



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



In the matter of:)	
)	
[REDACTED])	ISCR Case No. 21-01492
)	
Applicant for Security Clearance)	

Appearances

For Government: Brian Farrell, Esq., Department Counsel
For Applicant: *Pro se*

11/29/2022

Decision

MARINE, Gina L., Administrative Judge:

On December 7, 2021, the Defense Counterintelligence and Security Agency Consolidated Adjudications Facility (CAF) sent Applicant a Statement of Reasons (SOR) alleging security concerns under Guideline F (Financial Considerations). Applicant answered the SOR and requested a hearing. I convened the hearing on October 19, 2022, via video conference, during which Applicant testified and the Government submitted exhibits that I admitted to the record. Post-hearing, Applicant submitted exhibits that I admitted to the record. After I received the transcript on October 31, 2022, I notified the Government’s counsel that I intended to issue a summary decision, to which he did not object.

Applicant, age 53, has been employed on the same defense contract with two different employers since April 2021. He has maintained a Department of Defense (DOD) security clearance since about 2015. He struggled with his finances due to the unemployment and underemployment he experienced from about 2012 through 2018, when he was unable to find consistent work as a defense contractor. During that period, he defaulted on the home equity line of credit (HELOC) alleged in the SOR. After Applicant established hardship, the creditor forgave the HELOC debt and issued an IRS Form 1099-C (Cancellation of Debt) in tax year 2015. Applicant discussed the HELOC

and debt forgiveness with the investigator during his April 8, 2020 security clearance interview. On about April 23, 2020, he gave the investigator a copy of the 1099-C, which was appended to the summary of that interview.

Credit reports from December 2020, November 2021, and October 2022 were included among the Government exhibits admitted to the record. The 2020 credit report corroborated the HELOC balance alleged in the SOR; however, it also reflected that Applicant had disputed the debt. The 2021 credit report reflected the dispute and a \$0 balance on the HELOC debt. The HELOC debt did not appear on the 2022 credit report. Those credit reports revealed no other delinquent debts. The Government included summaries of Applicant's two April 2020 security clearance interviews and the appended 1099-C among the exhibits admitted to the record. After the hearing, Applicant provided documents which demonstrated that he was then living within his means and managing his finances responsibly.

I considered the applicable disqualifying and mitigating conditions, as well as the whole-person concept. Specifically, I find that the mitigating conditions under Guideline F Adjudicative Guidelines ¶¶ 20(a) and 20(b) were established by the record evidence. I conclude that Applicant has met his burden of persuasion to show that it is clearly consistent with the interests of national security to grant him eligibility for access to classified information. Clearance is granted.

Gina L. Marine
Administrative Judge