



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



In the matter of: )  
)  
) ISCR Case No. 21-02164  
)  
Applicant for Security Clearance )

**Appearances**

For Government: Nicole A. Smith, Esq., Department Counsel  
For Applicant: *Pro se*

09/15/2022

**Decision**

HARVEY, Mark, Administrative Judge:

Applicant made sufficient progress addressing the delinquent debts listed on the statement of reasons (SOR). Guideline F (financial considerations) security concerns are mitigated. Eligibility for access to classified information is granted.

**Statement of the Case**

On March 11, 2021, Applicant completed and signed an Electronic Questionnaires for Investigations Processing (e-QIP) or security clearance application (SCA). (Government Exhibit (GE) 1) On September 22, 2021, the Defense Counterintelligence and Security Agency Consolidated Adjudications Facility (DCSA CAF) issued an SOR to Applicant under Executive Order (Exec. Or.) 10865, *Safeguarding Classified Information within Industry*, February 20, 1960; Department of Defense (DOD) Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (Directive), January 2, 1992; and Security Executive Agent Directive 4, establishing in Appendix A the *National Security Adjudicative Guidelines for Determining Eligibility for Access to Classified Information or Eligibility to Hold a Sensitive Position* (AGs), effective June 8, 2017. (Hearing Exhibit (HE) 2)

The SOR detailed reasons why the DCSA CAF did not find under the Directive that it is clearly consistent with the interests of national security to grant or continue a security clearance for Applicant and recommended referral to an administrative judge to determine whether a clearance should be granted, continued, denied, or revoked. Specifically, the SOR set forth security concerns arising under Guideline F. (HE 2)

On October 2, 2021, Applicant responded to the SOR, and he requested a hearing. (HE 3) On November 24, 2021, Department Counsel was ready to proceed. On June 28, 2022, the case was assigned to me. On July 18, 2022, the Defense Office of Hearings and Appeals (DOHA) issued a notice of hearing, setting the hearing for August 8, 2022. (HE 1) The hearing was held as scheduled.

Department Counsel offered four exhibits into evidence, and Applicant did not offer any exhibits into evidence at his hearing. (Tr. 18-19; GE 1-GE 4) Applicant objected because the documents were out of date or did not reflect the current status of his debts. (Tr. 19) His objections go to the weight but not the admissibility of the documents, and all proffered exhibits were admitted into evidence. (Tr. 19) On August 22, 2022, DOHA received a transcript of the hearing. The record was held open until September 5, 2022, to enable Applicant to provide additional documentation. (Tr. 76, 81) Applicant provided one post-hearing document, which was admitted without objection. (Applicant Exhibit (AE) A)

Some details were excluded to protect Applicant's right to privacy. Specific information is available in the cited exhibits and transcript.

### **Findings of Fact**

In Applicant's SOR response, he admitted the allegations in SOR ¶¶ 1.a through 1.k. (HE 3) His admissions are accepted as findings of fact.

Applicant is a 39-year-old communications electronics technician who has been employed by the same contractor for two years. (Tr. 6, 10; GE 1) In 2002, he graduated from high school, and he joined the Air Force. (Tr. 7) He received a general discharge under honorable conditions in 2011. (Tr. 7) His highest rank was E-5. (Tr. 7) His Air Force specialty was communications electronics ground radio. (Tr. 7) While he was in the Air Force, he received non-judicial punishment once for sexual harassment and once for "a bit of a financial issue." (Tr. 8) He was discharged as a result of an administrative discharge board. (Tr. 8) He did not provide additional details about his disciplinary issues while he was on active duty. He has never been married, and he has a daughter who is eight years old. (Tr. 9-10) He is current on his monthly child support responsibilities of about \$450. (Tr. 10, 23)

### **Financial Considerations**

For about four months in 2017, Applicant was homeless. (Tr. 26) He was not receiving his mail. (Tr. 27) In 2018, he moved to a different state, and he lived with his sister. (Tr. 27) From 2018 to 2020, his annual salary was about \$25,000. (Tr. 22) In 2020, his annual salary was about \$45,000, and his current annual salary is about \$51,000. (Tr. 21, 35) After bills are paid, he currently has a monthly remainder of about \$400. (Tr. 22) At the time of his hearing, he was trying to recover financially from a vehicle accident. (Tr. 34) He has to pay the deductible for his insurance. (Tr. 35)

The September 22, 2021 SOR alleged 11 delinquent debts totaling \$31,245 as follows:

SOR ¶ 1.a alleges a vehicle debt for \$9,899 past due in the amount of \$2,069. Applicant purchased a vehicle in 2016. (Tr. 24) His monthly payments were about \$300. He was behind about three months on his payments when the vehicle was repossessed. (Tr. 24) Applicant was not receiving communications from the creditor, and he was unaware of the actual collection agent. (Tr. 27) In November 2018, the creditor obtained a default judgment against Applicant for \$9,899. (Tr. 25; GE 2) In July 2019, the court issued a garnishment order. (GE 2 at 5) From September 2019 to September 2021, his monthly pay was garnished or he made payments at a rate of \$400 to \$700 monthly. (GE 2 at 7-8) As of September 13, 2021, he had paid \$7,830, and he owed \$2,069. (*Id.*) In February 2022, Applicant completed payments to the creditor, and he resolved the debt. (Tr. 27; AE A)

SOR ¶¶ 1.b through 1.e allege Applicant has four delinquent debts totaling \$2,851 as follows: a charged-off bank debt for \$234; a charged-off store debt for \$612; a jewelry-store debt placed for collection for \$1,585; and bank debt placed for collection for \$420. Applicant said as soon as he saves some money and establishes his budget, he will try to pay off these debts. (Tr. 27) He was not in contact with the creditors, and he had not paid any of these four debts. (Tr. 27, 37)

SOR ¶¶ 1.f through 1.k allege six Department of Education (DoEd) debts totaling \$18,495 placed for collection as follows: \$3,730; \$1,848; \$534; \$7,052; \$1,865; and \$3,465. Applicant attended college from 2012 to November 2016; however, he did not receive a degree. (Tr. 32) When the six-month forbearance ended in 2017, Applicant was unemployed and unable to make payments. (Tr. 33) From 2018 to 2020, he had insufficient income to make his monthly student loan payments because of his child support, rent, and car payment responsibilities, which had a higher priority. (Tr. 33) Some of his student loans were discharged because the school he had attended was involved in fraudulent activity. (Tr. 20) He said he contacted the creditor; his student loans were consolidated; and in 2019, he paid \$35 for 10 months to rehabilitate his loans. (Tr. 20, 30) His new monthly payments after the end of the pandemic forbearance will be \$210. (Tr. 31) His most recent credit report of record shows a DoEd loan for \$18,498 in “pays account as agreed” status. (GE 3 at 2)

Applicant’s September 13, 2021 credit bureau report shows a vehicle loan for \$14,760 and a credit card for \$308, and both are in pays as agreed status. (GE 3 at 2-3) He repaid a debt to the Department of Veterans Affairs. (GE 3 at 3) Applicant filed all of his previous federal income tax returns; however, he had not filed his federal income tax return for tax year (TY) 2021, and he did not request an extension. (Tr. 35) He expects to file his federal income tax return within a couple of weeks after his hearing. (Tr. 38) When he files, he does not believe he will owe any additional taxes.

Applicant enjoys his job. (Tr. 39) He held a clearance when he was in the Air Force, and there is no evidence of a security violation. (Tr. 39) He understands how important it is for him to take care of his financial responsibilities. (Tr. 39)

## 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.” *Department of the Navy v. Egan*, 484 U.S. 518, 528 (1988). 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.” *Id.* at 527. The President has authorized the Secretary of Defense or his designee to grant applicant’s eligibility for access to classified information “only upon a finding that it is clearly consistent with the national interest to do so.” Exec. Or. 10865, *Safeguarding Classified Information within Industry* § 2 (Feb. 20, 1960), as amended.

Eligibility for a security clearance is predicated upon the applicant meeting the criteria contained in the adjudicative guidelines. These guidelines are not inflexible rules of law. Instead, recognizing the complexities of human behavior, these guidelines are applied in conjunction with an evaluation of the whole person. An administrative judge’s overarching adjudicative goal is a fair, impartial, and commonsense decision. An administrative judge must consider all available, reliable information about the person, past and present, favorable and unfavorable.

The Government reposes a high degree of trust and confidence in persons with access to classified information. This relationship transcends normal duty hours and endures throughout off-duty hours. 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 about potential, rather than actual, risk of compromise of classified information. 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.” See Exec. Or. 10865 § 7. Thus, nothing in this decision should be construed to suggest that it is based, in whole or in part, on any express or implied determination about applicant’s allegiance, loyalty, or patriotism. It is merely an indication the applicant has not met the strict guidelines the President, Secretary of Defense, and Director of National Intelligence have established for issuing a clearance.

Initially, the Government must establish, by substantial evidence, conditions in the personal or professional history of the applicant that may disqualify the applicant from being eligible for access to classified information. The Government has the burden of establishing controverted facts alleged in the SOR. See *Egan*, 484 U.S. at 531. “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). The guidelines presume a nexus or rational connection between proven conduct under any of the criteria listed therein and an applicant’s security suitability. See ISCR Case No. 95-0611 at 2 (App. Bd. May 2, 1996).

Once the Government establishes a disqualifying condition by substantial evidence, the burden shifts to the applicant to rebut, explain, extenuate, or mitigate the

facts. Directive ¶ E3.1.15. An applicant “has the ultimate burden of demonstrating that it is clearly consistent with the national interest to grant or continue his [or her] security clearance.” ISCR Case No. 01-20700 at 3 (App. Bd. Dec. 19, 2002). The burden of disproving a mitigating condition never shifts to the Government. See ISCR Case No. 02-31154 at 5 (App. Bd. Sep. 22, 2005). “[S]ecurity clearance determinations should err, if they must, on the side of denials.” *Egan*, 484 U.S. at 531; see AG ¶ 2(b).

## Analysis

### Financial Considerations

AG ¶ 18 articulates the security concern for financial problems:

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.

The Appeal Board explained the scope and rationale for the financial considerations security concern in ISCR Case No. 11-05365 at 3 (App. Bd. May 1, 2012) (citation omitted) as follows:

This concern is broader than the possibility that an applicant might knowingly compromise classified information in order to raise money in satisfaction of his or her debts. Rather, it requires a Judge to examine the totality of an applicant’s financial history and circumstances. The Judge must consider pertinent evidence regarding the applicant’s self-control, judgment, and other qualities essential to protecting the national secrets as well as the vulnerabilities inherent in the circumstances. The Directive presumes a nexus between proven conduct under any of the Guidelines and an applicant’s security eligibility.

AG ¶ 19 includes disqualifying conditions that could raise a security concern and may be disqualifying in this case: “(a) inability to satisfy debts”; and “(c) a history of not meeting financial obligations.”

In ISCR Case No. 08-12184 at 7 (App. Bd. Jan. 7, 2010), the Appeal Board explained:

It is well-settled that adverse information from a credit report can normally meet the substantial evidence standard and the government’s obligations

under [Directive] ¶ E3.1.14 for pertinent allegations. At that point, the burden shifts to applicant to establish either that [he or] she is not responsible for the debt or that matters in mitigation apply.

(internal citation omitted). The record establishes the disqualifying conditions in AG ¶¶ 19(a) and 19(c), requiring additional inquiry about the possible applicability of mitigating conditions. Discussion of the disqualifying conditions is contained in the mitigation section, *infra*.

The relevant financial considerations mitigating conditions under AG ¶ 20 are as follows:

(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;

(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; 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.

In ISCR Case No. 10-04641 at 4 (App. Bd. Sept. 24, 2013), the DOHA Appeal Board explained Applicant's responsibility for proving the applicability of mitigating conditions as follows:

Once a concern arises regarding an Applicant's security clearance eligibility, there is a strong presumption against the grant or maintenance of a security clearance. See *Dorfmont v. Brown*, 913 F. 2d 1399, 1401 (9th Cir. 1990), *cert. denied*, 499 U.S. 905 (1991). After the Government presents evidence raising security concerns, the burden shifts to the applicant to rebut or mitigate those concerns. See Directive ¶ E3.1.15. The standard applicable in security clearance decisions is that articulated in *Egan, supra*. "Any doubt concerning personnel being considered for access

to classified information will be resolved in favor of the national security.”  
Directive, Enclosure 2 ¶ 2(b).

Applicant has a history of negative financial information. The September 22, 2021 SOR alleged 11 delinquent debts totaling \$ 31,245. His vehicle was repossessed in 2016; the vehicle debt was not paid until February 2022; and it was paid after his pay was garnished. His student loans were delinquent in 2017 and 2018. He had four additional delinquent debts totaling less than \$3,000.

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. Sept. 13, 2016)).

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) 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)).

Applicant paid his largest debt for \$9,899 through garnishment. See ISCR Case No. 08-06059 at 6 (App. Bd. Sept. 21, 2009) (indicating involuntary payment of debts through garnishment is not necessarily mitigating). In 2019, he consolidated his student loans and completed 10 payments to rehabilitate them. All of Applicant’s student-loan debts are in “pays as agreed” status. While complete reliance on the COVID-19 pandemic-based student loans deferment to establish mitigation for security clearance purposes is misplaced, in this instance, Applicant completed the loan rehabilitation before the pandemic forbearance began. See ISCR Case No. 20-03208 at 2 (App. Bd. July 6, 2021); ISCR Case No. 20-01527 at 2 (App. Bd. June 7, 2021) (noting student loans totaling about \$20,000 that were delinquent before the COVID-19 federal deferment may be the basis for revocation of access to classified information). See *also* ISCR Case No. 14-03612 at 3 (Aug. 25, 2015) (“Indeed, even if a credit report states that a debt has been paid, that fact alone does not, in and of itself, resolve concerns arising from the dilatory nature of an applicant’s response to his debts or other circumstances that detract from an applicant’s judgment and reliability. In this case, the Judge commented on the absence

of detailed evidence about how Applicant addressed his finances and reasonably had doubts about his clearance eligibility based on that lack of evidence”).

Two Appeal Board decisions illustrate the analysis for applying AG ¶¶ 20(a) and 20(b) in cases where there are limited financial resources and circumstances beyond an applicant’s control adversely affecting his or her finances. In ISCR Case No. 09-08533 (App. Bd. Oct. 6, 2010), the applicant had \$41,871 in delinquent credit-card debt and defaulted on a home loan generating a \$162,000 delinquent debt. *Id.* at 2. That applicant filed for bankruptcy the same month the Administrative Judge issued her decision. *Id.* at 1-2. The applicant in ISCR Case No. 09-08533 was recently divorced, had been unemployed for 10 months, and had childcare responsibilities. Her former husband was inconsistent in his child support payments to her. The Appeal Board determined that AG ¶ 20(a) was “clearly applicable (debt occurred under such circumstances that it is unlikely to recur and [the debt] does not cast doubt on the individual’s current reliability, trustworthiness, or good judgment)” even though that applicant’s debts were unresolved at the time the Administrative Judge’s decision was issued. *Id.* at 3. The Appeal Board also decided that the record evidence raised the applicability of AG ¶ 20(b) because of the absence of evidence of irresponsible behavior, poor judgment, unreliability, or lack of trustworthiness. *Id.* at 4. I note that Applicant has the burden of proving the applicability of any mitigating conditions, and the burden to disprove a mitigating condition never shifts to the Government.

Similarly, in ISCR Case No. 08-06567 (App. Bd. Oct. 29, 2009) the Appeal Board addressed a situation where an applicant was sporadically unemployed and lacked the ability to pay his creditors. The Appeal Board noted “it will be a long time at best before he has paid” all of his creditors. *Id.* at 3. The applicant was living on unemployment compensation at the time of his hearing. The Appeal Board explained that such a circumstance was not necessarily a bar to having access to classified information stating:

However, the Board has previously noted that an applicant is not required to be debt-free nor to develop a plan for paying off all debts immediately or simultaneously. All that is required is that an applicant act responsibly given his [or her] circumstances and develop a reasonable plan for repayment, accompanied by “concomitant conduct,” that is, actions which evidence a serious intent to effectuate the plan.

ISCR Case No. 08-06567 at 3 (App. Bd. Oct. 29, 2009) (citing ISCR Case No. 07-06482 at 3 (App. Bd. May 21, 2008)). The applicant in ISCR Case No. 08-06567 used his limited resources to (1) resolve some of his debts; (2) had a repayment plan for the remaining debts; and (3) took “reasonable actions to effectuate that plan.” *Id.* The Appeal Board remanded the Administrative Judge’s decision because it did not “articulate a satisfactory explanation for his conclusions,” emphasizing the Administrative Judge did “not explain what he believes that applicant could or should have done under the circumstances that he has not already done to rectify his poor financial condition, or why the approach taken by applicant was not ‘responsible’ in light of his limited circumstances.” *Id.*



Applicant's failure to make payments in 2017 was due to unemployment and in 2018 to 2020 to underemployment. He was homeless for four months in 2017. He had an obligation to pay child support for his daughter. These are circumstances largely beyond his control, which adversely affected his finances. However, "[e]ven if applicant's financial difficulties initially arose, in whole or in part, due to circumstances outside his [or her] control, the judge could still consider whether applicant has since acted in a reasonable manner when dealing with those financial difficulties." ISCR Case No. 05-11366 at 4 n.9 (App. Bd. Jan. 12, 2007) (citing ISCR Case No. 03-13096 at 4 (App. Bd. Nov. 29, 2005); ISCR Case No. 99-0462 at 4 (App. Bd. May 25, 2000); ISCR Case No. 99-0012 at 4 (App. Bd. Dec. 1, 1999)).

Applicant presented some important mitigating information. His credit reports reflect paid debts, debts with a zero balance, or debts in a current paid as agreed status. Only four SOR debts totaling less than \$3,000 are currently delinquent. His single late filed tax return is an isolated occurrence which he promised to remedy shortly after his hearing.

Applicant established mitigation under AG ¶¶ 20(a), 20(b), and 20(d). He showed good faith in his overall handling of his finances. I found his statement at his hearing to be candid and credible. He promised to pay his debts and maintain his financial responsibility. His delinquent debts are unlikely to recur. There are clear indications his financial problems are under control. His history of handling his finances does not cast doubt on his current reliability, trustworthiness, or good judgment. Financial considerations security concerns are mitigated.

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

Under AG ¶ 2(c), "[t]he 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. My comments under Guideline F are incorporated in my whole-person analysis. Some of the factors in AG ¶ 2(d) were addressed under that guideline but some warrant additional comment.

Applicant is a 39-year-old communications electronics technician who has been employed by the same contractor for two years. In 2002, he joined the Air Force, and he received a general discharge under honorable conditions in 2011. His highest rank was E-5. His Air Force specialty was communications electronics ground radio. He has never been married, and he has a daughter who is eight years old. He is current on his monthly child support responsibilities of about \$450.

Applicant was unemployed in 2017 for about four months, and he was homeless. From 2018 to 2020, his annual salary was about \$25,000. In 2020, his annual salary was about \$45,000, and his current annual salary is about \$51,000. He paid off a delinquent vehicle debt for \$9,899 through garnishment. His student loans are current. He has several non-SOR debts in current status. Four SOR debts totaling less than \$3,000 need to be resolved, and he promised to resolve them as soon as he is able to do so. Now that his garnishment has been completed he has ample additional funds to pay the last four delinquent debts and his student loans when the forbearance ends.

The overall record provides persuasive support for continued access to classified information. His finances were harmed by several circumstances largely beyond his control as discussed *supra*. He showed a track record of consistent payments to address and rehabilitate his student loans. He understands that he needs to pay his debts, and the conduct required to retain his security clearance.

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

. . . 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 has paid off each and every debt listed in the SOR. All that is required is that an applicant demonstrate that he has . . . established a plan to resolve his 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 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 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.

ISCR Case No. 07-06482 at 2-3 (App. Bd. May 21, 2008) (internal citations and quotation marks omitted). Applicant understands what he needs to do to maintain his financial responsibility. His efforts at debt resolution have established a "meaningful track record" of debt re-payment. Security officials can check his credit reports and initiate revocation of his security clearance if he shows a lack of financial responsibility. I am confident he

will resume his student-loan payments when the federal deferment ends, and he will maintain his financial responsibility.

It is well settled that once a concern arises regarding an applicant's security clearance eligibility, there is a strong presumption against granting a security clearance. See *Dorfmont*, 913 F. 2d at 1401. "[A] favorable clearance decision means that the record discloses no basis for doubt about an applicant's eligibility for access to classified information." ISCR Case No. 18-02085 at 7 (App. Bd. Jan. 3, 2020) (citing ISCR Case No.12-00270 at 3 (App. Bd. Jan. 17, 2014)).

I have carefully applied the law, as set forth in *Egan*, Exec. Or. 10865, the Directive, the AGs, and the Appeal Board's jurisprudence to the facts and circumstances in the context of the whole person. Applicant mitigated financial considerations security concerns.

### **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:

Paragraph 1, Guideline F:	FOR APPLICANT
Subparagraphs 1.a through 1.k:	For Applicant

### **Conclusion**

I conclude that it is clearly consistent with the interests of national security of the United States to grant or continue Applicant's eligibility for access to classified information. Eligibility for access to classified information is granted.

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Mark Harvey  
Administrative Judge