



DEPARTMENT OF DEFENSE  
DEFENSE OFFICE OF HEARINGS AND APPEALS



In the matter of: )  
)  
) ISCR Case No. 20-02349  
)  
Applicant for Security Clearance )

**Appearances**

For Government: Daniel O’Reilly, Esq., Department Counsel  
For Applicant: *Pro se*

11/28/2022

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**Decision**

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MASON, Paul J., Administrative Judge

Applicant has held a security clearance since 2008. She began having financial problems in 2013. With the help of a debt repair firm, some of the delinquent accounts problems were resolved, but most of the listed debt remained. Her evidence in mitigation is insufficient to overcome the continuing security concerns arising from the guideline for financial considerations. Eligibility for security clearance access is denied.

**Statement of the Case**

On March 15, 2019, Applicant submitted an Electronic Questionnaire for Investigations Processing (e-QIP) to retain a security clearance required for a position with a defense contractor. On April 6, 2020, and March 16, 2014, she provided personal subject interviews (PSIs) to an investigator from the Office of Personnel Management (OPM). The Defense Counterintelligence and Security Agency (DCSA) Consolidated Adjudications Facility (CAF) could not make the affirmative findings required to continue a security clearance, and issued to Applicant a Statement of Reasons (SOR), dated June 10, 2021, detailing security concerns raised by financial considerations (Guideline F). The action was taken under Executive Order (E.O.) 10865, *Safeguarding Classified*

*Information within Industry* (February 20, 1960), as amended; DOD Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (January 2, 1992), as amended (Directive); and the adjudicative guidelines (AG) effective in the DOD on June 8, 2017.

Applicant provided her answer on June 22, 2021. The Defense Office of Hearings and Appeals (DOHA) issued a notice of hearing on August 3, 2022, for a hearing on August 22, 2022. The hearing was held by TEAMS video teleconference as scheduled. Applicant objected to several of the nine exhibits the Government was seeking for admission into evidence. The reasons for her objections, the Government's response to those objections, and my rulings, are explained below in Rulings on Procedure. Ultimately, I entered the Government's nine exhibits (GE) 1-9 into evidence over Applicant's objections. I entered her four exhibits (AE) A-D into evidence without objection. On September 9, 2022, I admitted Applicant's seven post-hearing exhibits (AE E-AE K) into evidence without objection. DOHA received the transcript (Tr.) on August 30, 2022. The record closed on September 9, 2022.

### **Rulings on Procedure**

In the early portion of the August 2022 hearing, Applicant objected to the introduction of several Government exhibits into evidence.

GE 1 (March 2019 e-QIP) - Applicant objected to this exhibit because "some of the dates are not within the timeline that was proposed by e-QIP." (Tr. 13) Her additional remarks were that when speaking "with e-QIP, they asked [Applicant] to minimize the information that was on there because there was too much. There was too much information. It surpassed the years they were looking for." (Tr. 14) Applicant indicated, "they actually said it was too much information. The years extended the timeline they were looking for." (Tr. 15) Applicant did not explain what "e-QIP" or "they" signified within the context of the above quotes. She admitted that her e-QIP was accurate. I overruled Applicant's objection, and admitted to the exhibit because it was material, relevant, and her signature appears in the signature section attachment to the e-QIP. (GE 1, Signature Forms at 1; Tr. 13-16)

GE 2 (April 2019 PSI) – Applicant objected to the interview because she was not represented by an attorney or she had not rehired the debt firm when the interview was conducted. In security clearance investigations, an applicant has no right to an attorney because the process is not criminal in nature. After receiving explanations about certain words within the exhibit, Applicant withdrew her objection, though she indicated she was unaware of the delinquent accounts at the time of the April 2019 interview. I admitted the exhibit into evidence. (GE 2 at 2; Tr. 19-23)

GE 3 (March 2014 PSI) – Applicant objected to this exhibit because "They have all reached their statutes of limitations and/or were closed by meeting the minimum

balance due.” (Tr. 24) I misinterpreted the above statement as an objection. Applicant had no objection to the exhibit, and I admitted it into the record. (Tr. 23-27)

GE 4 (October 2020 credit report) – Applicant objected to this exhibit as some of the accounts did not belong to her and she filed two written complaints dated May 2019, in which she disputed them directly or indirectly based on identity fraud. She claimed those accounts were removed for those reasons. The reasons for Applicant’s objection relate to the weight I should assign the exhibit, but they do not preclude its admissibility. (GE 8 at 3, 7, 9; Tr. 27-30) I overruled Applicant’s objection and admitted the exhibit. She presented insufficient evidence to establish a substantive connection between her identity theft complaint and the debts listed in the SOR.

GE 5 (March 2019 credit report) I admitted this exhibit into evidence without objection.

GE 6 (Eviction Filing record March 2018) – Applicant objected to this exhibit because she was not living at the residence at the time. She did not sign a second lease. The Government responded to Applicant’s objection by noting that the information in the exhibit matches the information she provided in her e-QIP. Applicant contended that her signature could have been forged. She asserted that she had change of address information that confirmed that her residence was no longer at the address posted in the exhibit. The Government indicated the exhibit was a business record, and she appears as the co-debtor. I overruled the objection and explained the type of evidence Applicant should consider to bolster her position. (GE 1 at 9; Tr. 30-34)

GE 7 (Eviction filing Record September 2012), GE 8 (Financial Documents Provided by Applicant to the April 2019 OPM investigator), GE 9 (August 2022 Credit Report) – Applicant had no objection to the entry into evidence of the three exhibits. Regarding GE 7 (SOR ¶ 1.c), the March 2019 credit report shows that Applicant disputed this account. However, she changed her position at the hearing and admitted responsibility as the tenant of record. (GE 1 at 11-12; GE 5 at 5; GE 7; Tr. 34-36)

### **Findings of Fact**

There are eight delinquent accounts alleged in the June 2021 SOR. The accounts are in collection or charged off. The debts became delinquent between November 2013 and February 2019. The total amount of debt is \$33,546. The Government credit bureau reports and the PSIs confirm the validity of most of the listed delinquent debts. In her answer to the SOR allegations, she apparently agreed that the accounts were accurate. However, in her view, all accounts, whether satisfied or not, were removed by identity fraud, dispute, or by the statute of limitations. (GE 4, 5, 9; answer to SOR)

Applicant is 34 years old. After three years of marriage, she received a divorce in February 2019. She has no children but is expecting. In October 2020, she began working for a defense contractor as a technical writer. Since her hire, she has taken on

additional tasks and is currently a subject matter expert. Her present salary is approximately \$120,000. Before her current job, she was a records manager at a computer store. From March 2012 to March 2019, she was a records analyst-librarian. Her reported unemployment since October 2006 was for one month in early 2012. During her professional career, she has also been a training administrative officer, an administrative assistant, and a construction monitor. In March 2019, Applicant indicated that she had never been investigated for a security clearance. However, a month later, she stated she was granted a clearance by another agency in 2008. (GE 1 at 14-20, 23, 32; GE 2 at 4; Tr. 47-48, 51, 78)

### **Origin of Financial Problems**

Applicant was 26 years old when she completed and certified her March 2014 PSI. Her total delinquent debts were over \$30,000. She recalled that her contractor position during the period exposed her to layoffs or unemployment on occasion. Earning only a small amount of money, when the layoffs or unemployment occurred, she could not cover her debts. She claimed she was a fraud-victim and became a part of a fraud case conducted by two credit agency bureaus. When asked why she was not aware of \$30,000 in delinquent debt, she replied, "I guess ignorance," and also stated, "there's no excuse." (Tr. 53-56)

Following her 2014 PSI, Applicant hired a debt repair firm and initiated a monthly payment plan with the firm to contact the creditors by letter and negotiate a price for Applicant to pay. Regarding accounts that were not her responsibility, she indicated that the accounts were removed. She worked with the debt firm for at least a year and a half and believed that she satisfied or settled most of the older debts by 2016. However, she ran into financial trouble again for the same reasons as before because of layoffs, and a Government closure that put federal contractors out of work at an inconvenient time during a contract cycle. (Tr. 56-59)

At age 31, when Applicant filled out her e-QIP in March 2019, she did not mention any delinquent debts a second time. She did not consider that she had any delinquent debts turned over to collection because: (1) the SOR ¶¶ 1.f and 1.g were disputed; (2) a payment plan was set up for SOR ¶ 1.e; (3) SOR ¶ 1.h was paid; (4) SOR ¶ 1.b was under investigation; and, (5) SOR ¶ 1.c was resolved when an attorney told her that there was no eviction and she was not responsible for any outstanding balance of the lease. Applicant did not disclose the SOR ¶ 1.a account because she did not believe she was responsible for a "charged-off" debt. (Tr. 66) She also thought her debt repair firm had resolved the account. (Tr. 66-72) There is no evidence that the firm addressed this account.

After Applicant's April 2019 PSI, where she again denied that she had delinquent debts, she rehired her debt firm for three to six months to resolve the accounts. The reports that the debt firm sent to Applicant (AE G and H), and that she included in her post-hearing exhibits, display dates throughout 2016, with the last report

dated on February 24, 2017. There are no reports dated in 2019. Applicant indicated that she had proof from her debt firm and the providers that the above debts were paid or disputed. (Tr. 66-72, 73-74; AE G, H)

SOR ¶ 1.a – Applicant opened an installment car loan in May 2014, with individual liability. The last payment activity on the account was January 2016, when she surrendered the car to the dealer because the interest rate was too high. She did not consider returning the car under these circumstances to be a repossession. Applicant made an agreement with the dealer and the creditor that she would not be responsible for the remaining balance. She indicated she would try to find documentation of the agreement. (Tr. 43) Subsequently, she conceded the agreement was only verbal. Applicant claimed she was no longer responsible for the debt because her debt repair firm removed the account from her credit report. There is no documentation confirming that Applicant's debt repair firm disputed or closed the account. (GE 4 at 4; GE 5 at 3; Tr. 43, 59-61; 66-67; Answer to SOR; AE G, H) The account has not been paid.

SOR 1.b – This is a delinquent account for an apartment that Applicant rented in 2013. The proprietor filed a forcible entry and detainer action against Applicant and her then-husband in March 2018. The last payment activity on this account was in November 2013. Though Applicant indicated in her June 2021 answer that she opened the SOR ¶¶ 1.a and 1.b accounts during her marriage (2016 to 2019), she agreed the accounts were actually opened during their five-year dating relationship before the marriage. Applicant and her former husband lived together in several locations after they met at an apartment complex in early 2013. (GE 5 at 5; GE 6; GE 7; Tr. 63-64)

Applicant blamed the forcible entry and detainer action (SOR ¶ 1.b) on the Government-wide closure and furlough in 2013. She claimed that her former husband at the time forged her signature on checks to pay the rent, prompting her to dispute the account because of several underhanded activities related to the check fraud. She alleged that her former husband shifted blame for the fraud to the proprietor's maintenance workers. Applicant testified that she had a bank notarize one of the forged checks. She indicated that she paid the balance due on the rental so that she could rent another unit. She indicated she should be able to locate supporting documentation. (GE 1 at 9, 22-23; GE 5 at 5; GE 6; Tr. 43-44, 51, 61-64; AE E) Applicant provided no additional documentation regarding the fraudulent activities she accused her former husband of committing.

Applicant provided a copy of a lease (SOR ¶ 1.b) beginning in March 2017 and ending on March 31, 2018. She provided a copy of a payment receipt for a \$700 check, dated March 21, 2018, claiming without supporting evidence, that this was the last payment under the lease that she decided not to renew. She contended that she never signed another lease on the rental, and any signature could have been forged. She had change-of-address information indicating that she was no longer at the SOR ¶ 1.b address at that time. (Tr. 33; AE E) The insurance receipt dated January 2014 is

probative because it provides evidence that Applicant rented another property from the same proprietor identified in SOR ¶ 1.b and GE 6. However, without more, that evidence does not extinguish the delinquent debt at SOR ¶ 1.b. (GE 5 at 5) See AE I.

Neither the change-of-address information nor evidence of her former husband's fraudulent activity was produced. Applicant provided no reason why she did not address the SOR ¶ 1.b account when it originally became delinquent in November 2013. The account has not been resolved.

SOR ¶ 1.c – This is a delinquent account for an apartment that Applicant rented in 2012. The proprietor filed a forcible entry and detainer action against Applicant and her then-husband in September 2012. She indicated in her answer that she agreed with the account, but it was closed and removed by the statute of limitations. At the hearing, Applicant claimed that she had documentation revealing that her former husband was involved in a dispute with the leasing office. A lawyer wrote to Applicant that the action was not an eviction, and advised her that she could not live at the same location with the “person because that person was arguing with another tenant in the building.” (Tr. 44) The person Applicant was referring to was likely her former husband. She had documentation indicating that she was not responsible for any balances, and the lease had to be terminated because of the ongoing squabble. Applicant claimed that she paid the proprietor because she had to move into another apartment. (GE 5 at 5; GE 7; Tr. 44-45) She provided no documentary evidence excusing her from responsibility for the debt. As noted in Rulings on Procedure, though the credit March 2019 credit report shows that Applicant disputed this account, she changed her position at the hearing and admitted responsibility as the tenant of record. (GE 5 at 5; Tr. 34-36) The delinquent account is not resolved.

SOR ¶ 1.d – This account is an installment sales contract that was opened in August 2014. The last payment activity on the account was in May 2016, with joint liability. In her answer, Applicant agreed with the account, but it was closed and removed from her credit report by the statute of limitations. At the hearing, Applicant testified that she could not identify the account. She provided documentation indicating that she disputed the account. (GE 2 at 1-2; GE 4 at 2; GE 5 at 3; GE 8 at 1; Tr. 45; Answer to SOR) This account is resolved in Applicant's favor.

SOR ¶ 1.e – This cell phone account became delinquent in November 2013. In her answer to the SOR, Applicant stated that account was opened in her previous marriage and satisfied and closed. At the hearing, Applicant claimed she paid the account in full, in two payments. The documentation supplied by Applicant's debt firm indicates the collection account was removed by January 2016. However, there is no documentation confirming that the debt firm or Applicant paid or settled the account. (GE 5 at 6; Tr. 45, 73; AE G at 1, 4) The account has not been satisfied.

SOR ¶ 1.f – This is an account that became delinquent in November 2013. The Government credit report shows that the account was in dispute. In her answer to the

SOR, she agreed that the account was satisfied, closed, and removed by the statute of limitations. However, at the hearing she did not know what the account represented. Applicant's debt firm provided documentation showing the account was removed from her credit report by April 2016. (GE 5 at 6; Tr. 45; AE G at 2, 4) The account is resolved in Applicant's favor.

SOR ¶ 1.g – This medical account became delinquent in July 2014. In her answer to the SOR, Applicant indicated that she agreed that the account was satisfied, closed and removed by the statute of limitations. At the hearing, she testified that she disputed the account because it was not a debt that she produced. Applicant's post-hearing documentation shows that she made a credit card payment of \$161 on the debt in June 2019. (GE 5 at 6; GE 8 at 4; Tr. 45-46; AE G at 5, 8, 14) (See also, AE A, B, C, and D). The account been satisfied.

SOR ¶ 1.h – This insurance account became delinquent in February 2019. Applicant testified that she paid the account in full and continued to use the insurance company's services. She opined that the delinquency occurred when she switched insurance companies. On September 9, 2022, Applicant presented a payment receipt dated June 26, 2018. The receipt contains Applicant's maiden name and other identifying characteristics. What is missing from the receipt is the name of the insurance company identified in the allegation. Instead, the central collection unit of a state agency appears at the top and in another location of the receipt. While this \$150 payment was made, I do not believe it represents a payment to the insurance company identified in SOR ¶ 1.h. (Answer to SOR; Tr. 46, 73; AE J) This account is not paid or settled.

Concerning Applicant's present financial habits, she is much older. Her financial management is a priority to her and her current credit report validates that concern. She lives within her means and is current on her financial obligations. She has incurred no new debt. (Tr. 46-49) On January 25, 2016, she made a \$170 payment to a utility company. The SOR does not allege this debt, although it was a collection account in March 2019. (GE 5 at 6)

Applicant has received performance evaluations that both she and her employer have generated. She did not include this character evidence in her post-hearing submissions. With her increased earnings, it is easier for her to save and manage her finances. She subscribed to a credit bureau application that regularly monitors her credit report while providing alerts and other financial management services. Applicant testified that she had a budget, but she did not include a written budget with her post-hearing exhibits. There is no evidence indicating that she has had financial counseling. In 2016, she started a small company that sells paintings and children's books. She has not received income from the company. (GE 1 at 33; Tr. 46-49, 74, 76-78)

## **Policies**

When evaluating an applicant's suitability for a security clearance, the administrative judge must consider the adjudicative guidelines. These guidelines are flexible rules of law. Instead, recognizing the complexities of human behavior, these guidelines are applied together with common sense and the general factors of 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 decision. The protection of the national security is the paramount consideration. AG ¶ 2(d) requires that "[a]ny doubt concerning personnel being considered for national security eligibility will be resolved in favor of the national security."

Under Directive ¶ E3.1.14, the Government must present evidence to establish controverted facts alleged in the SOR. Under Directive ¶ E3.1.15, the applicant is responsible for presenting "witnesses and other evidence to rebut, explain, extenuate, or mitigate facts admitted by applicant or proven by Department Counsel. . ." The applicant has the ultimate burden of persuasion in seeking a favorable security decision.

## **Analysis**

### **Guideline F, Financial Considerations**

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.

AG ¶ 19. Conditions that could raise a security concern and may be disqualifying include:

- (a) inability to satisfy debts; and
  
- (c) a history of not meeting financial obligations.

A person's practice of paying her voluntarily incurred debts is a private matter until evidence reveals that she is not paying her debts in a timely fashion. Adverse evidence from credit reports can usually meet the Government's obligation of proving delinquent debts. See, e.g., ISCR Case No. 14-02403 at 3 (App. Bd. Aug. 18, 2015);



ISCR Case No. 03-20327 at 4 (App. Bd. Oct. 26, 2006) The Government's credit reports establish that the debts listed in the SOR became delinquent between November 2013 and February 2019. The total amount of debt posted in the SOR is \$33,546. AG ¶¶ 19(a) and 19(c) apply.

AG ¶ 20. Conditions that could mitigate security concerns include:

- (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 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 (a) is not available for mitigation because the SOR lists five delinquent debts that have not been resolved. Those debts are SOR ¶¶ 1.a, 1.b, 1.c, 1.e, and 1.h. While several accounts became delinquent over nine years ago, the SOR ¶ 1.h account transitioned to a delinquent status in February 2019. The surrounding circumstances that Applicant described in explaining why she was not responsible for the five listed accounts generate continuing concerns about her current reliability and judgment.

Applicant's job insecurity over the years, along with her marital problems that resulted in a 2019 divorce, were unanticipated conditions that exacerbated her financial problems. However, she has been employed full time since October 2020, and earning a good salary. Applicant has not established that she acted responsibly under the circumstances. There is no evidence showing that she established contact with the creditors to explain her financial difficulties or attempt to negotiate and make partial payments on the debts. The debt repair company did little in the way of resolving the

listed debts. In sum, Applicant receives mitigation under the first prong of AG ¶ 20(b) for the unanticipated conditions beyond her control. However, given the inconsistent positions she has taken throughout the security investigation regarding her responsibility for several of the delinquent debts, she receives only limited mitigation under the second prong of the condition.

There are also two prongs necessary to obtain full credit under AG ¶ 20(c). The first is financial counseling. The record contains no evidence that Applicant participated in financial counseling. However, since 2019, Applicant testified that she has paid more attention to her finances. Her enrollment in a credit bureau monitoring application shows that she is receiving financial assistance from a credible source.

The second prong of AG ¶ 20(c) requires a clear indication that an applicant has control over her delinquent debts. With no documented action taken to address the delinquent accounts in SOR ¶¶ 1.a, 1.b, 1.c, 1.e, and 1.h, there is no clear indication that Applicant's finances are being resolved or under control. Applicant receives limited mitigation under both prongs of AG ¶ 20(c).

AG ¶ 20(d) refers to a good-faith effort to repay or otherwise resolve delinquent debts. The Directive does not define 'good faith.' The DOHA Appeal Board has indicated that 'good faith' requires a showing of reasonableness, prudence, and adherence to duty or obligation. Therefore, an applicant must do more than merely show she relied on a legally available option (such as bankruptcy [or a statute of limitations]) to claim the [the "good-faith" mitigating condition]. 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 is relying on a state limitations statute to avoid responsibility for the SOR debts because the debts have been removed from her credit report and are no longer enforceable. Even though removed, the debts are still significant for security clearance purposes. See ISCR Case No. 15-02326 at 3 (App. Bd. Oct. 14, 2016). Relying on the statute of limitations does not constitute a good-faith effort to resolve financial delinquencies. See ISCR Case No. 15-01208 at 3 (App. Bd. Aug. 26, 2016). Hence, an administrative judge should consider the surrounding circumstances involved in how an applicant acquired the debt and how she failed to satisfy the debt in a timely fashion. ISCR Case No. 14-03991 at 2 (App. Bd. Jul. 17, 2015).

In Guideline F cases, the DOHA Appeal Board has repeatedly held that, to establish her case in mitigation, an applicant must present a "meaningful track record" of debt repayments that result in debt reduction. See, e.g., ISCR Case No. 05-01920 at 5 (App. Bd. Mar. 1, 2007). While an applicant is not required to show that every debt listed in the SOR is paid, the applicant must show that she has a plan for debt resolution and has taken significant action to implement the plan. See, e.g., ISCR Case No. 02-25499 at 2 (App. Bd. Jun. 5, 2006). AG ¶ 20(d) is minimally applicable based on

Applicant's satisfaction of the SOR ¶ 1.g medical debt and making a sufficient evidentiary showing that she is not responsible for the SOR ¶¶ 1.d and 1.f accounts.

The Government's credit bureau reports document Applicant's dispute of several of the listed debts. However, other than the two written complaints that Applicant made in May 2019 and the documented entries in the credit reports, her disputes lack documented proof to substantiate the grounds for the disputes. AG ¶ 20(e) does not apply.

### **Whole-Person Concept**

I have examined the evidence under the specific guidelines in the context of the nine general factors of the whole-person concept 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), the ultimate determination of whether to grant eligibility for access to classified information must be an overall commonsense judgment based upon careful consideration of the guidelines and the whole-person concept.

Applicant was 20 years old when she received her security clearance in 2008. In 2014, she was interviewed about her delinquent debts and stated she had none. She had no excuse for not being forthright. After her interview, she enrolled in a debt repair firm with the objective of eliminating her delinquent debts. However, Applicant was 31 years old when she indicated in her March 2019 e-QIP, that she had no delinquent debts a second time. A month later, she took the same position because she thought her debt repair firm resolved the debts. Waiting for the statute of limitations to expire making her debts legally unenforceable, does not substitute for a payment plan and a meaningful track record of payments toward debt resolution. Applicant has not taken sufficient action to address the listed delinquent debts. After a full review of the entire record from an overall common-sense point of view, in conjunction with the specific conditions and general factors of the whole-person concept, Applicant has not mitigated the security concerns arising under the guideline for financial considerations.

### **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–1.c, 1.e, 1.h:	Against Applicant
Subparagraphs 1.d, 1.f, 1.g:	For 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 access to classified information. Eligibility for access to classified information is denied.

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Paul J. Mason  
Administrative Judge