



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



Date: April 8, 2026

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

ISCR Case No. 25-00410

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 May 7, 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 February 17, 2026, Defense Office of Hearings and Appeals Administrative Judge A. M. Driskill denied Applicant national security eligibility. Applicant appealed pursuant to Directive ¶¶ E3.1.28 and E3.1.30.

The SOR alleged that Applicant was indebted to the federal government for delinquent taxes in the amount of about \$34,000 for tax year 2018 and that he is indebted on a credit card account that has been charged off in the approximate amount of about \$8,800. Applicant admitted both allegations with explanations.

Discussion

Applicant’s claims of harmful error regarding the Judge’s findings are without merit. With respect to the Judge’s findings of fact, Applicant challenges three of the Judge’s findings. First, he

noted an error in a footnote with respect to the dates of his home sale and duration of his unemployment. He argued he disclosed that the home was sold in December of 2019 instead of June 2019, and that his period of unemployment continued through late November 2020 instead of ending in October 2020. Applicant also notes that the rental agreement reflecting monthly payments of about \$3,500 was limited to 2023 to 2024. He noted his rent decreased slightly since then. Error is harmless when there is not a significant chance that, but for the identified error, the judge would have reached a different result. *See* DISCR OSD Case No. 91-0129, 1992 WL 388334 at *3 (App. Bd. Jul. 23, 1992). While Applicant’s assertions are supported by the record, they are of minimal consequence to the Judge’s ultimate findings about his two debts that remain unresolved. These errors were harmless.

Applicant also challenged the Judge’s finding that there was no evidence that Applicant acted responsibly toward the alleged credit card debt. Applicant referred to his May 2025 credit report that showed timely payments on this debt until August 2022. He was 30 days late in August 2022, 60 days late in September, and 90 days late in October through December 2022. He brought the account current in January 2023 and maintained payments for three months before falling delinquent again in April 2023. The credit report does not reflect any payments after April 2023. We note that the Judge considered these payments in her findings of fact, noting, “He entered into settlement agreements and payment plans for his debts, but he was unable to afford continuing the payments with this creditor.” Decision at 3. This challenge to the Judge’s analysis amounts to a disagreement with the weight the Judge gave his January through March 2023 payments. “[D]isagreement 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 the Judge weighed the evidence or reached conclusions in a manner that is arbitrary, capricious, or contrary to law.” ISCR Case No. 04-08975 at 1 (App. Bd. Aug. 4, 2006).

Similarly, we regard the remainder of Applicant’s assertions of error as disagreements with how the Judge weighed the evidence. For instance, he claims the Judge erred in finding that “[f]ailure to comply with tax laws suggests that an applicant has a problem with abiding by well-established government rules and systems” and that Applicant’s tax debt “did not arise from conditions largely beyond Applicant’s control.” Decision at 7. Applicant’s arguments simply argue for a different interpretation of the evidence. Applicant failed to establish harmful error.

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. 25-00410 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