



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



In the matter of:)
)
) ISCR Case No. 17-01657
)
)
Applicant for Security Clearance)

Appearances

For Government: Jeff A. Nagel, Esq., Department Counsel
For Applicant: *Pro se*

05/16/2018

Decision

LOUGHRAN, Edward W., Administrative Judge:

On July 11, 2017, the Department of Defense (DOD) issued a Statement of Reasons (SOR) to Applicant detailing security concerns under Guideline F, financial considerations.¹ Applicant responded to the SOR on July 26, 2017, and requested a hearing before an administrative judge. The case was assigned to me on November 9, 2017. The hearing was held as scheduled on January 31, 2018. On May 14, 2018, 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 financial problems were caused by periods of unemployment, his divorce, his ex-wife's failure to pay her share of the marital debt, and his custody of his two children without the benefit of child support from his ex-wife. He paid several debts before the SOR was issued. He paid, settled, or otherwise resolved most of the debts alleged in the SOR. He established a plan to resolve his financial problems, and he took

¹ 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.

significant action to implement that plan. He credibly testified that he will resolve any remaining delinquent debts. 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(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