



**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 17, 2025

In the matter of: _____)

-----) ISCR Case No. 24-00850

Applicant for Security Clearance)

_____)

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 October 17, 2024, 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 (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 September 2, 2025, Defense Office of Hearings and Appeals Administrative Judge Marc E. Curry denied Applicant national security eligibility. Applicant appealed pursuant to Directive ¶¶ E3.1.28 and E3.1.30.

Discussion

In reaching his decision, the Judge held adversely on the following four SOR allegations. Under Guideline B, the SOR alleged that Applicant's father, stepmother, brother, and two stepbrothers are citizens and residents of Mexico. Additionally, under Guideline E, the SOR alleged that Applicant's spouse is a Mexican citizen residing with her in the United States as an undocumented immigrant, and further alleged certain facts regarding Applicant's relationships

with her brothers, including that she continues to associate with one who was deported to Mexico for selling drugs in the United States and subsequently transferred money to him in Mexico three times at the direction of another brother.

In response to the SOR, Applicant admitted the foregoing concerns with 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 9, 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.

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, but rather requests reconsideration of the decision, particularly through the lens of the Whole-Person Concept, and provides new evidence in the form of four recommendation letters from current managers that speak highly of Applicant's work ethic, honesty, and integrity. The Appeal Board, however, is prohibited from considering new evidence and does not review cases *de novo*. Directive ¶ E3.1.29. Accordingly, the Judge's decision is affirmed.

Order

The decision in ISCR Case No. 24-00850 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