

whether the Judge's whole-person analysis was erroneous. The Judge's favorable findings under Guideline B are not at issue in this appeal. Consistent with the following, we affirm.

The Judge's Findings of Fact

The Judge made the following findings pertinent to the issues raised on appeal: in 2011 and 2012, Applicant served in the military in a position that required him to travel frequently to the Philippines for temporary duty (TDY). He became involved with a woman in that country, their relationship progressing from casual friendship to one of sexual intimacy. They engaged in sexual activity about three times toward the end of his tour of duty and communicated by email every two or three months after Applicant's return to the U.S. Applicant sent the woman about \$200 twice a year until mid-2016, at which time he broke off the relationship.

Applicant did not disclose this relationship to his wife, military superiors, or security officer. When completing his 2015 security clearance application (SCA), Applicant did not disclose this relationship, nor did he disclose the financial support that he provided to her. He did not disclose this information because he was embarrassed. In his answer to the SOR he admitted that he did not disclose this relationship until he was interviewed by a security investigator.

The Judge's Analysis

The SOR alleged under Guideline E that Applicant had engaged in an extramarital affair with the Philippine woman and that he had not disclosed on his SCA the extramarital affair and the financial support that he had provided her. The Judge entered adverse findings for each of these allegations, concluding that Applicant's misconduct was serious and recent. He cited to evidence that Applicant had failed to disclose this information to his son or employer. In addition, as regards the falsifications, the Judge cited to prior case law that characterizes false statements made during a clearance adjudication as striking at the heart of the clearance process.

Discussion

Applicant cites to evidence that he contends the Judge did not consider. For example, he argues that some aspects of his circumstances were unique and, therefore, unlikely to recur. He cites to his history of loyal service to the U.S. and to the embarrassment he felt because of his affair. Applicant has not rebutted the presumption that the Judge considered all of the evidence. *See, e.g.*, ISCR Case No. 13-00502 at 3 (App. Bd. Mar. 7, 2017). Applicant's arguments amount to a disagreement with the Judge's weighing of the evidence, which is not enough to show that the Judge weighed the evidence in a manner that was arbitrary, capricious, or contrary to law. *See, e.g.*, ISCR Case No. 15-08842 at 3 (App. Bd. Feb. 14, 2017). Moreover, the Judge's whole person analysis complies with the requirements of Directive ¶ 6.3, in that the Judge considered the totality of the evidence in reaching his decision. *See, e.g.*, ISCR Case No. 14-06653 at 3 (App. Bd. Nov. 18, 2016).

The Judge examined the relevant evidence and articulated a satisfactory explanation for the decision. The decision 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.'" *Department of the Navy v. Egan*, 484 U.S. 518, 528 (1988). *See also* Directive, Enclosure 2 ¶ 2(b): "Any doubt

concerning personnel being considered for access to classified information will be resolved in favor of the national security.”

Order

The Decision is **AFFIRMED**.

Signed: Michael Ra’anan_____

Michael Ra’anan
Administrative Judge
Chairperson, Appeal Board

Signed: James E. Moody_____

James E. Moody
Administrative Judge
Member, Appeal Board

Signed: James F. Duffy_____

James F. Duffy
Administrative Judge
Member, Appeal Board