



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



In the matter of:)
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Applicant for Security Clearance)
ISCR Case No. 22-02163

Appearances

For Government: Gatha Manns, Esquire, Department Counsel
For Applicant: *Pro se*

09/01/2023

Decision

GALES, Robert Robinson, Administrative Judge:

Applicant mitigated the security concerns regarding financial considerations. Eligibility for access to classified information is granted.

Statement of the Case

On February 2, 2022, Applicant applied for a security clearance and submitted a Questionnaire for National Security Positions (SF 86). On December 12, 2022, the Defense Counterintelligence and Security Agency (DCSA) Consolidated Adjudications Facility (CAF), now renamed the DCSA Consolidated Adjudications Services (DOD CAS) formerly known as the Department of Defense (DOD) 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 DOD CAS 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 (Item 2). 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 April 27, 2023, 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 Adjudication Guidelines applicable to his case. Applicant received the FORM on May 8, 2023. His response was due on June 6, 2023. Applicant timely responded to the FORM on May 31, 2023. The case was assigned to me on August 1, 2023.

Findings of Fact

In his response to the SOR, Applicant admitted, with substantial comments, the SOR allegation pertaining to financial considerations (SOR ¶ 1.a.).

Background

Applicant is a 29-year-old employee of a defense contractor. He has been serving as an electronic technician since January 2022. He previously worked for other employers in a variety of positions as a heavy equipment operator (November 2021 – January 2022); a data center technician (December 2020 – February 2021); and network technician (August 2016 – March 2020); as well as several short-term positions that were generally less than 12 months each (December 2011 – August 2016). He was unemployed during several periods in 2012, 2013, 2015, 2020, and 2021. He is a 2012 high school graduate. He has never served with the U.S. military. He has never been granted a security clearance. He was married in 2022. He has one child born in 2022.

Financial Considerations

General source information pertaining to the financial account discussed below can be found in the following exhibits: Item 3 (SF 86, dated February 2, 2022); Item 4 (Combined Experian, Equifax, and TransUnion Credit Report, dated February 18, 2022); Item 5 (Equifax Credit Report, dated April 14, 2023); and Item 6 (Enhanced Subject Interview, dated March 30, 2022).

In his SF 86, Applicant acknowledged having one significant financial issue associated with one delinquent account. During a subsequent interview with an investigator with the U.S. Office of Personnel Management (OPM), on March 14, 2022, he explained the circumstances regarding that account. In his Response to the SOR, and in his Response to the FORM, he added further elaboration.

The financial issue in question is stated in SOR ¶ 1.a. which refers to a medical account with an initial delinquent balance of approximately \$34,919 that was subsequently increased for unspecified reasons to \$58,835 and placed for collection. (Item 4 at 4; Item 5 at 2; Item 6 at 5, 7) The financial issue arose on February 13, 2021, when Applicant was involved in a utility task vehicle (UTV) accident in which he rolled the UTV, crushing and pinning his arm between the vehicle cage and the ground. His wife managed to obtain assistance to flip the UTV back onto four wheels and free up the arm. The 911 dispatcher indicated that the winds in the area were too strong to get a helicopter to Applicant, so a paramedic ambulance was sent to get him to the highway where a helicopter met them and took Applicant to a hospital where he remained for over one month undergoing multiple surgeries, skin grafts, and blood transfusions. (Item 3 at 33-34; Item 2 at 1; Item 6 at 5; Response to FORM at 1)

Adding to the situation was that Applicant was supposed to end his employment probation period and become a permanent employee on February 10, 2021, but instead of following up on that plan, the employer laid off several employees including Applicant, effectively cancelling his medical insurance. His time in the hospital, his one working arm, and eventual physical therapy left him jobless from February through November 2021. He was on unemployment during that period, receiving between \$300 to \$600 per week. Applicant eventually received a bill, and he called the creditor in an attempt to enroll in a payment plan. The creditor offered him only two options: pay the entire debt in full or make monthly payments of \$1,000. Applicant was unable to commit himself to making the \$1,000 payments, and the creditor refused to negotiate any further options. (Item 2 at 1; Item 3 at 11, 43-44; Item 6 at 7)

COVID-19 had previously caused Applicant and his then-fiancé to be laid off in early 2020. He managed to obtain a job in December 2020, only to lose it in February 2021. Her job difficulties left her with low hours, so she eventually obtained another job with guaranteed hours starting in April 2023. (Response to FORM at 1-2)

While not alleged in the SOR, Department Counsel argued that Applicant also had several other accounts that were either currently delinquent or had been delinquent. Applicant discussed some of those accounts with the OPM investigator and indicated the issue arose when his unemployment checks failed to be issued in a timely fashion because of a revised process, and his initial employment salary checks took extra time to be issued by mail. (Item 6 at 7) As a result of the security clearance eligibility process, in February 2023, Applicant engaged the professional services of a debt resolution company to assist him resolving those smaller unalleged debts. The large medical debt is not being handled under the agreement. He currently makes bi-weekly payments to the company totaling \$250 per month. (Debt Negotiation Agreement attached to Response to FORM) It is his intent to continue making the scheduled payments and increase those payments when he has the funds to do so and then move on to the next account. Because of the size of the medical debt, and the inability to work out a more reasonable payment plan, he intends to seek legal advice and perhaps explore bankruptcy. (Response to FORM at 2)

As part of his debt agreement with the company, Applicant reported his monthly net income of \$3,975; and monthly expenses of \$3,664. His wife's income is not included. (Personal Cashflow Statement attached to Response to FORM)

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. Sep. 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 one delinquent debt totaling approximately \$58,835 which arose from a UTV accident in which Applicant rolled the UTV, crushing and pinning his arm. A paramedic ambulance was sent to get him to the highway where a helicopter flight met them and took Applicant to a hospital where he remained for over one month undergoing multiple surgeries, skin grafts, and blood transfusions. His time in the hospital, his one working arm, and eventual physical therapy left him jobless from February through November 2021. He was on unemployment during that period. Applicant eventually received a bill and he called the creditor in an attempt to enroll in a payment plan. The creditor offered him only two options: pay the entire debt in full or make monthly payments of \$1,000. Applicant was unable to commit himself to making the \$1,000 payments, and the creditor refused to negotiate any further options.

COVID-19-affiliated layoffs for both Applicant and his wife impacted both of them financially in early 2020. He managed to obtain a job in December 2020, only to lose it in February 2021 just before the accident. Her job difficulties left her with low hours, so she eventually obtained another job with guaranteed hours starting in April 2023. Nevertheless, despite the current presence of that one substantial medical debt, Applicant's eventual and current inability to satisfy that debt given the two options by the creditor, does not support the establishment of a history of not meeting financial obligations under AG ¶ 19(c), but does establish an inability to satisfy debts under AG ¶ 19(a). There is no evidence to support the establishment of any unwillingness to satisfy debts regardless of the ability to do so under 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; and

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

AG ¶¶ 20(a), 20(b), 20(c), and 20(d) apply. As noted above, Applicant attributed his current financial situation to several factors: his February 2021 UTV accident; his health struggles for the remainder of that year undergoing multiple surgeries, skin grafts, blood transfusions, and physical therapy; and his unexpected layoff by his employer leaving him without health insurance – situations that were largely beyond his control. He was on unemployment insurance for a substantial period. Applicant eventually received a bill from the creditor, and he called the creditor in an attempt to enroll in a payment plan. The creditor offered him only two options: pay the entire debt in full or make monthly payments of \$1,000. Applicant was unable to commit himself to making the \$1,000 payments, and the creditor refused to negotiate any further options.

Applicant's financial situation was not helped by his, or his wife's, COVID-19-related employment difficulties that arose before and after the accident. He evaluated his financial situation and decided to trade in his wife's high-interest rate (18%) automobile for a much lower interest rate (4%) vehicle. He also arrived at a point where he sought assistance to address his newer non-SOR related delinquent accounts. In doing so, he obtained financial counseling, debt relief, and credit repair services, and initiated a good-faith effort to repay several of those overdue creditors and is currently paying the debt relief company \$250 per month to resolve those accounts. Because of the medical-creditors refusal to offer Applicant a more reasonable repayment option, that substantial medical-related account is simply awaiting a decision with an attorney. (Response to FORM at 1-2)

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))). Between the date Applicant first learned of his delinquent medical-related account to the date he was interviewed by the OPM investigator in March 2022, and the date his response to the FORM was submitted in May 2023, he made verifiable efforts to address the non-SOR related delinquent debts, but still has not achieved any success in resolving the medical debt alleged in the SOR.

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

delinquent accounts were known to the government before the SOR was issued and it was apparently decided that they were too insignificant to allege. However, Applicant's resolution efforts in addressing them will be considered only for the five purposes listed above.

Based on the evidence, it appears that Applicant has repeatedly unsuccessfully attempted to negotiate a reasonable repayment option with the medical-account creditor for a multi-year period. At some point, he should either be able to acquire sufficient funds to make reasonable monthly payments under one of the options offered him or he may have to follow legal advice to file for bankruptcy protection and make court-approved payments. The overwhelming evidence leads to the conclusion that his financial problems are, except for the medical account, under control and that he is truly interested in resolving them. His actions indicate that he has acted responsibly. 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 clearly stated an intention to address his one delinquent SOR-related account and he is hoping either for a more reasonable repayment option or he may have to seek the assistance of the bankruptcy court. His actions regarding his non-SOR-related accounts indicate reasonable efforts to resolve his financial issues.

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 has taken specific verifiable actions regarding the non-SOR-related accounts and discussed specific options left to him regarding the one alleged delinquent account.

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 clear evidence that while Applicant has a small monthly remainder available for savings or spending, he is making payments through his credit relief agent to the creditors of non-SOR-related delinquent accounts. Action regarding the substantial SOR-alleged medical account is awaiting a legal decision regarding possible bankruptcy with court-approved payments or a more reasonable payment option from the creditor. Applicant’s position, under the circumstances, no longer 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 disqualifying evidence regarding Applicant's financial considerations. There is one delinquent debt from February 2021 totaling approximately \$58,835 which arose from a UTV accident in which Applicant rolled the UTV, crushing and pinning his arm. The creditor offered him two options to pay the bill but Applicant was unable to commit himself to comply with either option. The account remains unresolved. In addition, Applicant also has several rather insignificant delinquent accounts that the government chose not to include in the SOR.

The mitigating evidence under the whole-person concept is simply more substantial and compelling. Applicant is a 29-year-old employee of a defense contractor. He has been serving as an electronic technician since January 2022. He previously worked for other employers in a variety of positions as a heavy equipment operator; a data center technician; and network technician; as well as several short-term positions that were generally less than 12 months each. He was unemployed during several periods in 2012, 2013, 2015, 2020, and 2021. He was unexpectedly laid off by his employer several days before his accident. Following his UTV accident Applicant was taken to a hospital where he remained for over one month undergoing multiple surgeries, skin grafts, and blood transfusions. His time in the hospital, his one working arm, and eventual physical therapy left him jobless from February through November 2021.

Upon receiving his bill, he called the creditor and was offered only two options: pay the entire debt in full or make monthly payments of \$1,000. Applicant was unable to commit himself to making the \$1,000 payments, and the creditor refused to negotiate any further options. Applicant was on unemployment during that period. Regarding his non-SOR-related accounts, he obtained financial counseling, debt relief, and credit repair services, and initiated a good-faith effort to repay several of those overdue creditors and is currently paying the debt relief company \$250 per month to resolve those accounts. The SOR-related account is awaiting a decision as to whether Applicant should file for bankruptcy protection. He is a 2012 high school graduate. He was married in 2022. He has one child born in 2022.

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 seeking assistance and entering into a repayment agreement regarding the unalleged accounts and his – to date, unsuccessful – efforts to resolve the one alleged medical account is positive and hopeful. Overall, the evidence leaves me without substantial questions and doubts as to Applicant’s eligibility and suitability for a security clearance. Moreover, considering the government’s ongoing review of Applicant’s financial situation under a Continuous Evaluation Program, if he fails to make more timely and successful efforts at resolving the alleged medical account, that issue will be highlighted in the future. For all these reasons, I conclude Applicant has mitigated 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: FOR APPLICANT

Subparagraph 1.a.: For Applicant

Conclusion

In light of all of the circumstances presented by the record in this case, it is clearly consistent with the national interest to grant Applicant eligibility for a security clearance. Eligibility for access to classified information is granted.

ROBERT ROBINSON GALES
Administrative Judge