DEFENSE LEGAL SERVICES AGENCY
DEFENSE OFFICE OF HEARINGS AND APPEALS

In the matter of:)
)
) ISCR Case No. 25-01581
)
Applicant for Security Clearance)
)

Appearances

For Government:
Cassie Ford, Esq., Department Counsel

For Applicant: *Pro se*

07/24/2026

Decision

GLENDON, John Bayard, Administrative Judge:

Applicant did not mitigate the security concerns arising from his delinquent debts. Eligibility for access to classified information is denied.

Statement of the Case

Applicant submitted a Questionnaire for National Security Positions on February 14, 2025 (the Questionnaire). On February 23, 2026, the Defense Counterintelligence and Security Agency (DCSA) issued a Statement of Reasons (SOR) to Applicant detailing security concerns under Guideline F (Financial Considerations). The action was taken under Executive Order 10865, *Safeguarding Classified Information Within Industry* (February 20, 1960), as amended; Department of Defense (DoD) Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (January 2, 1992), as amended (Directive); and the adjudicative guidelines (AG) effective within DoD after June 8, 2017.

Applicant responded to the SOR allegations in an undated document (Answer) and requested a hearing before an administrative judge from the Defense Office of Hearings and Appeals (DOHA). Department Counsel was prepared to proceed on May 19, 2026.

The case was assigned to me on the same day. On June 1, 2026, DOHA scheduled the case to be heard via Microsoft Teams video teleconference on June 30, 2026.

I convened the hearing as scheduled. Department Counsel offered six documents marked as Government Exhibits (GE) 1 through 6, which I admitted without objection. Applicant testified but did not submit any documents. DOHA received the transcript of the hearing (Tr.) on July 8, 2026. (Tr. at 9-11.)

Findings of Fact

Applicant is 44 years old. He earned a high school diploma in 2001. He has worked for a U.S. Government contractor as a truck driver since February 2025. Applicant is seeking national security eligibility and a security clearance for the first time. He married in 2015 and divorced in April 2019. He has two children, one born in July 2004 and the other born in October 2005. He has limited relationships with his children. (Tr. at 12-16; GE 1 at 5, 9, 24-25; GE 6 at 1-2.)

The Government alleged in the SOR that Applicant is ineligible for a security clearance because he has four delinquent debts totaling about $32,000. In the Answer, he admitted one of the SOR allegations, denied the other three allegations, and provided some explanations. I find the following facts developed at the hearing and detailed in the documentary record:

Paragraph 1, Guideline F (Financial Considerations)

SOR ¶ 1.a. Child Support delinquency owed to State 1 in the approximate amount of $27,317. Applicant denied this allegation in the Answer because the SOR alleged the debt as owed to State 1 in error. At the hearing, he clarified that the debt was owed to State 2. The Government moved to amend the SOR to reflect the correct state, and I granted the motion after explaining what the motion was about, and Applicant raised no objection to the amendment. Applicant did not deny that he owes a substantial amount of child support arrearage. He was unaware of the actual amount of the arrearage. He provided paystubs showing that child support was currently being deducted from each weekly paycheck in the amount of $180.23. He was vague as to when the arrearage arose, saying at one point it was shortly after the births of his children and then also saying his child support became delinquent years later when he married. He was questioned about the fact that he did not disclose any unemployment between 2013 and 2025 in the Questionnaire. He could not explain adequately how his employment, unemployment, or underemployment history matched up with a timeline as to when he fell behind on his child support payment. (Tr. at 16-31; GE 1 at 9-21; GE 2 at 9.)

SOR ¶ 1.b. Collection Account in the amount of $2,063. Applicant admitted this debt, which he owes for breaking a six-month lease. He leased an apartment to be close to his job in about 2024. His monthly rent was about $1,200. The employer did not pay him what was promised, and he left the job in about January 2025 before the lease had expired. He then accepted his current job in a different location. After he received the

SOR in February or March 2026, he has had discussions with his former landlord to pay this debt in amounts of about $100 to $150 per month. They reached a deal about one and one-half months ago. He claimed that the landlord was going to mail him a written payment agreement, but it has not yet arrived. He has not yet made an initial payment. (Tr. at 31-39; GE 4 at 2; GE 5 at 3.)

SOR ¶ 1.c. Collection Account in the amount of $386. This unpaid bill is for electricity at the apartment discussed above. He thought he had paid all of the electric bill, but this debt is apparently for the last month or more for the time he was residing in the apartment. Applicant denied the debt in the Answer stating that he had no knowledge of any debt owed to this creditor. The debt appears in each of the three credit reports in the record. In his security interview, Applicant denied even knowing the electric company or ever having an account with it. He testified that he plans to call the creditor and try to figure out what this debt is about. He acknowledged that he has not yet contacted the creditor. (Tr. at 34-38; GE 3 at 3; GE 4 at 2; GE 5 at 2; GE 6 at 5.)

SOR ¶ 1.d. Collection Account in the amount of $1,863. Applicant denied in his Answer that he ever had an account with this cellphone provider. He listed all of the other providers he has used in recent years, which did not include this creditor. He cannot explain how this creditor submitted a delinquent bill in collection on his credit report. He claims he called the creditor in about March 2026 and asked them to explain this bill. He has heard nothing further. He also made an ambiguous statement at the hearing that he has made no inquiry with the creditor about his complaint. (Tr. at 39-42; GE 2 at 3; GE 5 at 2; GE 6 at 5.)

Applicant has not received any financial counseling. He keeps a budget, but it is not in writing. He testified that he pays $730 per month for the note on his car, a 2024 Honda Accord, which he purchased for $26,000. He has not yet filed his 2023 and 2024 tax returns. He has been working constantly since he began working for his current employer in February 2025. (Tr. at 44, 46-56.)

Policies

When evaluating an applicant's suitability for national security eligibility, the administrative judge must consider the adjudicative guidelines. In addition to brief introductory explanations for each guideline, the adjudicative guidelines (AG) list potentially disqualifying conditions and mitigating conditions, which are to be used in evaluating an applicant's national security eligibility.

These guidelines are not inflexible rules of law. Instead, recognizing the complexities of human behavior, these guidelines are applied in conjunction with the factors listed in AG ¶ 2 describing the adjudicative process. The administrative judge's overarching adjudicative goal is a fair, impartial, and commonsense decision. The entire process is a conscientious scrutiny of applicable guidelines in the context of a number of variables known as the whole-person concept. The administrative judge must consider all available, reliable information about the person, past and present, favorable and unfavorable, in making a decision.

The protection of the national security is the paramount consideration. AG ¶ 2(b) requires, “Any doubt concerning personnel being considered for national security eligibility will be resolved in favor of the national security.” In reaching this decision, I have drawn only those conclusions that are reasonable, logical, and based on the evidence contained in the record. I have not drawn inferences based on mere speculation or conjecture.

Directive ¶ E3.1.14, requires the Government to present evidence to establish controverted facts alleged in the SOR. Under Directive ¶ E3.1.15, “The applicant is responsible for presenting witnesses and other evidence to rebut, explain, extenuate, or mitigate facts admitted by the applicant or proven by Department Counsel, and has the ultimate burden of persuasion as to obtaining a favorable clearance decision.”

A person who seeks access to classified information enters into a fiduciary relationship with the Government predicated upon trust and confidence. This relationship transcends normal duty hours and endures throughout off-duty hours. The Government reposes a high degree of trust and confidence in individuals to whom it grants national security eligibility. Decisions include, by necessity, consideration of the possible risk the applicant may deliberately or inadvertently fail to protect or safeguard classified information. Such decisions entail a certain degree of legally permissible extrapolation as to potential, rather than actual, risk of compromise of classified or sensitive information. Finally, as emphasized in Section 7 of Executive Order 10865, “Any determination under this order adverse to an applicant shall be a determination in terms of the national interest and shall in no sense be a determination as to the loyalty of the applicant concerned.” *See also* Executive Order 12968, Section 3.1(b) (listing multiple prerequisites for access to classified or sensitive information.)

Analysis

Paragraph 1, Guideline F (Financial Considerations)

The security concerns relating to the guideline for financial considerations are set out in AG ¶ 18, which reads in pertinent part:

> Failure to live within one’s means, satisfy debts, and meet financial obligations may indicate poor self-control, lack of judgment, or unwillingness to abide by rules and regulations, all of which can raise questions about an individual’s reliability, trustworthiness, and ability to protect classified or sensitive information. Financial distress can also be caused or exacerbated by, and thus can be a possible indicator of, other issues of personnel security concern such as excessive gambling, mental health conditions, substance misuse, or alcohol abuse or dependence. An

individual who is financially overextended is at greater risk of having to engage in illegal or otherwise questionable acts to generate funds.

AG ¶ 19 sets forth two potentially disqualifying conditions that apply to the facts of this case:

(a) inability to satisfy debts; and

(c) a history of not meeting financial obligations.

The burden, therefore, shifts to Applicant to mitigate security concerns under Guideline F. The guideline includes the following five conditions in AG ¶ 20 that can mitigate security concerns arising from financial difficulties:

(a) the behavior happened so long ago, was so infrequent, or occurred under such circumstances that it is unlikely to recur and does not cast doubt on the individual’s current reliability, trustworthiness, or good judgment;

(b) the conditions that resulted in the financial problem were largely beyond the person’s control (e.g., loss of employment, a business downturn, unexpected medical emergency, or a death, divorce or separation, clear victimization by predatory lending practices, or identity theft), and the individual acted responsibly under the circumstances;

(c) the individual has received or is receiving financial counseling for the problem from a legitimate and credible source, such as a non-profit credit counseling service, and there are clear indications that the problem is being resolved or is under control;

(d) the individual initiated and is adhering to a good-faith effort to repay overdue creditors or otherwise resolve debts; and

(e) the individual has a reasonable basis to dispute the legitimacy of the past-due debt which is the cause of the problem and provides documented proof to substantiate the basis of the dispute or provides evidence of actions to resolve the issue.

None of the above conditions have been sufficiently established to mitigate the security concerns fully. The exact circumstances and timing of events that gave rise to a large delinquent child support debt are somewhat unclear. The debt continues to the present, was frequent, and happened under circumstances that are likely to recur. Supporting one’s children is a fundamental obligation of everyone who assumes the responsibility of having a child. In this case, the mother of the two children not only had to raise the children herself but also had to provide most of their financial support during the children’s years as minors. Making this worse, Applicant has still not fully paid the mother what he was legally obligated to pay, despite years of employment. This large debt, along with the three other delinquent debts, cast doubt on Applicant's reliability, trustworthiness, and good judgment. AG ¶ 20(a) is not established.

AG ¶ 20(b) has partial application to the facts of this case because it is apparent that his employment status was not consistently strong and he incurred debts he could not pay. However, the record is silent about any responsible steps Applicant has taken under the circumstances he faced to address his financial obligations, other than the involuntary child support payments taken from his weekly paycheck.

Applicant has received no financial counseling. AG ¶ 20(c) does not apply.

AG ¶ 20(d) is only partially established. He is paying his delinquent child support every week, but he is doing so involuntarily pursuant to a state system of wage garnishment. With respect to the debt set forth in SOR ¶ 1.b, Applicant expressed an interest in entering into a payment plan to pay this debt, but he has not yet reached a formal agreement with the creditor or made an initial payment. He has taken no steps to even contact the creditors with the debts described in SOR ¶¶ 1.c and 1.d.

AG ¶ 20(e) has not been established with respect to the two debts Applicant disputes, SOR ¶¶ 1.c and 1.d. He has not shown that he has a reasonable basis to dispute these debts. If he really believed that he did not owe either creditor, he would have contacted the creditors and challenged the debts based upon inaccurate information about his address or the dates they claim they provided services. Moreover, Applicant provided no documentation evidencing the inaccuracy of the creditors' information.

Whole-Person Concept

Under the whole-person concept, the administrative judge must evaluate an applicant's eligibility for national security eligibility by considering the totality of the applicant's conduct and all relevant circumstances. The administrative judge should consider the nine adjudicative process factors listed at AG ¶ 2(d):

> (1) the nature, extent, and seriousness of the conduct; (2) the circumstances surrounding the conduct, to include knowledgeable participation; (3) the frequency and recency of the conduct; (4) the individual's age and maturity at the time of the conduct; (5) the extent to which participation is voluntary; (6) the presence or absence of rehabilitation and other permanent behavioral changes; (7) the motivation for the conduct; (8) the potential for pressure, coercion, exploitation, or duress; and (9) the likelihood of continuation or recurrence.

Under AG ¶ 2(c), the ultimate determination of whether to grant national security eligibility for a security clearance must be an overall commonsense judgment based upon careful consideration of the guidelines and the whole-person concept. I considered the above whole-person factors and the potentially disqualifying and mitigating conditions in light of all pertinent facts and circumstances surrounding this case. Applicant's lack of control over his financial situation borders on indifference and does not meet the national security requirements of responsibility and maturity. Overall, the record evidence leaves me with questions and doubts as to Applicant's present suitability for national security eligibility and a security clearance.

Formal Findings

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

Paragraph 1, Guideline F:	AGAINST APPLICANT
Subparagraphs 1.a through 1.d:	Against Applicant

Conclusion

In light of all of the circumstances presented by the record in this case, I conclude that it is not clearly consistent with the interests of national security to grant Applicant's eligibility for a security clearance. Eligibility for access to classified information is denied.

John Bayard Glendon
Administrative Judge