



DEPARTMENT OF DEFENSE
DEFENSE OFFICE OF HEARINGS AND APPEALS



In the matter of:)
)
) ISCR Case No. 19-01681
)
Applicant for Security Clearance)

Appearances

For Government: Jeff Nagel, Esq., Department Counsel
For Applicant: *Pro se*

02/25/2022

Decision

COACHER, Robert E., Administrative Judge:

On January 3, 2020, the Department of Defense (DOD) issued a Statement of Reasons (SOR) to Applicant detailing security concerns under Guideline F, financial considerations. The action was taken under Executive Order (EO) 10865, *Safeguarding Classified Information within Industry* (February 20, 1960), as amended; DOD Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (January 2, 1992), as amended (Directive); and the adjudicative guidelines implemented by DOD on June 8, 2017 (AG).

Applicant responded to the SOR on February 10, 2020, and requested a hearing before an administrative judge. The case was assigned to me on October 21, 2021. The hearing was initially postponed and rescheduled because of Applicant's illness. It was held on February 16, 2022. On the same day, I proposed that this case was appropriate for a summary disposition in Applicant's favor. Department Counsel did not object.

This case involves a single allegation of a delinquent debt (repossessed car) under Guideline F. The debt resulted from Applicant's ex-wife not living up to her divorce settlement obligation to make the car payments while she maintained possession of the car. Applicant was the primary obligor on the debt when his ex-wife

failed to make four months of car payments. Thus, he was responsible for the debt when the car was repossessed. Applicant made payments toward the residual debt after the car was sold at auction. However, since then the creditor "wrote off" the debt and is sending Applicant an IRS 1099-C, cancellation of debt notice. Applicant understands he will have to claim the written-off debt amount as income and he is prepared to do so. All his other finances are in order.

The concerns over Applicant's history of financial problems do not create doubts about his current reliability, trustworthiness, good judgment, and ability to protect classified information. In reaching this conclusion, I weighed the evidence as a whole and considered if the favorable evidence outweighed the unfavorable evidence. I also gave due consideration to the whole-person concept. Accordingly, I conclude that he met his ultimate burden of persuasion to show that it is clearly consistent with the national interest to grant him eligibility for access to classified information. This case is decided for Applicant. Clearance is granted.

Robert E. Coacher
Administrative Judge