



**DEPARTMENT OF DEFENSE  
DEFENSE OFFICE OF HEARINGS AND APPEALS**

In the matter of: )  
)  
) ISCR Case No. 18-01352  
)  
Applicant for Security Clearance )

**Appearances**

For Government: Andrea Corrales, Esq., Department Counsel  
For Applicant: Jay Ian Igiel, Esq.

04/29/2019

**Summary Disposition**

Curry, Marc E., Administrative Judge:

Applicant retired from the Air Force in August 2011 after a 21-year career as an aircraft maintenance officer. He and his wife agreed that after retirement, he would not work, and instead, would stay home and watch their four children.<sup>1</sup> (Tr. 25)

Two years later, in September 2013, Applicant’s wife left him, leading to their subsequent divorce. When the separation occurred, Applicant was still a stay-at-home father, and was generating no income other than his monthly pension distribution. Unable to manage the upkeep of the home and the family’s other expenses on this limited income, Applicant sought employment, but it took a year before he was able to obtain a full-time job. (Tr. 27) During this time, Applicant’s debts became delinquent, and he fell behind on his federal and state income tax filings in 2015.

After Applicant gained a job in June 2015, he began satisfying his delinquent debts. (Tr. 29) Currently, he has satisfied all of the debts in their entirety except those alleged in subparagraphs 1.a and 1.b, which he has been paying steadily in monthly increments. (AE

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<sup>1</sup> Applicant’s children consist of two from a previous marriage, and his wife’s two children whom he legally adopted after they married in 2007.

1 - AE 3; AE 24 - AE 25) He has filed his delinquent income tax returns, and is paying \$100 monthly through an agreement with his state income tax authority for tax year 2016. The balance is \$2,800. (AE 22) He owes no additional tax debts. (AE19 – AE 21)

Applicant's current job, which he obtained in May 2018, pays an annual salary of \$186,000, which constitutes \$81,000 more than the salary he made previously. (Tr. 42) Applicant has between \$2,000 to \$3,000 of monthly discretionary income. Applicant has been working with a financial counselor since June 2018 to help him manage his financial affairs. (Ex. 16)

I conclude that the disqualifying conditions set forth in AG ¶¶ 19(a), 19(b) and 19(f) apply, and are mitigated by the mitigating conditions set forth in AG ¶¶ 20(a) through 20(d), and 20(g). Applicant mitigated the security concerns. Clearance is granted.

### **Formal Findings**

Formal findings for or against Applicant on the allegations set forth in the SOR, as required by section E3.1.25 of Enclosure 3 of the Directive, are:

Paragraph 1, Guideline F:	FOR APPLICANT
Subparagraphs 1.a – 1.h:	For Applicant

### **Conclusion**

In light of all of the circumstances presented by the record in this case, it is clearly consistent with the interests of national security to grant Applicant eligibility for a security clearance. Eligibility for access to classified information is granted.

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Marc E. Curry  
Administrative Judge