from 2006 to 2012 and was honorably discharged. She has three minor children.

The SOR alleged that Applicant had eight delinquent debts totalling approximately \$53,000. Applicant admitted six of the allegations with explanation (SOR ¶¶ 1.a, 1.b, 1.c, 1.e, 1.f, and 1.h) and denied two allegations (SOR ¶¶ 1.d and 1.g). The Judge held adversely on all allegations, while noting that the balance of the delinquent account alleged in SOR ¶ 1.f was \$12,262 instead of the alleged \$23,564.

On Appeal, Applicant argued that the debts in SOR ¶¶ 1.c, 1.d, 1.g, and 1.h were disputed and removed from her credit report as of her April 2025 credit report (Government Exhibit 6). However, the Judge considered this in his decision, noting: "Her reliance on debts no longer appearing on her credit report, without more, does not provide evidence of mitigation." Decision at 6. This analysis is well-rooted in the Appeal Board precedent to which he cites. The Judge's conclusion that Applicant did not mitigate the debts in SOR ¶¶ 1.c, 1.d, 1.g, and 1.h is adequately supported by the record.

Predominantly, Applicant's brief requested reconsideration of the Judge's decision. To that end, she provided additional details about the circumstances that led to the alleged debts and about her current personal, professional, and financial situation. She also offered three new letters of recommendation. The Appeal Board does not review cases *de novo* and is prohibited from considering new evidence on appeal. Directive ¶ E3.1.29.

We find that the Judge addressed Applicant's circumstances and debt resolution efforts in his decision and reasonably concluded that Applicant had not established a sufficient record of payments and responsible financial conduct. Applicant's "disagreement with the Judge's weighing of the evidence, or an ability to argue for a different interpretation of the evidence, is not sufficient to demonstrate that the Judge weighed the evidence or reached conclusions in a manner that is arbitrary, capricious, or contrary to law." ISCR Case No. 06-17409, 2007 WL 4105312 at *2 (App. Bd. Oct. 12, 2007). Moreover, Applicant's arguments fail to rebut the presumption that the Judge considered all of the record evidence. The Judge's conclusion that Applicant failed to mitigate the financial security concerns 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. 23-02832 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