



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



Date: April 20, 2026

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

ISCR Case No. 25-00401

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 June 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) 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 February 25, 2026, Defense Office of Hearings and Appeals Administrative Judge Mark Harvey denied Applicant national security eligibility. Applicant appealed pursuant to Directive ¶¶ E3.1.28 and E3.1.30.

Under Guideline F, the SOR alleged five delinquent debts totaling about \$25,100. It also alleged, under Guideline E, that Applicant falsified his 2022 security clearance application in failing to disclose those delinquencies. In his response to the SOR, Applicant admitted four of the five delinquencies (SOR ¶¶ 1.a – 1.d) and the falsification allegation (SOR ¶ 2.a). The Judge found favorably on the delinquency that Applicant denied (SOR ¶ 1.e), adversely on the other four delinquencies, and adversely on the falsification allegation, limiting that adverse decision to Applicant’s failure to disclose three of the five alleged debts.

On appeal, Applicant asserts that he was “denied a fair trial” because the debt alleged at SOR ¶ 1.a was “placed on [his] credit thru a judge’s order during [his] divorce in 2018.” Appeal Brief at 1. We note first that Applicant admitted this debt in his answer to the SOR. Moreover, the record supports the Judge’s conclusion that—although this debt may have arisen from circumstances beyond Applicant’s control—he did not act responsibly when dealing with his financial difficulties. The Judge’s application of the disqualifying and mitigating conditions regarding this debt is well grounded in the Appeal Board precedent to which he cites.

Applicant also alleges that he was denied due process because he “was under the assumption that [his] initial trial was the start of [his] appeal process” and that an additional hearing would be scheduled. *Id.* We thoroughly examined the record, paying particular attention to the transcript. It provides no support for Applicant’s argument. At the close of the two-hour hearing, the Judge discussed the submission of additional documents with Applicant, afforded him a 30-day window to submit additional documentation, heard closing arguments from parties, and provided Applicant with his appeal rights. Transcript at 80–86. Nothing in the colloquy between the Judge and parties as the hearing concluded indicated that they would meet again. Applicant’s argument that he was denied the due process provided in the Directive is without merit.

Applicant has failed to establish error. Our review of the record confirms that the Judge examined the relevant evidence and articulated a satisfactory explanation for the decision, which is 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.’” *Dep’t 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. 25-00401 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