



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



In the matter of:

Applicant for Security Clearance

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ISCR Case No. 15-08045

Appearances

For Government: Jeff A. Nagel, Esq., Department Counsel

For Applicant: *Pro se*

12/05/2016

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 10, 2016, and requested a hearing before an administrative judge. The case was assigned to me on August 9, 2016. The hearing was held as scheduled on November 14, 2016. On November 29, 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 wife became sick and incurred substantial medical bills. She also lost her job. Applicant's first and second mortgage loans became delinquent, and his house was eventually lost to foreclosure in about 2015. There is no evidence that the creditors are seeking any deficiencies owed on the loans. Applicant's current finances are sound.

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), and 20(c).

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