



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



In the matter of:)	
)	
REDACTED)	ISCR Case No. 15-02826
)	
Applicant for Security Clearance)	

Appearances

For Government: Rhett Petcher, Esq., Department Counsel
For Applicant: *Pro se*

11/22/2016

Decision

MENDEZ, Francisco, Administrative Judge:

On October 27, 2015, the Department of Defense (DOD) Consolidated Adjudications Facility (CAF) sent Applicant a Statement of Reasons (SOR) alleging that her circumstances raised security concerns under the financial considerations guideline.¹ Applicant answered the SOR and requested a decision on the written record.

On December 9, 2015, Department Counsel prepared its written case, a file of relevant material (FORM), and sent it to Applicant. Applicant filed a response, including providing additional documentary evidence of her efforts to address and resolve the delinquent debts listed on the SOR.

On August 11, 2016, I received the case assignment and subsequently provided notice to the parties of my intent to resolve the case through a summary disposition in Applicant's favor. Department Counsel indicated that the Government did not object to my proposed resolution of the matter in this fashion. See Appellate Exhibit I.

¹ This action was taken under Executive Order (E.O.) 10865, *Safeguarding Classified Information within Industry* (February 20, 1960), as amended; Department of Defense Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (January 2, 1992), as amended (Directive); and the Adjudicative Guidelines (AG) implemented by the Department of Defense on September 1, 2006.

Applicant mitigated security concerns raised by her past financial problems, which were, in part, attributable to matters beyond her control (husband's unemployment). She presented substantial evidence, including documentation to substantiate her claims of having addressed, paid, settled, or currently paying the delinquent debts listed on the SOR (or, reasonable basis to dispute the accuracy of the debt). Additionally, Applicant presented documentation of a track record of debt payments towards satisfying the last remaining SOR debt. Applicant also demonstrated that she has taken fiscally prudent steps to manage her finances going forward, notably, downsizing to a smaller home. After a thorough review of the record evidence, I find that the mitigating conditions listed at AG ¶¶ 20(a) – 20(e) apply.

The security concerns over Applicant's past financial problems do not create doubt about her 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 or *vice versa*. I also gave due consideration to the whole-person concept. Accordingly, I conclude that Applicant met her burden of persuasion to show that it is clearly consistent with the national interest to grant her eligibility for access to classified information. Applicant's request for a security clearance is granted.

Francisco Mendez
Administrative Judge