DEFENSE LEGAL SERVICES AGENCY
DEFENSE OFFICE OF HEARINGS AND APPEALS

In the matter of:)
)
) ISCR Case No. 25-01227
)
Applicant for Security Clearance)

Appearances

For Government: William Miller, Esq., Department Counsel
For Applicant: *Pro se*

08/27/2026

Decision

Curry, Marc E., Administrative Judge:

Applicant failed to provide sufficient evidence to show she has taken any steps to resolve her financial problems. Her application for a security clearance is denied.

Statement of the Case

On October 8, 2025, the Department of Defense Counterintelligence and Security Agency Adjudication and Vetting Services (DCSA**)** issued a Statement of Reasons (SOR) to Applicant detailing security concerns under Guideline F, financial considerations, explaining why it was unable to find it clearly consistent with the national security to grant security clearance eligibility. The DCSA took the action 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 National Security Adjudicative Guidelines (AG) effective for any adjudication made on or after June 8, 2017.

On October 8, 2025, Applicant answered the SOR, admitting subparagraphs 1.a, 1.c as duplicated in 1.d, 1.h, and 1.j, and denying subparagraphs 1.b, 1.e through 1.g, 1.i, and 1.k through 1.m. She requested a decision based on the evidence on file rather than a hearing. On May 22, 2026, Department Counsel prepared a File of Relevant Material (FORM), setting forth the Government's arguments against Applicant's security clearance-worthiness. The FORM contains seven attachments, identified as Item 1 through Item 7.

Applicant received a copy of the FORM on June 17, 2026. She was given 30 days to file a response. Applicant did not file a response, whereupon the case was assigned to me on August 11, 2026. (Item 3 at 10)

Findings of Fact

Applicant is a 30-year-old married woman. She is a high school graduate and has earned some college credits. She has been working for a federal contractor as a 911 operator since 2024. (Item 3 at 10)

Applicant admits to owing delinquent debts, totaling approximately $13,400, to four creditors, as alleged in subparagraphs 1.a, 1.c as duplicated in subparagraph 1.d, 1.h, and 1.j. The SOR alleges eight additional delinquent debts, totaling approximately $5,500, as set forth in subparagraphs 1.b, 1.e through 1.g, 1.i, and 1.k through 1.m. These debts are substantiated by an August 2025 credit bureau report on file. (Item 6 at 3-5) Applicant denies them. The basis of her denial of subparagraph 1.b, a medical bill, is that she is waiting for her insurance company to approve coverage of it. She denied subparagraph 1.e, stating in her answer that she did not recognize this debt. She denied the debts alleged in subparagraphs 1.f, 1.i, and 1.l through 1.m with no explanation, and she denied subparagraphs 1.g and 1.k, asserting, in essence, that they were uncollectible because they were "too old." (Item 2 at 1)

Applicant attributes her financial problems to her struggles to make ends meet as a single mother, before marrying her husband in 2019. (Item 4 at 8) Other than a receipt for a $201 car payment toward the satisfaction of the car loan alleged in subparagraph 1.a, which Applicant made in June 2025, she provided no records of any steps she has taken to satisfy her delinquent debts.

Policies

The U.S. Supreme Court has recognized the substantial discretion the Executive Branch has in regulating access to information pertaining to national security, emphasizing that "no one has a 'right' to a security clearance." *Department of the Navy v. Egan*, 484 U.S. 518, 528 (1988). When evaluating an applicant's suitability for a security clearance, the administrative judge must consider the adjudicative guidelines. In addition to brief introductory explanations for each guideline, the adjudicative guidelines list potentially disqualifying conditions and mitigating conditions, which are required to be considered in evaluating an applicant's eligibility for access to classified information. 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 the adjudicative process. The administrative judge's overall adjudicative goal is a fair, impartial, and commonsense decision. According to AG ¶ 2(a), the entire process is a conscientious scrutiny 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 ¶ 1(d) requires that “[a]ny 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. Under Directive ¶ E3.1.14, the Government must 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 applicant or proven by Department Counsel. . ..” The applicant has the ultimate burden of persuasion to obtain a favorable security decision.

Under the whole-person concept, the administrative judge must consider the totality of an applicant’s conduct and all relevant circumstances in light of the nine adjudicative process factors in AG ¶ 2(d). They are as follows:

(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.

Analysis

Guideline F: Financial Considerations

Under this concern, “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.” (AG ¶ 18)

Applicant’s delinquent debts indicate a history of financial problems and trigger the application of AG ¶ 19(a), “inability to satisfy debts,” and AG ¶ 19(c), “a history of not meeting financial obligations.”

The following mitigating conditions under AG ¶ 20 are potentially applicable:

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

As a single mother in her early twenties struggling to make ends meet, Applicant's financial problems were sufficiently beyond her control to trigger the first part of AG ¶ 20(b), "the conditions that resulted in the financial problems were largely beyond the person's control . . . ." Conversely, she provided scant evidence of any steps she has taken to resolve her debts to establish she has been acting responsibly under the circumstances, to trigger the second part of AG ¶ 20(b). Moreover, neglecting to pay delinquent debts by waiting until they are legally non-collectible is not a sound plan for debt resolution. Consequently, I conclude that none of the remaining mitigating conditions apply, and that Applicant failed to mitigate the financial considerations security concerns.

Whole-Person Concept

I considered the whole-person concept factors in my analysis of the disqualifying and mitigating conditions discussed above, and they do not warrant a favorable conclusion.

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:	AGAINST APPLICANT
Subparagraphs 1.a – 1.m:	Against Applicant

Conclusion

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

Marc E. Curry
Administrative Judge