



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



In the matter of: )  
 )  
 ) ISCR Case No. 17-00665  
 )  
Applicant for Security Clearance )

**Appearances**

For Government: Adrienne Driskill, Esq., Department Counsel  
For Applicant: [Redacted], Personal Representative

09/10/2018

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**Decision**

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GOLDSTEIN, Jennifer I., Administrative Judge:

On April 14, 2017, the Department of Defense (DOD) issued a Statement of Reasons to Applicant detailing security concerns under Guideline F, Financial Considerations.<sup>1</sup> Applicant responded to the SOR on April 29, 2017, and requested a hearing before an administrative judge. The case was assigned to me on January 25, 2018. The hearing was held as scheduled on March 15, 2018. On September 7, 2018, after receiving supplemental post-hearing exhibits from Applicant, I proposed to the parties that this case was appropriate for a summary disposition in Applicant's favor. Department Counsel did not object.<sup>2</sup>

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<sup>1</sup> This case is adjudicated 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, which became effective on June 8, 2017.

<sup>2</sup> Emails dated September 7, 2018, from both parties indicating there were no objections to summary disposition in this case are marked as Hearing Exhibit I and are contained in the file.

Applicant is a 49-year-old, employee of a defense contractor. He served 26 years on active duty in the Navy and retired at the rank of senior chief petty officer. He is married and has two children and two step-children. (GE 1, Tr. 121.)

The SOR alleged Applicant was indebted on a mortgage account that was past due in the amount of \$97,137. Applicant documented that this debt was caused by a series of unfortunate events that were beyond his control, including multiple medical emergencies and a mold infestation of their family home due to water damage. (Tr. 130.) He has been in constant contact with the creditor since first becoming delinquent on the mortgage debt. In July 2018, the creditor finally approved his loan modification request and the account is now current. (Applicant Exhibit 1 through 53.) Applicant has completed financial counseling and there is little likelihood of recurrence.

Mitigating conditions set out in AG ¶¶ 20(a), 20(b), 20(c), and 20(d) have been established by the evidence. There is no doubt about Applicant's current reliability, trustworthiness, good judgment, and ability to protect classified information. In reaching this conclusion, I weighed the evidence as a whole and considered whether the favorable evidence outweighed the unfavorable evidence. I also gave due consideration to the whole-person concept. Accordingly, I conclude that Applicant met his ultimate burden of persuasion to show that it is clearly consistent with the national interest to grant him national security eligibility for access to classified information. This case is decided for Applicant.

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Jennifer Goldstein  
Administrative Judge