



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: March 3, 2026

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 In the matter of:)
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)
 Applicant for Security Clearance)
 _____)

ISCR Case No. 24-00349

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 April 4, 2024, DoD issued a Statement of Reasons (SOR) advising Applicant of the basis of that decision – security concerns raised under Guideline F (Financial Considerations) 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 December 29, 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.

Under Guideline F, the SOR alleged six delinquent debts totaling approximately \$31,500. Under Guideline E, the SOR alleged that Applicant failed to disclose his delinquencies on his security clearance application. Throughout the adjudicative process, Applicant asserted that the delinquent accounts were fraudulently opened by his ex-wife, and he denied all allegations on the SOR. The Judge found favorably to Applicant on the Guideline E allegation. In finding adversely to Applicant on all Guideline F allegations, the Judge noted that Applicant failed to provide either documentation that his ex-wife fraudulently created these debts using his personal information or

documentation that he had challenged the legitimacy of the debt with creditors or credit reporting agencies. The Judge concluded that “[w]ithout evidence of fraud, the record shows that he has longstanding delinquent debt that he did nothing about until after his security clearance hearing.” Decision at 5.

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 and submits evidence of additional steps that he has taken to address the alleged debts, to include evidence of recent payments and a new credit report. The Appeal Board does not review cases *de novo* and is prohibited from considering new evidence on appeal. Directive ¶ E3.1.29.

The Board’s authority to review a case is limited to cases in which the appealing party has alleged that a judge committed harmful error. Because Applicant has not made such an allegation of error, the decision of the Judge denying Applicant national security eligibility is sustainable.

Order

The decision in ISCR Case No. 24-00349 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