



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



In the matter of:)
)
) ISCR Case No. 15-04358
)
Applicant for Security Clearance)

Appearances

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

12/07/2016

Decision

LOUGHRAN, Edward W., Administrative Judge:

On February 2, 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 April 15, 2016, and requested a hearing before an administrative judge. The case was assigned to me on May 24, 2016. The hearing was held as scheduled on September 20, 2016. On November 28, 2016, I proposed to the parties that this case was appropriate for a summary disposition in Applicant's favor. Department Counsel did not object.

Applicant's husband at the time lost his full-time and part-time jobs in a short period. Their ensuing financial problems contributed to their separation in 2014 and divorce this year. Applicant had surgeries in 2014 and 2015, and she was out of work on disability. Her ex-husband does not pay his court-ordered child support. Despite her

difficulties, Applicant paid, settled, made payment plans for, or otherwise resolved most of the debts alleged in the SOR. She has a plan to resolve her financial problems, and she 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(a), 20(b), 20(c), and 20(d).

The concerns over Applicant's history of 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. I also gave due consideration to the whole-person concept. Accordingly, I conclude that she met her ultimate burden of persuasion to show that it is clearly consistent with the national interest to grant her eligibility for access to classified information. This case is decided for Applicant.

Edward W. Loughran
Administrative Judge