



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



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| In the matter of: |) | |
| |) | |
| --- |) | ISCR Case No. 18-00426 |
| |) | |
| Applicant for Security Clearance |) | |

Appearances

For Government: Aubrey M. De Angelis, Esquire, Department Counsel
For Applicant: *Pro se*

03/05/2019

Decision

GALES, Robert Robinson, Administrative Judge:

Applicant failed to mitigate the security concerns regarding financial considerations. Eligibility for a security clearance is denied.

Statement of the Case

On February 13, 2017, Applicant applied for a security clearance and submitted an Electronic Questionnaire for Investigations Processing (e-QIP) version of a Security Clearance Application. On March 6, 2018, the Department of Defense (DOD) Consolidated Adjudications Facility (CAF) issued a Statement of Reasons (SOR) to him, under Executive Order (Exec. Or.) 10865, *Safeguarding Classified Information within Industry* (February 20, 1960), as amended and modified; DOD Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (January 2, 1992), as amended and modified (Directive); and Directive 4 of the Security Executive Agent (SEAD 4), *National Security Adjudicative Guidelines* (December 10, 2016) (AG) for all covered individuals who require initial or continued eligibility for access to classified information or eligibility to hold a sensitive position, effective June 8, 2017.

The SOR alleged security concerns under Guideline F (Financial Considerations), and detailed reasons why the DOD adjudicators were unable to find that it is clearly consistent with the national interest to grant or continue a security clearance for Applicant. The SOR recommended referral to an administrative judge to determine whether a clearance should be granted, continued, denied, or revoked.

Applicant received the SOR on March 13, 2018. In a sworn statement, dated March 19, 2018, Applicant responded to the SOR and elected to have his case decided on the written record in lieu of a hearing. A complete copy of the Government's file of relevant material (FORM) was mailed to Applicant by the Defense Office of Hearings and Appeals (DOHA) on May 3, 2018, and he was afforded an opportunity to file objections and submit material in refutation, extenuation, or mitigation. In addition to the FORM, Applicant was furnished a copy of the Directive as well as the Adjudicative Guidelines applicable to his case. Applicant received the FORM on May 16, 2018. Applicant's response was due on June 15, 2018. Applicant timely submitted several documents which were marked and admitted as Applicant exhibits (AE) A through AE D, without objection. The case was originally assigned to another Administrative Judge on July 26, 2018, but because of illness issues, it was reassigned to me on February 27, 2019.

Findings of Fact

In his Answer to the SOR, Applicant admitted with comments all of the factual allegations in the SOR (SOR ¶¶ 1.a. through 1.t.). Applicant's admissions and comments are incorporated herein as findings of fact. After a complete and thorough review of the evidence in the record, and upon due consideration of same, I make the following additional findings of fact:

Applicant is a 44-year-old employee of a defense contractor. He has been serving as a material specialist with his current employer since February 2017. A 1993 high school graduate, Applicant received an associate's degree in 2014, and completed additional credits but no other degree. He has never served with the U.S. military. He has never been granted a security clearance. Applicant was married the first time in 2007, and divorced in 2015. He remarried in 2016. Although he did not list having any children in his e-QIP, Applicant has two children born in 1994 and 1996.

Financial Considerations¹

In his e-QIP, Applicant essentially attributed his financial difficulties to a period of unemployment in 2014 that left him with insufficient funds to pay his rent. He also noted that his ex-wife was to repay one particular credit card in 2013 because he was not working. He denied having any other delinquencies, accounts in collection, accounts

¹ General source information pertaining to the financial accounts discussed below can be found in the following exhibits: Item 4 (e-QIP, dated February 13, 2017); Item 5 (Combined Experian, TransUnion, and Equifax Credit Report, dated April 19, 2017); Item 6 (Equifax Credit Report, dated December 12, 2017); Item 7 (Equifax Credit Report, dated April 30, 2018); Item 8 (Enhanced Subject Interview, dated August 25, 2017); Item 3 (Answer to the SOR, dated March 19, 2018).

charged off, or repossessions,² a position that was untrue.³ During his enhanced subject interview conducted by an investigator from the U.S. Office of Personnel Management (OPM) in August 2017, Applicant initially denied having any other accounts sent to collections. Upon being confronted with certain contrary facts, he generally acknowledged the delinquent status of most of the accounts. He noted that he had experienced several periods of unemployment: October 2012 until February 2013, because he quit his job to relocate to his spouse's new job location, and he was supported by his spouse and his 401(k); May 2013 until July 2013, for the same reasons; November 2013 until December 2013, while he was attending school, studying, and looking for a new job, and supported by his spouse; July 2014 until October 2014, after he was fired, and was supported by his spouse; and November 2016 until February 2017, after he quit and got remarried.

During that OPM interview, Applicant stated that it was his plan to rectify his financial problems over the next five years with increased salaries until the accounts were paid off.⁴ In his Answer to the SOR, Applicant added that the debt was accrued because he had "endured some hardship" and his new plan was to have all of his creditors "paid off within [two] years, but no longer than [five] years."⁵ In an undated Answer to the FORM, Applicant modified his plan by stating that he will have all of his small creditors paid off in two years, and the remaining creditors will be paid off in five years.⁶

The SOR identified 20 delinquent accounts that had been placed for collection, charged off, or repossessed, all generally reflected by Applicant's April 2017, December 2017, or April 2018 credit reports. Applicant acknowledged that he had made no effort to resolve nearly all the accounts, largely because of a lack of income, but reiterated his intention to rectify them. Those debts, totaling approximately \$21,206, all of which were placed for collection, are described below:

² Item 4, *supra* note 1, at 37-41.

³ Unalleged conduct can be considered for certain purposes, as discussed by the DOHA Appeal Board. (Conduct not alleged in an SOR may be considered: (a) to assess an applicant's credibility; (b) to evaluate an applicant's evidence of extenuation, mitigation, or changed circumstances; (c) to consider whether an applicant has demonstrated successful rehabilitation; (d) to decide whether a particular provision of the Adjudicative Guidelines is applicable; or (e) to provide evidence for whole-person analysis under Directive § 6.3.). See ISCR Case No. 03-20327 at 4 (App. Bd. Oct. 26, 2006); (citing ISCR Case No. 02-07218 at 3 (App. Bd. Mar. 15, 2004); ISCR Case No. 00-0633 at 3 (App. Bd. Oct. 24, 2003)). See also ISCR Case No. 12-09719 at 3 (App. Bd. April 6, 2016) (citing ISCR Case No. 14-00151 at 3, n. 1 (App. Bd. Sept. 12, 2014); ISCR Case No. 03-20327 at 4 (App. Bd. Oct. 26, 2006)). Applicant's unlisted and unalleged delinquent accounts, as well as his lack of candor on his e-QIP, will be considered only for the five purposes listed above.

⁴ Item 8, *supra* note 1. It should be noted that the Appeal Board has indicated that promises to pay off delinquent debts in the future are not a substitute for a track record of paying debts in a timely manner and otherwise acting in a financially responsible manner. ISCR Case No. 07-13041 at 4 (App. Bd. Sep. 19, 2008) (citing ISCR Case No. 99-0012 at 3 (App. Bd. Dec. 1, 1999)).

⁵ Item 5, *supra* note 1.

⁶ AE B (Answer to the FORM, undated).

(SOR ¶ 1.a.) is a joint (with his ex-wife) credit-card account for \$6,061 that was charged off, and by virtue of their divorce decree, both Applicant and his ex-wife are each responsible for one-half of the balance; (SOR ¶ 1.b.) is an automobile loan with an unpaid balance of \$4,404 that was voluntarily repossessed; (SOR ¶ 1.c.) is an apartment lease with an unpaid balance of \$3,402 from which Applicant was evicted; (SOR ¶¶ 1.d., 1.h., 1.k., 1.l., 1.n., 1.o., and 1.q.) are medical accounts with unpaid balances of \$1,966; \$465; \$368; \$231; \$207; \$206; and \$195; (SOR ¶¶ 1.e. through 1.g.) are credit-card accounts with unpaid balances of \$623; \$604; and \$491, that were charged off; (SOR ¶ 1.i.) is a cellular telephone account with an unpaid balance of \$424 that was charged off; and (SOR ¶ 1.j.) is an unspecified type of account with an unpaid balance of \$372. None of those accounts have been resolved.

In addition, there are several accounts for which there is some evidence of possible resolution efforts made by Applicant:

(SOR ¶ 1.m.) is a cable internet or television account with an unpaid balance of \$216 for which Applicant submitted one document acknowledging an authorization to the collection agent to debit \$108.08 on June 20, 2018 – three months after the SOR was issued.⁷ There is also a handwritten entry by an unidentified individual indicating that another debit might be scheduled for June 27, 2018, but there is no documentation (bank account or credit card register or statement, or creditor-issued receipt) to indicate that one payment, much less two payments, had actually been made. The account has not been resolved. (SOR ¶¶ 1.p., 1.r., 1.s., and 1.t.) are medical accounts with the same collection agent with unpaid balances of \$353; \$222; \$199; and \$197, totaling \$971. In his Answer to the FORM, Applicant contended that he had paid off each of those accounts “as of May 30, 2018,”⁸ and he attached a letter from the collection agent acknowledging his authorization for them to initiate weekly \$100 electronic payments from his account commencing on March 21, 2018, and continuing until May 30, 2018,⁹ totaling \$1,100. The authorization does not identify the creditor account numbers to be addressed. Applicant failed to submit any documentation, including account registers, creditor receipts, etc., to support his contentions that the payments had been made. In the absence of some documentation to support his reported efforts, the accounts have not been resolved.

In response to comments made by Department Counsel regarding evidence of possible irresponsible spending by Applicant when he purchased a new automobile (actually a used 2009 luxury vehicle) in February 2018, for \$12,941, Applicant stated that most of the funds came from his insurance after his earlier vehicle was totally lost following an accident in March 2016.¹⁰

⁷ AE C (Letter, dated June 14, 2018).

⁸ AE B, *supra* note 6, at 1.

⁹ Item 3 (Letter, dated March 21, 2018), attached to Applicant’s Answer to the SOR, *supra* note 1.

¹⁰ AE B, *supra* note 6, at 1; AE A (Statement, dated February 12, 2018); *Also see* AE A (Customer Payment History Recap Sheet, dated February 14, 2018).

In addition to the SOR-related accounts, there is an educational loan for \$7,268 with an unpaid balance of \$5,941 that was placed for collection in February 2018.¹¹ For some reason, not explained by Applicant, he submitted two scheduled payments of \$131.18 each to a collection agent for an unidentified creditor or account to take place in July 2018.¹² In the absence of some commentary connecting the payments to some account, the significance of the document is minimal.

Applicant failed to indicate his current monthly net pay, monthly expenses, debt payments, or if he has any monthly remainder that might be available for discretionary spending or savings. There is no evidence of a budget. There is no evidence of financial counseling. There is little evidence that since his SOR was issued in March 2018, Applicant has made any significant efforts to contact the vast majority of his creditors, enter into repayment plans with creditors, or make payments to creditors to resolve most of his delinquent or charged-off accounts, even to the smaller creditors to which he owes \$195, \$206, or \$207. Other than his general statements about his future intentions, Applicant offered no evidence to indicate that his financial situation has improved, or that it is now under control.

Policies

The U.S. Supreme Court has recognized the substantial discretion of the Executive Branch in regulating access to information pertaining to national security emphasizing, “no one has a ‘right’ to a security clearance.”¹³ As Commander in Chief, the President has the authority to control access to information bearing on national security and to determine whether an individual is sufficiently trustworthy to have access to such information. The President has authorized the Secretary of Defense or his designee to grant an applicant eligibility for access to classified information “only upon a finding that it is clearly consistent with the national interest to do so.”¹⁴

When evaluating an applicant’s suitability for a security clearance, the administrative judge must consider the guidelines in SEAD 4. In addition to brief introductory explanations for each guideline, the guidelines list potentially disqualifying conditions and mitigating conditions, which are used in evaluating an applicant’s eligibility for access to classified information.

An administrative judge need not view the guidelines as inflexible, ironclad rules of law. Instead, acknowledging the complexities of human behavior, these guidelines are applied in conjunction with the factors listed in the adjudicative process. The administrative judge’s overarching adjudicative goal is a fair, impartial, and commonsense

¹¹ Item 7, *supra* note 1, at 1.

¹² AE D (Scheduled Payments, dated July 5, 2018).

¹³ *Department of the Navy v. Egan*, 484 U.S. 518, 528 (1988).

¹⁴ Exec. Or. 10865, *Safeguarding Classified Information within Industry* § 2 (Feb. 20, 1960), as amended and modified.

decision. The entire process is a conscientious scrutiny of a number of variables known as the “whole-person concept.” The administrative judge must consider all available, reliable information about the person, past and present, favorable and unfavorable, in making a meaningful decision.

In the decision-making process, facts must be established by “substantial evidence.”¹⁵ The Government initially has the burden of producing evidence to establish a potentially disqualifying condition under the Directive, and has the burden of establishing controverted facts alleged in the SOR. Once the Government has produced substantial evidence of a disqualifying condition, under Directive ¶ E3.1.15, the applicant has the burden of persuasion to present evidence in refutation, explanation, extenuation or mitigation, sufficient to overcome the doubts raised by the Government’s case. The burden of disproving a mitigating condition never shifts to the Government.¹⁶

A person who seeks access to classified information enters into a fiduciary relationship with the Government predicated upon trust and confidence. This relationship transcends normal duty hours and endures throughout off-duty hours as well. It is because of this special relationship that the Government must be able to repose a high degree of trust and confidence in those individuals to whom it grants access to classified information. Decisions include, by necessity, consideration of the possible risk the applicant may deliberately or inadvertently fail to safeguard classified information. Such decisions entail a certain degree of legally permissible extrapolation as to potential, rather than actual, risk of compromise of classified information. Furthermore, “security clearance determinations should err, if they must, on the side of denials.”¹⁷

Clearance decisions must be “in terms of the national interest and shall in no sense be a determination as to the loyalty of the applicant concerned.”¹⁸ Thus, nothing in this decision should be construed to suggest that I have based this decision, in whole or in part, on any express or implied determination as to Applicant’s allegiance, loyalty, or patriotism. It is merely an indication the Applicant has or has not met the strict guidelines the President and the Secretary of Defense have established for issuing a clearance. In reaching this decision, I have drawn only those conclusions that are reasonable, logical, and based on the evidence contained in the record. Likewise, I have avoided drawing inferences grounded on mere speculation or conjecture.

¹⁵ “Substantial evidence [is] such relevant evidence as a reasonable mind might accept as adequate to support a conclusion in light of all contrary evidence in the record.” ISCR Case No. 04-11463 at 2 (App. Bd. Aug. 4, 2006) (citing Directive ¶ E3.1.32.1). “Substantial evidence” is “more than a scintilla but less than a preponderance.” See *v. Washington Metro. Area Transit Auth.*, 36 F.3d 375, 380 (4th Cir. 1994).

¹⁶ See ISCR Case No. 02-31154 at 5 (App. Bd. Sep. 22, 2005).

¹⁷ *Egan*, 484 U.S. at 531.

¹⁸ See Exec. Or. 10865 § 7.

Analysis

Guideline F, Financial Considerations

The security concern relating to the guideline for Financial Considerations is set out in AG ¶ 18:

Failure to live within one's means, satisfy debts, and meet financial obligations may indicate poor self-control, lack of judgment, or unwillingness to abide by rules and regulations, all of which can raise questions about an individual's reliability, trustworthiness, and ability to protect classified or sensitive information. Financial distress can also be caused or exacerbated by, and thus can be a possible indicator of, other issues of personnel security concern such as excessive gambling, mental health conditions, substance misuse, or alcohol abuse or dependence. An individual who is financially overextended is at greater risk of having to engage in illegal or otherwise questionable acts to generate funds. Affluence that cannot be explained by known sources of income is also a security concern insofar as it may result from criminal activity, including espionage.

The guideline notes several conditions that could raise security concerns under AG 19:

- (a) inability to satisfy debts;
- (b) unwillingness to satisfy debts regardless of the ability to do so; and
- (c) a history of not meeting financial obligations.

The SOR identified 20 delinquent accounts that had been placed for collection, charged off, or repossessed, totaling \$21,206. Nearly all of those delinquent accounts continue to be unaddressed and unresolved, despite Applicant being fully employed since February 2017, and expecting salary increases. Applicant claimed that when he was unemployed in 2014, he was unable to make his required monthly payments, but it appears that he was simply content to remain unemployed for periods of time sufficient for him to continue his education and draw unemployment benefits. Applicant's failure to even address the minor delinquent debts until after the SOR was issued seems to constitute an unwillingness to satisfy his debts. AG ¶¶ 19(a), 19(b), and 19(c) have been established.

The guideline also includes examples of conditions that could mitigate security concerns arising from financial difficulties under AG ¶ 20:

(a) the behavior happened so long ago, was so infrequent, or occurred under such circumstances that it is unlikely to recur and does not cast doubt on the individual's current reliability, trustworthiness, or good judgment;¹⁹

(b) the conditions that resulted in the financial problem were largely beyond the person's control (e.g., loss of employment, a business downturn, unexpected medical emergency, a death, divorce or separation, clear victimization by predatory lending practices, or identity theft), and the individual acted responsibly under the circumstances;

(c) the individual has received or is receiving financial counseling for the problem from a legitimate and credible source, such as a non-profit credit counseling service, and there are clear indications that the problem is being resolved or is under control;

(d) the individual initiated and is adhering to a good-faith effort to repay overdue creditors or otherwise resolve debts;²⁰ and

(e) the individual has a reasonable basis to dispute the legitimacy of the past-due debt which is the cause of the problem and provides documented proof to substantiate the basis of the dispute or provides evidence of actions to resolve the issue.

AG ¶ 20(b) minimally applies, but none of the remaining mitigating conditions apply. The nature, frequency, and recency of Applicant's continuing financial difficulties make it difficult to conclude that it occurred "so long ago" or "was so infrequent," or that it is "unlikely to recur." Applicant attributed his financial difficulties to several periods of unemployment, and because he had endured some hardship, not otherwise described. In addition, he was divorced in 2015. He had insufficient funds to maintain his financial

¹⁹ A debt that became delinquent several years ago is still considered recent because "an applicant's ongoing, unpaid debts evidence a continuing course of conduct and, therefore, can be viewed as recent for purposes of the Guideline F mitigating conditions." ISCR Case No. 15-06532 at 3 (App. Bd. Feb. 16, 2017) (citing ISCR Case No. 15-01690 at 2 (App. Bd. Sep. 13, 2016)).

²⁰ The Appeal Board has previously explained what constitutes a good-faith effort to repay overdue creditors or otherwise resolve debts:

In order to qualify for application of [the "good-faith" mitigating condition], an applicant must present evidence showing either a good-faith effort to repay overdue creditors or some other good-faith action aimed at resolving the applicant's debts. The Directive does not define the term "good-faith." However, the Board has indicated that the concept of good-faith "requires a showing that a person acts in a way that shows reasonableness, prudence, honesty, and adherence to duty or obligation." Accordingly, an applicant must do more than merely show that he or she relied on a legally available option (such as bankruptcy [or statute of limitations]) in order to claim the benefit of [the "good-faith" mitigating condition].

(internal citation and footnote omitted) ISCR Case No. 02-30304 at 3 (App. Bd. Apr. 20, 2004) (quoting ISCR Case No. 99-9020 at 5-6 (App. Bd. June 4, 2001)).

responsibilities. There is no documentation to reflect that Applicant obtained financial counseling from a legitimate and credible source, such as a non-profit credit counseling service; disputed his delinquent accounts with the credit reporting agencies or the creditors themselves; contacted his creditors to set up repayment plans; or indicated that payments had been made to his creditors before the SOR was issued. Those few actions that Applicant did make all commenced after the SOR was issued.²¹

An applicant who begins to resolve his financial problems only after being placed on notice that his or her security clearance is in jeopardy may be lacking in the judgment and self-discipline to follow rules and regulations over time or when there is no immediate threat to his or her own interests.²² In this instance, to date, there are authorized weekly \$100 payments to an identified collection agent, to commence two weeks after the SOR was issued; one dispute filed that was associated with an unspecified account in May 2018; an authorized payment to an identified creditor in June 2018; and two scheduled payments to an unidentified creditor in July 2018. Before the SOR was issued, Applicant simply ignored his creditors. There is no evidence that any other corrective actions have been taken by Applicant. There is no evidence to conclude that Applicant's finances are under control.

Clearance decisions are aimed at evaluating an applicant's judgment, reliability, and trustworthiness. They are not a debt-collection procedure. The guidelines do not require an applicant to establish resolution of every debt or issue alleged in the SOR. An applicant needs only to establish a plan to resolve financial problems and take significant actions to implement the plan. There is no requirement that an applicant immediately resolve issues or make payments on all delinquent debts simultaneously, nor is there a requirement that the debts or issues alleged in an SOR be resolved first. Rather, a reasonable plan and concomitant conduct may provide for the payment of such debts, or resolution of such issues, one at a time. Mere promises to pay debts in the future, without further confirmed sustained action, are insufficient.

Whole-Person Concept

Under the whole-person concept, the administrative judge must evaluate an applicant's eligibility for a security clearance by considering the totality of the applicant's conduct and all the circumstances. The administrative judge should consider the nine adjudicative process factors listed at SEAD 4, App. A, ¶ 2(d):

- (1) the nature, extent, and seriousness of the conduct;
- (2) the circumstances surrounding the conduct, to include knowledgeable participation;
- (3) the frequency and recency of the conduct;
- (4) the individual's age and maturity at the time of the conduct;
- (5) the extent to which participation is voluntary;
- (6) the presence or absence of rehabilitation and other permanent behavioral changes;
- (7) the motivation for the conduct;

²¹ See ISCR Case No. 12-01335 at 5 (App. Bd. Dec. 29, 2017).

²² See, e.g., ISCR Case No. 17-01213 at 5 (App. Bd. Jun. 29, 2018); ISCR Case No. 17-00569 at 3-4 (App. Bd. Sept. 18, 2018).

(8) the potential for pressure, coercion, exploitation, or duress; and (9) the likelihood of continuation or recurrence.

Under SEAD 4, App. A, ¶ 2(c), the ultimate determination of whether to grant a security clearance must be an overall commonsense judgment based upon careful consideration of the guidelines and the whole-person concept. Moreover, I have evaluated the various aspects of this case in light of the totality of the record evidence and have not merely performed a piecemeal analysis.²³

There is very little evidence mitigating Applicant's conduct. Applicant is a 44-year-old employee of a defense contractor. He has been serving as a material specialist with his current employer since February 2017. He has professed an intent to rectify his delinquent debts within five years.

The disqualifying evidence under the whole-person concept is more substantial. Applicant exhibited a lack of candor when he completed his e-QIP and denied having any financial issues other than an eviction for unpaid rent and a credit card he claimed his ex-wife was supposed to pay. He actually had 20 delinquent accounts that had been placed for collection, charged off, or repossessed, totaling \$21,206. Nearly all of those delinquent accounts continue to be unaddressed and unresolved, despite Applicant being fully employed since February 2017. Applicant has made minimal documented efforts to resolve his delinquent debts despite promising to do so. Applicant has not obtained financial counseling. There is no evidence of a budget, and he offered no evidence to indicate that his financial situation has improved, or that it is now under control. To the contrary, a new non-SOR delinquent debt, an education loan with an unpaid balance of \$5,941, was recently added to Applicant's portfolio of collections.

The Appeal Board has addressed a key element in the whole-person analysis in financial cases stating:²⁴

In evaluating Guideline F cases, the Board has previously noted that the concept of "meaningful track record" necessarily includes evidence of actual debt reduction through payment of debts. However, an applicant is not required, as a matter of law, to establish that he [or she] has paid off each and every debt listed in the SOR. All that is required is that an applicant demonstrate that he [or she] has ". . . established a plan to resolve his [or her] financial problems and taken significant actions to implement that plan." The Judge can reasonably consider the entirety of an applicant's financial situation and his [or her] actions in evaluating the extent to which that applicant's plan for the reduction of his outstanding indebtedness is credible and realistic. See Directive ¶ E2.2(a) ("Available, reliable information about the person, past and present, favorable and unfavorable, should be

²³ See *U.S. v. Bottone*, 365 F.2d 389, 392 (2d Cir. 1966); See also ISCR Case No. 03-22861 at 2-3 (App. Bd. Jun. 2, 2006).

²⁴ ISCR Case No. 07-06482 at 2-3 (App. Bd. May 21, 2008) (internal citations omitted).

considered in reaching a determination.”) There is no requirement that a plan provide for payments on all outstanding debts simultaneously. Rather, a reasonable plan (and concomitant conduct) may provide for the payment of such debts one at a time. Likewise, there is no requirement that the first debts actually paid in furtherance of a reasonable debt plan be the ones listed in the SOR.

Applicant has demonstrated an extremely poor track record of debt reduction and elimination efforts, seemingly avoiding most, if not all, of the debts in his name. Overall, the evidence leaves me with substantial questions and doubts as to Applicant’s eligibility and suitability for a security clearance. For all of these reasons, I conclude Applicant has failed to mitigate the security concerns arising from his financial considerations. See SEAD 4, App. A, ¶¶ 2(d)(1) through AG 2(d)(9).

Formal Findings

Formal findings for or against Applicant on the allegations set forth in the SOR, as required by section E3.1.25 of Enclosure 3 of the Directive, are:

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| Paragraph 1, Guideline F: | AGAINST APPLICANT |
| Subparagraphs 1.a. through 1.t.: | Against Applicant |

Conclusion

In light of all of the circumstances presented by the record in this case, it is not clearly consistent with the national interest to grant Applicant eligibility for a security clearance. Eligibility for access to classified information is denied.

 ROBERT ROBINSON GALES
 Administrative Judge