



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



In the matter of:)
)
) ISCR Case No. 21-01629
)
Applicant for Security Clearance)

Appearances

For Government: David F. Hayes, Esquire, Department Counsel
For Applicant: *Pro se*

10/26/2022

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 August 20, 2020, Applicant applied for a security clearance and submitted a Questionnaire for National Security Positions (SF 86). On April 13, 2022, the Defense Counterintelligence and Security Agency (DCSA) 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), effective June 8, 2017.

The SOR alleged security concerns under Guideline F (Financial Considerations) and detailed reasons why the DCSA 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.

On an unspecified date, 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 31, 2022, and he was afforded an opportunity after receipt of the FORM 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 July 31, 2022. His response was due on August 30, 2022. Applicant chose not to respond to the FORM, for as of September 20, 2022, no response had been received. The record closed on August 30, 2022. The case was assigned to me on October 19, 2022.

Findings of Fact

In his response to the SOR, Applicant admitted, with comments, most of the SOR allegations. (SOR ¶¶ 1.c. through 1.i.). Applicant's admissions and comments are incorporated herein. After a complete and thorough review of the evidence in the record, and upon due consideration of same, I make the following findings of fact:

Background

Applicant is a 49-year-old employee of a defense contractor. He was hired as a help desk technician by a government contractor in July 2020, and in October 2020 he started working there. He was previously employed by other employers as a network infrastructure technician, desktop support engineer, part-time truck unloader, laborer, construction equipment operator, and county correctional officer. He was unemployed on several occasions (May 2020 – July 2020; August 2014 – January 2015; and August 2013 – October 2013). A 1992 high school graduate, he attended both a college and a technical school and received a technical certification, but no degree. He enlisted in the U.S. Marine Corps in November 1996, and served on active duty until he was honorably discharged in August 2004. He enlisted in the U.S. Army Reserve in September 2007, and served in the active reserve or on active duty until he was honorably retired as a sergeant (E-5) in September 2018. During his military service, he was stationed in South Korea, Kuwait, and Afghanistan. He was granted a secret clearance in 2016. He was married in 2007, and in March 2021, he was in the process of separating. He has one biological child and two step-children.

Financial Considerations

General source information pertaining to the financial accounts discussed below can be found in the following exhibits: Item 1 (Answer to the SOR, undated); Item 2 (SF 86, dated August 20, 2020); Item 3 (Enhanced Subject Interview, dated October 6, 2020, with follow-on interviews); Item 4 (Combined Experian, TransUnion, and Equifax Credit

Report, dated September 29, 2020); Item 5 (Documents submitted by Applicant on October 12, 2020); and Item 6 (Verato Credit Report, dated March 31, 2021).

In his SF 86, Applicant acknowledged having some delinquent accounts. In explaining the circumstances regarding several of the accounts, he indicated that his wife had lost her job and he was deployed at the time the issues arose. (Item 3 at 50-54) An investigator with the U.S. Office of Personnel Management (OPM) subsequently interviewed him on several occasions during 2020 and 2021, and during those interviews Applicant disclosed and described multiple financial delinquencies in his name. He explained that several of the accounts became delinquent simply because he lacked money to make payments; he denied having received notices for other accounts; and he disputed several accounts. He stated that his financial issues were not likely to happen again because of his current better understanding of money and credit, and his planning on obtaining a new job and making more money. He claimed to be current on all other accounts. He said that he was making arrangements with all of his delinquent account creditors to satisfy the debts in full once he obtained his new job. (Item 3 at 8-10, 15)

In his Answer to the SOR, Applicant added that some of the financial issues arose when he was a young Marine before he knew how credit worked. He also noted that some of his delinquent accounts were charged off and others were so old that they simply dropped off his credit report. He has made it a point to improve his credit rating and to keep his accounts in good standing. (Item 1)

The SOR alleged nine still-delinquent accounts totaling approximately \$41,769, as set forth below:

SOR ¶ 1.a. refers to an automobile-loan account with an unpaid balance of \$19,541 that was placed for collection and charged off after the vehicle was reportedly voluntarily repossessed in June 2018. (Item 2 at 50; Item 3 at 8, 10; Item 4 at 7; Item 6 at 2) In October 2020, the creditor confirmed the proposed estimated payoff, and Applicant subsequently claimed that there was an agreed payoff amount of \$10,000 less than what was owed. (Item 5 at 1) There is no documentation to support Applicant's contention of an agreed settlement for the lesser amount. He claimed that he would start making payments. There is no evidence that Applicant took any action to resolve the account. The account has not been resolved.

SOR ¶ 1.b. refers to an apartment lease account with an unpaid balance of \$7,272 that was placed for collection. (Item 3 at 10; Item 4 at 7; Item 6 at 2) Applicant acknowledged that he was delinquent on his monthly rent, and that he was deployed when his wife moved out of the apartment. He claimed to have caught up with the rent, but new management had no records of the payments. In October 2020, he wrote the creditor requesting records and a visit to discuss how the creditor would have allowed his family to remain in the apartment if his rent was seven months delinquent. (Item 1; Item 5 at 1-2) There is no subsequent evidence that Applicant took any action to resolve the account. The account has not been resolved.

SOR ¶ 1.c. refers to a medical account with an unpaid balance of \$1,073 that was placed for collection. (Item 3 at 9; Item 4 at 8; Item 6 at 2) Applicant believes the charges were generated when he had a heart attack, but that the U.S. Department of Veterans Affairs has refused to cover the expenses. There is no evidence that Applicant took any action to resolve the account. The account has not been resolved.

SOR ¶ 1.d. refers to a cellular telephone account with an unpaid balance of \$1,007 that was placed for collection. (Item 2 at 53-54; Item 3 at 8-9; Item 4 at 9; Item 6 at 3) Applicant claimed that the creditor changed his plan without his consent, and when he tried to correct the plan, the creditor refused to do so. Although he claimed to have disputed the unpaid balance, he offered no verifying documentation to support any such efforts. There is no evidence that Applicant took any action to resolve the account. The account has not been resolved.

SOR ¶ 1.e. refers to a medical account with an unpaid balance of \$810 that was placed for collection. (Item 2 at 52-53; Item 3 at 8; Item 4 at 9; Item 6 at 3) Applicant was not sure about the circumstances of the charges, but believes they were either a dental visit for his son that was not covered by insurance or a visit to an emergency room. (Item 1) Although he also said that it was for a doctor's visit for his son, he claimed that he had paid it off, but he offered no documentary evidence to verify that payments had been made. The account has not been resolved.

SOR ¶ 1.f. refers to a medical account with an unpaid balance of \$511 that was placed for collection. (Item 6 at 3) Applicant said that he "was sure" he paid it off, and that the account was no longer on his credit report. (Item 1) He offered no documentary evidence to verify that he had made any efforts to resolve the account. The account has not been resolved.

SOR ¶ 1.g. refers to a credit union automobile-loan account with an unpaid balance of \$5,463 that was placed for collection and charged off. (Item 3 at 10; Item 4 at 8) Applicant confused this account with another one with the same creditor. He acknowledged that he opened the account when he was a young Marine. The car purportedly broke down, and he claimed that an unidentified financial advisor with the creditor told him not to make any payments. He said that the account should not be on his credit report because it is over seven years old. (Item 5 at 1) There is no evidence that Applicant took any action to resolve the account. The account has not been resolved.

SOR ¶ 1.h. refers to a credit union credit-card account with an unpaid balance of \$4,663 that was placed for collection and charged off. (Item 3 at 9; Item 4 at 8) Applicant confused this account with the automobile loan with the same creditor. He acknowledged that he opened the account when he was a young Marine. He claimed that an unidentified financial advisor with the creditor told him not to make any payments. He said that the account should not be on his credit report because it is over seven years old. (Item 5 at 1) There is no evidence that Applicant took any action to resolve the account. The account has not been resolved.

SOR ¶ 1.i. refers to unspecified expenses associated with his university enrollment with an unpaid balance of \$1,429 that was placed for collection. (Item 2 at 51; Item 3 at 8-9; Item 4 at 8) Applicant claimed that he dropped out of school because he was deployed and the Montgomery G.I. Bill did not cover the expenses. He stated that he intended to pay off the debt as soon as he is able to do so. (Item 2 at 51) There is no evidence that Applicant took any action to resolve the account. The account has not been resolved.

There is no evidence of financial counseling, a budget, or anything to describe with any specificity Applicant's current financial situation. He did not report his net monthly income, his monthly household expenses, or any monthly debt payments (for even the most insignificant of his delinquent debts such as the \$511 medical bill). In the absence of such information, I am unable to determine if he has any monthly remainder available for savings or spending. There is a paucity of evidence to indicate that his financial problems are now under control, and it is difficult to determine if Applicant is currently in a better position financially than he had been.

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

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 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." "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))

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

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.” (*Egan*, 484 U.S. at 531)

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 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.

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 alleged nine still-delinquent accounts totaling approximately \$41,769. Applicant's history of still-delinquent debts appears to present either an inability to satisfy debts, or a history of not meeting financial obligations. His declared willingness to satisfy most of those debts is unambiguous. AG ¶¶ 19(a) and 19(c) have been established, but there is no evidence to support the establishment of AG ¶ 19(b).

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;
- (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

AG ¶ 20(b) minimally applies, but none of the other conditions apply. As noted above, his current and continuing financial situation can be attributed to several factors: his youth and inexperience with credit, perhaps called financial naivety; unspecified health issues, including a heart attack; his wife's loss of her job; his deployment; several periods of unemployment (May 2020 – July 2020; August 2014 – January 2015; and August 2013 – October 2013); and his separation from his wife.

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))). Applicant was aware of most of his debts when he submitted his SF 86 in August 2020. Between the date he was interviewed by the OPM investigator in October 2020, and the date his response to the FORM was expected in August 2022, he made no claimed or verifiable efforts to address any of the delinquent debts, even though he started working with his new employer in October 2020. Instead, he referred to debts that should have been off his credit report because of their age.

Based on the evidence, it is clear that Applicant ignored his delinquent accounts for a substantial multi-year period, either because of insufficient funds at time, or because of his financial naivety. Because of his failure to confirm payment of even his smallest delinquent account (the medical bill for \$511), the overwhelming evidence leads to the conclusion that his financial problems are not under control. He has not acted responsibly by failing to address his delinquent accounts and by failing to make limited, if any, efforts of working with his creditors. The Appeal Board has previously commented on such a situation:

Even 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. 99-0462 at 4 (App. Bd. May 25, 2000); ISCR Case No. 99-0012 at 4 (App. Bd. Dec. 1, 1999); ISCR Case No. 03-13096 at 4 (App. Bd. Nov. 29, 2005)). A component is whether he or she maintained contact with creditors and attempted to negotiate partial payments to keep debts current.

An applicant who begins to resolve his or her 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. (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)) In this instance, Applicant has failed to offer any evidence that he has even begun making such efforts.

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 action, are insufficient. In this instance, Applicant clearly stated that such efforts were anticipated, but he took no verified efforts to do so even after he obtained employment. Instead, he seems to look forward to having stale debts removed from his credit report rather than resolving them.

Applicant's credit reports indicate that several of his debts are in charged-off status. Eventually the charged-off debts will be dropped from his credit report. "[T]hat some debts have dropped off his credit report is not meaningful evidence of debt resolution." ISCR Case No. 14-05803 at 3 (App. Bd. July 7, 2016) (citing ISCR Case No. 14-03612 at 3 (App. Bd. Aug. 25, 2015)). The Fair Credit Reporting Act requires removal of most negative financial items from a credit report seven years from the first date of delinquency or the debt becoming collection barred because of a state statute of limitations, whichever is longer (Title 15 U.S.C. § 1681c. See Federal Trade Commission website, Summary of Fair Credit Reporting Act Updates at Section 605, <https://www.consumer.ftc.gov/articles/pdf-0111-fair-credit-reporting-act.pdf>).

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."

(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. Jun. 4, 2001)).

There is no verifiable evidence of financial counseling, a budget, or current financial information. Applicant's inaction under the circumstances casts doubt on his current reliability, trustworthiness, and good judgment. See ISCR Case No. 09-08533 at 3-4 (App. Bd. Oct. 6, 2010).

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; (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. 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).

There is some evidence in favor of mitigating Applicant's financial considerations. Applicant is a 49-year-old employee of a defense contractor. He has been serving as a help desk technician for a government contractor since October 2020. He was previously employed by other employers as a network infrastructure technician, desktop support engineer, part-time truck unloader, laborer, construction equipment operator, and county correctional officer. A 1992 high school graduate, he attended both a college and a technical school and received a technical certification, but no degree. He enlisted in the U.S. Marine Corps in November 1996, and served on active duty until he was honorably discharged in August 2004. He enlisted in the U.S. Army Reserve in September 2007, and served in the active reserve or on active duty until he was honorably retired as a sergeant (E-5) in September 2018. During his military service, he was stationed in South Korea, Kuwait, and Afghanistan. He was granted a secret clearance in 2016.

The disqualifying evidence under the whole-person concept is simply more substantial and compelling. Applicant has nine still-delinquent accounts totaling approximately \$41,769. He did have some issues that may have had a negative impact on his finances, but over time, those issues should have been overcome. In October 2020, he indicated to the OPM investigator that he intended to pay off his delinquent debts as soon as he started being paid from his new job. Instead, he referred to debts that should have been off his credit report because they were charged off or because of their age. During the two years since his employment, he failed to resolve his delinquent debts.

In ISCR Case No. 07-06482 at 2-3 (App. Bd. May 21, 2008), the Appeal Board addressed a key element in the whole-person analysis in financial cases stating:

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 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’s track record of zero claimed or verifiable efforts to resolve his delinquent debts and the lengthy period of non-contact with his creditors is negative and disappointing. Overall, the evidence leaves me with substantial questions and doubts as to Applicant’s eligibility and suitability for a security clearance. Accordingly, 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:

Paragraph 1, Guideline F:	AGAINST APPLICANT
Subparagraphs 1.a. through 1.i.:	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