



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



In the matter of:)
)
) ISCR Case No. 15-03656
)
Applicant for Security Clearance)

Appearances

For Government: Bryan J. Olmos Esq., Department Counsel
For Applicant: *Pro se*

05/03/2017

Decision

LOUGHRAN, Edward W., Administrative Judge:

On May 12, 2016, 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 (AG) implemented by the DOD on September 1, 2006.

Applicant responded to the SOR on June 7, 2016, and requested a hearing before an administrative judge. The case was assigned to me on December 1, 2016. The hearing was held as scheduled on January 25, 2017. On May 1, 2017, I proposed to the parties that this case was appropriate for a summary disposition in Applicant's favor. Department Counsel did not object.

Applicant was honorably discharged from the U.S. military in 2002. He is rated as 50% disabled by the Department of Veterans Affairs, but that determination was not granted until October 2015 because of paperwork and other problems. Applicant's

finances were adversely affected by medical issues, unemployment, underemployment, and taking care of a large family with special-needs children.

The SOR alleged a multitude of delinquent debts, but there are several duplicate accounts, and at least 40 of the debts are medical accounts. Applicant started paying his debts before the SOR was issued. His student loans are deferred, paid, or otherwise resolved. He paid or settled a majority of the non-medical debts and a number of the medical debts. He credibly testified that he will continue his efforts to resolve his financial problems. He still has work to do, but I am satisfied that he has a plan to resolve his financial problems, and that he has taken significant action to implement that plan. Based on the record evidence as a whole, I conclude that the security concerns are mitigated under the following mitigating conditions: AG ¶¶ 20(b), 20(c), and 20(d).

The concerns over Applicant's history of financial problems do not create doubt 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.

Edward W. Loughran
Administrative Judge