



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



Date: May 18, 2026

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In the matter of: )  
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Applicant for Security Clearance )  
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ISCR Case No. 25-00141

**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 February 14, 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 April 2, 2026, Defense Office of Hearings and Appeals Administrative Judge Benjamin R. Dorsey denied Applicant national security eligibility. Applicant appealed pursuant to Directive ¶¶ E3.1.28 and E3.1.30.

**Discussion**

Under Guideline F, the SOR, as amended, alleged concerns about Applicant’s finances, including that he: failed to file state income tax returns for tax year 2018; was indebted to the federal government for delinquent taxes totaling approximately \$102,000 for tax years 2014, 2015, 2016, and 2018 through 2023; had a Chapter 7 Bankruptcy discharged in 2003 and a Chapter 13 Bankruptcy discharged in 2015; and carried three additional delinquent consumer debts totaling approximately \$2,700. Across several responses to the SOR, Applicant denied the three consumer

debts and that he failed to file his 2018 state tax return, and he admitted the remaining allegations with explanation.

The Judge acknowledged that Applicant began working with a tax attorney in June 2025, established a payment arrangement with the Internal Revenue Service (IRS) in October 2025, and was compliant with that plan as of the February 2026 hearing. Noting that Applicant had “made and defaulted on payment arrangements with the IRS on multiple occasions in the past,” however, the Judge concluded that doubts remained about Applicant’s ability to maintain his IRS plan after the monthly payment increases six-fold in October 2026, and in light of his already-limited budget surplus and delinquent mortgage and auto loans. Decision at 2. He resolved all allegations adversely.

On appeal, Applicant argues that the Judge failed to properly apply the mitigating conditions and Whole-Person Concept and that his conclusion was not supported by substantial evidence. He contends that the “decision fails to meaningfully weigh significant favorable evidence in the record,” such as the summary of Applicant’s May 2024 background interview, in which Applicant contends that the “investigator concluded that Applicant lives within his means, has unquestioned willingness and ability to satisfy debts, and presents no blackmail or coercion risk.” Appeal Brief at 1. Applicant’s argument in this regard is misplaced because the cited comments represent the investigator’s summary of Applicant’s statements; they do not constitute the investigator’s opinion about Applicant’s finances or clearance worthiness. *See* ISCR Case No. 10-09595, 2012 WL 756214 at \*1 (App. Bd. Feb. 3, 2012).

Applicant also argues that the Judge “acknowledged much of Applicant’s mitigation evidence but failed to give it adequate weight.” Appeal Brief at 2. Such mere disagreement with the Judge’s weighing of the evidence is not sufficient to show that the Judge weighed the evidence in a manner that was arbitrary, capricious, or contrary to law. *See* ISCR Case No. 04-08975, 2006 WL 2725032 at \*1 (App. Bd. Aug. 4, 2006) (citation omitted). The decision reflects that the Judge considered the record before him, weighed the disqualifying and mitigating conditions, and reasonably determined that, considering the post-SOR timing of Applicant’s tax resolution efforts, limited track record of repayment, and questions about his ability to maintain payments in the future, the concerns about Applicant’s finances were unmitigated.

### **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.’” *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. 25-00141 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