



**DEPARTMENT OF WAR
DEFENSE LEGAL SERVICES AGENCY
DEFENSE OFFICE OF HEARINGS AND APPEALS
APPEAL BOARD**



Date: April 15, 2026

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

ISCR Case No. 25-00466

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 10, 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 January 16, 2026, Defense Office of Hearings and Appeals Administrative Judge LeRoy F. Foreman denied Applicant national security eligibility. Applicant appealed pursuant to Directive ¶¶ E3.1.28 and E3.1.30.

Background

Applicant, in his early 40s, is an environmental community planner employed by a federal contractor since 2024. He served on active duty in the military from 2008 to 2016 and received an honorable discharge. He held a security clearance in the military. He earned a bachelor’s degree in 2021 and is enrolled in a master’s degree program.

The SOR alleged four delinquent debts totaling about \$28,000. In Applicant’s answer to the SOR, he admitted the debts alleged in SOR ¶¶ 1.a, 1.b, and 1.c. He denied the debt in SOR ¶

1.d. He provided some documentation with his answer to the SOR and requested that his case be decided based on the written record. On September 15, 2025, he received a complete copy of the Government's File of Relevant Material (FORM) and was notified of his ability to respond with any objections or additional information for the Judge to consider. He did not submit a reply to the FORM. The Judge found for Applicant on two debts, SOR ¶¶ 1.b and 1.c, citing evidence of payments to the creditor in SOR ¶ 1.b and documentation of resolution of the debt in SOR ¶ 1.c. The Judge found against Applicant on SOR ¶¶ 1.a and 1.d.

Applicant's debt in SOR ¶ 1.a was for an automobile loan charged off in the approximate amount of \$15,000. In answering this allegation, Applicant admitted this debt and indicated "Balance will fall off." SOR Response at 1. Applicant did not provide further documentation with respect to this debt.

SOR ¶ 1.d identified a debt placed for collection in the approximate amount of \$7,000. In his answer to the SOR Applicant stated, "I have no idea what this balance pertains to." *Id.* at 2. Applicant did not provide any evidence that he had disputed the debt with the original creditor, the collection agency, or the credit bureau, or had otherwise resolved it.

Discussion

Applicant asserts that the Judge made four errors in his analysis: failure to consider debt resolution efforts; failure to consider Applicant's financial stability; improper application of the Whole-Person Concept; and failure to consider likelihood of future resolution. Appeal Brief at 1-2. Applicant asserts that he should be credited for initiating efforts to resolve his debts and that he has the financial capacity to repay them. However, the Judge credited Applicant with payments when he found for Applicant on two debts, SOR ¶¶ 1.b and 1.c. It was Applicant's lack of any effort on the largest debts, SOR ¶¶ 1.a and 1.d, that continued to raise concerns for the Judge. The evidence did not support the likelihood of responsible action in the future with respect to those two delinquencies.

In summary, Applicant's appeal advocates for an alternative weighing of the evidence under the applicable mitigating conditions but fails to demonstrate harmful error. It is well established that "the presence of some mitigating evidence does not alone compel [a judge] to make a favorable security clearance decision." ISCR Case No. 06-10320, 2007 WL 4379279 at *1 (App. Bd. Nov. 7, 2007). An 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 at 3 (App. Bd. Oct. 12, 2007). Moreover, Applicant's arguments fail to rebut the presumption that the Judge considered all of the record evidence.

We have considered the entirety of the arguments contained in his appeal brief. The record supports a conclusion that the Judge examined the relevant evidence and articulated a satisfactory explanation for the decision, including a rational connection between the facts found and the choice made. His conclusions and adverse decision are sustainable on this record. "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. 25-00466 is **AFFIRMED**.

Signed: Moira Modzelewski

Moira Modzelewski
Administrative Judge
Chair, Appeal Board

Signed: Jennifer Goldstein

Jennifer Goldstein
Administrative Judge
Member, Appeal Board

Signed: Allison Marie

Allison Marie
Administrative Judge
Member, Appeal Board