



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



Date: June 23, 2026

In the matter of:

Applicant for Security Clearance

ISCR Case No. 25-01084

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 September 16, 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 June 4, 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.

The SOR alleged 12 delinquent debts totaling about \$70,000. They included a child support arrearage of approximately \$32,800 and a mix of delinquent auto loans and consumer debt. The Judge resolved five debts favorably towards Applicant and seven debts adversely.

On appeal, Applicant raises factual errors in the Judge's decision. First, he alleges several mistakes in the findings about his child support arrearage. We note, however, that the Judge resolved this alleged debt (SOR ¶ 1.f) favorably for Applicant. Because it is not a matter in issue on appeal, we will not address the errors alleged. Applicant also alleges the following factual errors

regarding debts that the Judge resolved adversely: that the alleged debt of \$12,200 (SOR ¶ 1.a) “has a balance of zero on [his] credit report”; that the alleged debt of \$1,229 (SOR ¶ 1.d) is no longer on his credit report; and that the alleged debt of \$1,377 (SOR ¶ 1.g) was removed because it did not belong to him. Appeal Brief at 1.

When a judge’s factual findings are challenged, the Board must determine whether the “findings of fact are supported by such relevant evidence as a reasonable mind might accept as adequate to support a conclusion in light of all the contrary evidence in the same record.” Directive ¶ E3.1.32.1. Contrary to Applicant’s assertion, his recent credit report does not reflect a balance of zero on the debt alleged at SOR ¶ 1.a. Instead, the evidence supports the Judge’s finding on this debt, that Applicant’s “April 20, 2026 [Credit Bureau Report] shows the following information: \$12,218 original amount; \$10,364 charge-off amount; secured loan; \$12,220 past due amount; last paid date April 23, 2021; and unpaid balance reported as loss.” Decision at 3 (citing Government Exhibit 11 at 1).

As Applicant highlights, the most recent credit report no longer reflects the debt alleged at SOR ¶ 1.d. At hearing, Applicant averred that he may have paid this debt and, on appeal, he speculates that it is either “paid or fallen off completely.” Transcript at 29–30; Appeal Brief at 1. The Judge found, however, that the debt “is not resolved because of the lack of documentation that the debt is paid.” Decision at 3. The Judge’s conclusion is supported by Appeal Board precedent, which has consistently held that the fact that a debt no longer appears on a credit report does not establish any meaningful, independent evidence as to the disposition of the debt, as a debt may fall off a credit report due to no more than the passage of time. *E.g.*, ISCR Case No. 14-03612 at 4 (App. Bd. Aug. 25, 2015).

Finally, SOR ¶ 1.g alleged that Applicant had a telecommunications account placed for collection for about \$1,377. Applicant disputed this debt on the basis that it was either not his account, or it was settled. Contrary to Applicant’s assertion that it was removed from his credit reports, the debt remained listed on his April 20, 2026 CBR as a disputed account, as the Judge found. The Judge’s conclusion that the debt was unresolved is consistent with the Directive, as the applicable mitigating condition requires documented proof to substantiate the basis of the dispute or evidence of actions to resolve the issue.

Applicant also highlights that the loss of his clearance will impact his ability to pay his debts, particularly his child support, but the Directive does not permit us to consider the impact of an unfavorable decision. In summary, 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. 25-01084 is **AFFIRMED**.

Signed: 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