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: December 17, 2025

In the matter of:	)	
	)	
----------	)	ISCR Case No. 23-02038
	)	
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 16, 2023, DoD issued a Statement of Reasons (SOR) advising Applicant of the basis of that decision – a security concern raised under Guideline I (Psychological Conditions) 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 19, 2025, Defense Office of Hearings and Appeals Administrative Judge Ross D. Hyams denied Applicant national security eligibility. Applicant appealed pursuant to Directive ¶¶ E3.1.28 and E3.1.30.

The sole allegation under Guideline I summarized the results of a government-requested psychological evaluation, to include Applicant's mental health history, his diagnoses, and the psychologist's guarded prognosis. In responding to the SOR, Applicant admitted the allegation and elected a hearing at which he submitted evidence and called witnesses. At Applicant's request, the Judge held the record open for a post-hearing submission, which was admitted without objection. The Judge found adversely on the single allegation.

There is no presumption of error below, and the appealing party has the burden of demonstrating that the judge committed factual or legal error. On appeal, Applicant makes no assertion of error on the part of the Judge. Instead, he requests that the Board reconsider the revocation decision, citing to his military service, his contributions as a defense contractor, his academic achievements, and his commitment to seeking help for his mental health. 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 Judge's adverse decision is therefore sustained.

Order

The decision in ISCR Case No. 23-02038 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