



DEPARTMENT OF DEFENSE
DEFENSE OFFICE OF HEARINGS AND APPEALS



In the matter of:

Applicant for Security Clearance

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) ISCR Case No. 17-00871
)
)

Appearances

For Government: Robert Blazewick, Esq., Department Counsel

For Applicant: *Pro se*

03/01/2018

Decision

NOEL, Nichole, Administrative Judge:

On May 1, 2017, the Department of Defense (DOD) issued a Statement of Reasons (SOR) detailing security concerns under the financial considerations guideline.¹ DOD adjudicators were unable to find that it is clearly consistent with the national interest to continue Applicant's security clearance and recommended that the case be submitted to an administrative judge to determine whether to revoke her security clearance. Applicant timely responded to the SOR and requested a hearing.

The hearing was held on February 15, 2018. After the close of the record, I proposed to the parties that this case was appropriate for a summary disposition in Applicant's favor. Neither party objected.²

¹ The DOD acted under Executive Order (EO) 10865, *Safeguarding Classified Information within Industry*, signed by President Eisenhower on February 20, 1960, as amended; as well as DOD Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program*, dated January 2, 1992, as amended (Directive), and the *Adjudicative Guidelines for Determining Eligibility for Access to Classified Information*, implemented on September 1, 2006.

² Hearing Exhibit III.

The SOR alleged that Applicant was indebted to six creditors for approximately \$88,762. The Government withdrew SOR allegation 1.c (\$1,507). The largest remaining debt for \$85,328, is the past-due balance on two mortgage loans held by one creditor. According to the May 2016 credit report obtained by the Government, one of the mortgage accounts was 120 days past due and in foreclosure status. Relying on this information, the Government had a good-faith basis for the SOR allegation and established a *prima facie* case that Applicant exhibited a history of financial problems and an inability to repay her creditors. AG ¶¶ 19 (a) and (c) apply. However, Applicant provided evidence to mitigate the alleged financial concerns. The allegation related to the mortgage loans was based on incorrect reporting by the credit bureau. The creditor confirmed that over the history of the loans, neither has been \$88,000 in arrears nor in foreclosure status. Both loans are current and in good standing. The remaining alleged debts total approximately \$1,927 and have been paid. AG ¶¶ 20 (d) and (e) apply.

Applicant's financial history does not create doubt about her current reliability, trustworthiness, good judgment, and ability to protect classified information. I also gave due consideration to the whole-person concept. Applicant has held a security clearance continuously since 1998, without incident. She has met her ultimate burden of production and persuasion to show that it is clearly consistent with the national interest to grant her continued eligibility for access to classified information.

Nichole L. Noel
Administrative Judge