



**DEFENSE LEGAL SERVICES AGENCY
DEFENSE OFFICE OF HEARINGS AND APPEALS
POST OFFICE BOX 3656
ARLINGTON, VIRGINIA 22203-1995**



Date: April 16, 2026

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

ISCR Case No. 24-02252

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 January 28, 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 25, 2026, Defense Office of Hearings and Appeals Administrative Judge Charles C. Hale denied Applicant national security eligibility. Applicant appealed pursuant to Directive ¶¶ E3.1.28 and E3.1.30.

Discussion

The SOR alleged 18 delinquent debts totaling approximately \$41,000. The Judge found for Applicant on four debts, finding Applicant was resolving two debts and that two other debts were duplicated on the SOR. He found against Applicant on the remaining 14 debts, with a total of about \$35,000 remaining delinquent.

On Appeal, Applicant argues that “the decision appears to have been made solely on a review of documentation, without the benefit of meeting me personally or assessing my credibility, character, and intent.” Appeal Brief at 3. However, Applicant appeared personally before the Judge via video teleconference held January 13, 2026. An applicant’s right under Executive Order 10865

to “appear personally” before an Administrative Judge is satisfied by a video teleconference proceeding in which the applicant appears live on-screen and which permits the judge to see, hear, and speak directly to the applicant in real time.

The rest of Applicant’s arguments on appeal fail to assert error on the part of the Judge. Instead, Applicant argues that the Judge should have weighed the evidence differently. None of his arguments, however, are sufficient to establish the Judge weighed the evidence in a manner that was arbitrary, capricious, or contrary to law. Directive ¶ E3.1.32.3. 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).

We have considered the entirety of the arguments contained in his appeal brief. Applicant failed to establish that the Judge committed any harmful error or that he should be granted any relief on appeal. The Judge examined the relevant evidence and articulated a satisfactory explanation for the decision, which is sustainable on the 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. 24-02252 is **AFFIRMED**.

Signed: Moira Modzelewski

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