



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



In the matter of:)	
)	
[Name Redacted])	ISCR Case No. 23-01448
)	
)	
Applicant for Security Clearance)	

Appearances

For Government: Sakeena Farhath, Esquire, Department Counsel
For Applicant: *Pro se*

02/18/2025

Decision

HOGAN, Erin C., Administrative Judge:

On August 8, 2023, the Department of Defense (DOD) issued a Statement of Reasons (SOR) to Applicant detailing security concerns under Guideline F, Financial Considerations, and Guideline G, Alcohol Consumption. The action was taken under Executive Order (EO) 10865, *Safeguarding Classified Information within Industry* (February 20, 1960), as amended; Department of Defense Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (January 2, 1992), as amended (Directive); and the adjudicative guidelines (AG) effective within the Department of Defense on June 8, 2017.

On August 16, 2023, Applicant answered the SOR and requested a hearing before an administrative judge. The case was assigned to another administrative judge on April 2, 2024, and transferred to me on June 4, 2024. A Notice of Hearing was issued on August 14, 2024, scheduling the hearing on October 8, 2024. The hearing was held as scheduled, via video-teleconference. During the hearing, the Government offered six exhibits which were admitted as Government Exhibits (GE) 1 - 6. The Government's Exhibit list was marked as Hearing Exhibit (HE) I. Applicant testified and offered four exhibits which were admitted without objection as Applicant Exhibits (AE) A-D. The record was held open until October 31, 2024, to allow Applicant to submit

additional documents. Applicant submitted two exhibits which were admitted as AE E - F without objection. Applicant was given several continuances so that he could submit additional documents with the final date of January 13, 2025.(HE III) He submitted four additional documents which were admitted as AE G – AE J without objection. (HE II consists of Department Counsel's e-mails noting no objection to Applicant's post-hearing documents.) The transcript (Tr.) was received on October 16, 2024. Based upon a review of the pleadings, exhibits, and testimony, eligibility for access to classified information is denied.

Findings of Fact

Applicant is a 46-year-old employee of a DOD contractor seeking to maintain a security clearance. He has worked for his current employer since September 2024. He has worked for other DOD contractors in the past and has held a security clearance since 2020. He divorced his wife in 2019 and has three sons from this marriage, ages 21, 20 and 13. He currently lives with a partner, whom he refers to as his wife, but they are not married. They have a three-year-old son. (Tr.24, 30-31, 51; Gov 1)

The names of individuals, businesses, and institutions have been changed in this decision in the interests of protecting the Applicant's privacy. More detailed information is in the case file.

Guideline F, Financial Considerations:

In his answer to the SOR, Applicant denies the allegation in SOR ¶ 1.b and admits to all of the remaining SOR allegations.

Applicant submitted an Electronic Questionnaire for Investigations Processing (e-QIP) on January 27, 2019. In response to Section 26, Financial Record, Applicant answered, "yes" in response to whether he had delinquent accounts, charged-off accounts, or delinquent accounts that were placed for collection. He listed 15 delinquent debts. A subsequent security clearance background investigation confirmed he still had delinquent accounts. The SOR alleged 15 delinquent accounts, totaling approximately \$134,253. (GE 1) The debts include: \$101,552 delinquent child support account (SOR ¶ 1.a: GE 1 at 82-83; GE 2 at 6; GE 3 at 2); a \$5,125 debt that was placed for collection (SOR ¶ 1.b: GE 3 at 2; GE 6 at 2); a \$2,506 delinquent child support account (SOR ¶ 1.c: GE 3 at 2; GE 4 at 2); and a \$130 charged-off account. (SOR ¶ 1.d: GE 3 at 3; GE 4 at 4).

Additional delinquent accounts include: a \$103 charged-off account (SOR ¶ 1.e: GE 3 at 3; GE 4 at 7); a \$63 delinquent cable/internet account that was placed for collection (SOR ¶ 1.f: GE 3 at 3); a \$9,604 charged-off account (SOR ¶ 1.g: GE 4 at 2); a \$3,903 account that was placed for collection (SOR ¶ 1.h: GE 4 at 2); a \$2,133 medical account that was placed for collection (SOR ¶ 1.i: GE 4 at 3); a \$1,848 delinquent account that was placed for collection (SOR ¶ 1.j: GE 4 at 3); an \$886 delinquent account that was placed for collection (SOR ¶ 1.k: GE 4 at 3); a \$695

delinquent medical account that was placed for collection (SOR ¶ 1.l: GE 4 at 3); a \$240 delinquent medical account that was placed for collection (SOR ¶ 1.m: GE 4 at 3); a \$228 delinquent utility account that was charged off (SOR ¶ 1.n: GE 4 at 4); and a \$112 delinquent medical account that was placed for collection (SOR ¶ 1.o: GE 4 at 4).

A credit report dated October 2, 2024, listed two additional delinquent debts that were not alleged in the SOR. A \$63 debt that was placed for collection in July 2023 (GE 6 at 2; AE A at 12) and a \$593 department store credit card account that was charged-off in April 2023. (GE 6 at 2; AE A at 9; AE D at 19-20) Since these debts were not alleged in the SOR, they will not be considered under disqualifying conditions under Guideline F, but will be considered under matters of extenuation and mitigation.

Applicant's SOR also contained one allegation under Guideline G, Alcohol Consumption. In September 2018, he was arrested and charged with Driving Under the Influence (DUI). In January 2019, he was found guilty. His license was suspended for one year and he was on probation for one year. (SOR ¶ 2.a: GE 5)

Applicant testified that his financial problems were caused by being laid off in 2020. He was unemployed for a period of six months between 2020 and 2021. He was unable to find well paying positions. The COVID-19 pandemic also adversely affected his ability to find suitable employment. His unemployment caused him to get behind on his child support payments. He was divorced in 2019. His child support order took effect in 2019 or 2020. He was ordered to pay \$2,800 a month in child support. After he lost his job, he just was trying to survive and stopped paying child support. He attempted to have the court reduce his child support, but it was denied. (Tr. 24-25)

When Applicant found employment, the courts sought an order to have his wages garnished for child support. In 2023, he was making enough money that he began to make double child support payments. He testified that he paid \$5,000 a month for a period of time. He did not provide documentation verifying this assertion. The child support is taken out as a direct allotment from his paycheck. He mentioned that since he changed jobs, he had to fill out new paperwork to have his child support taken from his paycheck. Child support payments should begin once the paperwork is processed. (Tr. 26-28)

The status of each SOR debt is:

SOR ¶¶ 1.a and 1.c will be addressed together because they both relate to delinquent child support.

SOR ¶ 1.a: a \$101,552 delinquent child support account and SOR ¶ 1.c: a \$2,506 child support arrearage. (AE C; Response to SOR) It is unclear whether these debts come from the same child support account. During the hearing, Applicant was not very clear about where his child support accounts are located. After the hearing, Applicant noted in his post-hearing documentation that he had two child support orders, one from State One where his ex-wife and his three sons resided and another from

State Two for another child. When the support orders were established, he was working for a contractor overseas earning more income than he earned upon returning to the United States. After returning from Iraq, he endured several months of unemployment. When he eventually found a job, he was earning \$21 an hour. He repeatedly attempted to have his State One child support order revised because of his reduced income. His requests were denied. He claims he was making his child support payments consistently, but State One was deducting 50 percent of his paychecks. He struggled financially and was unable to keep up with his child support obligations. Once he found better paying employment, he was able to begin to catch up on his financial obligations. He states his credit report indicated at one point, his child support arrearages once exceeded \$80,000. (The credit reports at GE 2 and GE 3 indicate the delinquency was \$100,552.) He has made significant payments to lower this amount. As of December 12, 2024, State One indicated he owed approximately \$17,611 in child support arrearages. He claims two of his sons are over 18 and are no longer on his child support order. (AE J)

While Applicant said his other child support order was for State Two, the documents provided indicated he has a child support order in State Three. It is unclear whether this relates to the child support order in State Two. He provided a document from the State Three Department of Child Support Enforcement indicating that as of October 1, 2024, he owed approximately \$8,169 in past due child support. The statement also indicated that his child support obligation was \$664 monthly. (AE C; AE E) Applicant claims his child support is no longer in collection status. He admits to having his license suspended for failure to pay child support. He was able to get his license back about a year ago. (Tr. 42-43)

Applicant provided copies of his pay statements from his previous employer which indicated that he made payments of \$538.61 towards his State One Child Support every two weeks in March 2024, July 2024 and August 2024. He paid \$153.24 towards his State Three Child Support order in March 2024, from July 7, 2024 to August 4, 2024. The last paycheck he provided indicates that he paid \$83.07 in child support to the child in State Three and \$98.32 to the State One Child Support Order. It is unclear as to why the child support payments were reduced. The August 2024 paystub indicated that he paid a total of \$3,454 towards the State Three Child Support Order so far in calendar year 2024 and a total of \$17,333 towards the State One Child Support Order so far in calendar year 2024. (AE I)

At his current job, there is an income withholding order of support for a son, who was born in November 2017. This appears to be related to the State Three Child Support Order. The support order deducts \$664 for his current child support and \$86 for past-due child support for a total of \$750 per month. (AE F) Applicant provided copies of his paychecks dated December 27, 2024, and January 10, 2025. Approximately \$346.10 is being deducted from his current paycheck for child support. (AE J at 4-8).

The record is unclear whether he is making consistent payments towards his State One Child Support Order. Applicant was given the opportunity to contact the child

support office of each state where he has child support orders to obtain a copy of his child support payment history. (Tr. 42-43, 62) He did not provide copies of his payment histories in either State One or State Three. I am not certain there is a child support case in State Two. It is likely being handled in State Three.

SOR ¶ 1.b: a \$5,125 delinquent account placed for collection: In his response to the SOR, Applicant disputed this debt. He mentioned he is working with a credit repair agency to dispute this debt. During the hearing, he provided an updated copy of his credit report, dated October 8, 2024. The credit report indicated on page 11 that a new collection agency was collecting on behalf of the creditor. It also indicated Applicant was disputing this account. The dispute was denied. On August 16, 2024, he signed a contract with a debt resolution firm. The agreement involved settling two debts. The other debt was a credit card debt that had an approximate balance of \$6,129. It was not alleged in the SOR. He agreed to pay the debt resolution firm \$267.03 on a monthly basis over a period of 36 months to resolve this account. The monthly payments are withdrawn directly from his checking account. The debt is likely being resolved. (Tr. 44-45; AE B; AE G)

SOR ¶ 1.d: a \$130 delinquent account that was charged off: In his response to the SOR, Applicant admits this debt, but claims he paid it. He was unable to provide a receipt. Applicant provided a credit KARMA report, dated August 11, 2023, which indicated that debt was to remain on the report until May 2024. It is likely the debt was removed from his credit report because of the seven-year statute of limitations under Fair Credit Reporting Act (FCRA). The debt is not listed on his most recent credit report dated October 8, 2024. (Tr. 46-47; AE A; AE D at 13-14)

SOR ¶ 1.e: a \$103 account that was charged off. In his response to the SOR, Applicant admits this debt, but claims it was paid off. He was unable to provide a receipt. Applicant provided a credit KARMA report, dated August 11, 2023, which indicated that debt was to remain on the report until June 2024. It is likely the debt was removed from his credit report because of the seven-year statute of limitations under FCRA. The debt is not listed on his most recent credit report dated October 8, 2024. (Tr. 46-47; AE A; Response to SOR; AE D at 16)

SOR ¶ 1.f: a \$63 delinquent cable television bill that was placed for collection. In his response to the SOR, Applicant admits this debt, but claims it was paid off. He was unable to provide a receipt. (Tr. 47-48; Response to SOR; GE 3 at 3; GE 6 at 2; AE A at 12)

SOR ¶ 1.g: a \$9,604 account that was charged off. In his response to the SOR, Applicant admits this debt, but states it is resolved and is no longer listed on his credit report. He did not provide documentation that he paid the debt. (Response to SOR)

SOR ¶ 1.h: \$3,903 delinquent account that was placed for collection: Applicant admits this debt, but claims it is resolved and is no longer listed on his credit report. He provided no documentation indicating the debt was paid. (Response to SOR)

SOR ¶ 1.i: \$2,133 delinquent medical account that was placed for collection: Applicant admits this debt, but claims it is resolved and is no longer listed on his credit report. He provided no documentation indicating the debt was paid. (Response to SOR)

SOR ¶ 1.j: \$1,848 delinquent account that was placed for collection: Applicant admits this debt, but claims it is resolved and is no longer listed on his credit report. He provided no documentation indicating the debt was paid. (Response to SOR)

SOR ¶ 1.k: \$886 delinquent account that was placed for collection: Applicant admits this debt, but claims it is resolved and is no longer listed on his credit report. He provided no documentation indicating the debt was paid. (Response to SOR)

SOR ¶ 1.l: \$695 delinquent medical account that was placed for collection: Applicant admits this debt, but claims it is resolved and is no longer listed on his credit report. He provided no documentation indicating the debt was paid. (Response to SOR)

SOR ¶ 1.m: \$240 delinquent medical account that was placed for collection: Applicant admits this debt, but claims it is resolved and is no longer listed on his credit report. He provided no documentation indicating the debt was paid. (Response to SOR)

SOR ¶ 1.n: \$228 delinquent utility account that was charged off: Applicant admits this debt, but claims it is resolved and is no longer listed on his credit report. He provided no documentation indicating the debt was paid. (Response to SOR)

SOR ¶ 1.o: \$112 delinquent medical account that was placed for collection: Applicant admits this debt, but claims it is resolved and is no longer listed on his credit report. He provided no documentation indicating the debt was paid. (Response to SOR)

After the hearing, Applicant provided an updated budget. He listed his total monthly income as approximately \$14,681. He listed his actual monthly expenses as approximately \$6,029. He pays \$2,760 in monthly child support. It appears that he has \$1,880 left over each month after expenses. This may not be entirely accurate because the budget worksheet is confusing. (AE J at 3)

Guideline G – Alcohol Consumption

Applicant admits that he was arrested in September 2018 for DUI. He drank too much alcohol at his nephew's birthday party. He got into a single vehicle accident while driving home from the party. He says it was his fault. He said that his decision to drive after drinking alcohol was a mistake and very bad judgment. No one else was injured in the accident. He completed all of the terms of his sentence. He took an alcohol awareness class. His license was suspended for one year. He got his license back. He has not drank alcohol in over four years. The last time he drank alcohol was in June or July 2020. The September 2018 DUI was his only alcohol-related offense. He stopped drinking because he has a family to care for. He claims he seldom drank around the

time that he was arrested for DUI. He does not intend to let it happen again. He has not had any additional alcohol-related arrests/incidents. (Tr. 53-55; GE 1 at 73-74; GE 5)

Policies

When evaluating an applicant's suitability for a security clearance, the administrative judge must consider the adjudicative guidelines (AG). In addition to brief introductory explanations for each guideline, the adjudicative guidelines list potentially disqualifying conditions and mitigating conditions, which are useful in evaluating an applicant's eligibility for access to classified information.

These guidelines are not inflexible rules of law. Instead, recognizing 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. According to AG ¶ 2(a), 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 decision.

The protection of the national security is the paramount consideration. AG ¶ 2(b) requires that "[a]ny doubt concerning personnel being considered for access for national security eligibility will be resolved in favor of the national security." In reaching this decision, I have drawn only those conclusions that are reasonable, logical, and based on the evidence contained in the record.

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 as to obtaining a favorable security decision.

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. The government reposes a high degree of trust and confidence in individuals to whom it grants access to classified information. Decisions include, by necessity, consideration of the possible risk that the applicant may deliberately or inadvertently fail to protect or 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.

Section 7 of EO 10865 provides that decisions shall be "in terms of the national interest and shall in no sense be a determination as to the loyalty of the applicant concerned." See *also* EO 12968, Section 3.1(b) (listing multiple prerequisites for access to classified or sensitive information).

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.

AG ¶ 19 notes several disqualifying conditions that could raise security concerns. The disqualifying conditions that are relevant to Applicant's case include:

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

At the time the SOR was issued, Applicant had 15 delinquent accounts, an approximate total of \$129,128. Of that amount, \$104,058 was for delinquent child support; \$21,890 were delinquent consumer debts, and \$3,180 were delinquent medical debts. He has a history of financial irresponsibility. AG ¶¶ 19(a) and 19(c) apply.

An individual who is financially irresponsible may also be irresponsible, unconcerned, or careless in his obligations to protect classified information. Behaving irresponsibly in one aspect of life provides an indication of how a person may behave in other aspects of life. A person's relationship with his creditors is a private matter until evidence is uncovered demonstrating an inability or unwillingness to pay debts under agreed terms. Absent evidence of strong extenuating or mitigating circumstances, an applicant with a history of serious or recurring financial difficulties is in a situation of risk inconsistent with the holding of a security clearance. An applicant is not required to be debt free but is required to manage his finances in such a way as to meet his financial obligations.

The Government's substantial evidence and Applicant's own admissions raise security concerns under Guideline F. The burden shifted to Applicant to produce evidence to rebut, explain, extenuate, or mitigate the security concerns. (Directive ¶ E3.1.15)

AG ¶ 20 includes examples of conditions that could mitigate security concerns arising from financial difficulties. The following mitigating conditions potentially apply to Applicant's case:

(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; and

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

AG ¶ 20(a) does not apply. While most of Applicant's debts became delinquent several years ago, they are 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, 20217) (citing ISCR Case No. 15-01690 at 2 (App.Bd. Sept. 13, 2016) Applicant's failure to resolve his delinquent debts raised questions about his reliability, trustworthiness, and good judgment.

AG ¶ 20(b) partially applies because Applicant encountered brief periods of unemployment as well as a divorce, which were conditions beyond his control. This mitigating condition is given less weight because he did not act responsibly under the circumstances. He chose to ignore his delinquent debt and his child support payments for years. I cannot conclude he acted responsibly under the circumstances.

AG ¶ 20(d) partially applies with respect to the debts alleged in SOR ¶¶1.a - 1.c. Applicant provide proof that he is making payments towards his delinquent child support debts. The balance of his delinquent child support for State One has been reduced from \$101,000 to presently \$17,611. He is also is paying his child support for the child in State Three. Applicant entered into a payment plan with a credit repair company to resolve the debt alleged SOR ¶ 1.b. At the close of the record, he was just beginning to make the monthly payments towards the debt. I cannot conclude he is adhering to the payment plan. For this reason, the mitigating condition is given less weight.

AG ¶ 20(d) does not apply to the remaining SOR allegations because he failed to provide documentation to prove that he paid the debts alleged in SOR ¶¶ 1.b, 1.d -1.o. While Applicant claims he paid the debts, he provided no proof of resolution for any of these debts other than the debts no longer appear on his credit report. It is likely the debts are no longer on his credit report because more than seven years have passed

since the debts became delinquent and were removed from his credit reports in accordance with the FCRA. Passively waiting for the debts to become unenforceable because of the statute of limitations is not considered a good-faith effort to resolve one's debts. It remains significant for security clearance purposes. See ISCR case No. 15-02326 at 3 (App. Bd. Oct. 14, 2016) and ISCR Case No. 15-01208 at 3 (App. Bd. Aug 26, 2016)

While Applicant is paying down his child support delinquencies in State One and State Three, he did not provide sufficient proof that he paid or resolved his remaining debts. He did not mitigate the security concerns raised under the Financial Considerations Guideline.

Guideline G (Alcohol Consumption)

The concern under this guideline is set out in AG ¶ 21: "Excessive alcohol consumption often leads to the exercise of questionable judgment or the failure to control impulses and can raise questions about an individual's reliability and trustworthiness."

Applicant's arrest in for DUI in September 2018 and subsequent conviction in January 2019 establishes the disqualifying condition in AG ¶ 22(a): "alcohol-related incidents away from work, such as driving while under the influence, fighting, child or spouse abuse, disturbing the peace, or other incidents of concern, regardless of the frequency of the individual's alcohol use or whether the individual has been diagnosed with alcohol use disorder."

The following mitigating conditions are potentially applicable to Applicant's case:

AG ¶ 23(a): so much time has passed, or the behavior was so infrequent, or it happened under such unusual circumstances that it is unlikely to recur or does not cast doubt on the individual's current reliability, trustworthiness, or judgment; and

AG ¶ 23(b): the individual acknowledges his or her pattern of maladaptive alcohol use, provides evidence of actions taken to overcome this problem, and has demonstrated a clear and established pattern of modified consumption or abstinence in accordance with treatment recommendations.

AG ¶ 23(a) applies. It has been over six years since Applicant's arrest for DUI. He has not had any additional alcohol-related incidents. There is no evidence in the record that Applicant was a habitual user. AG ¶ 23(b) applies in that Applicant stopped drinking alcohol about four years ago. While not a habitual user, he decided to stop drinking alcohol because he wanted to avoid the risk of future problems for himself and his family. Applicant mitigated the security concerns raised under alcohol consumption.

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 timely adjudicative process factors listed at AG ¶ 2(d):

(1) the nature, extent, and seriousness of the conduct; (2) the circumstances surrounding the conduct, to include knowledgeable participation; (3) the frequency and recency of the conduct; (4) the individual's age and maturity at the time of the conduct; (5) the extent to which participation is voluntary; (6) the presence or absence of rehabilitation and other permanent behavioral changes; (7) the motivation for the conduct; (8) the potential for pressure, coercion, exploitation, or duress; and (9) the likelihood of continuation or recurrence.

Under AG ¶ 2(c), the ultimate determination of whether to grant eligibility for a security clearance must be an overall commonsense judgment based upon careful consideration of the guidelines and the whole-person concept.

I considered the potentially disqualifying and mitigating conditions in light of all the facts and circumstances surrounding this case. I considered Applicant has worked for the same defense contractor since 2022. I considered Applicant's divorce in 2019 as well as his periods of unemployment. I also considered that he failed to pay his child support obligations which resulted in a large delinquency. I considered that he is paying down his delinquent child support. He entered into a repayment agreement pertaining to the debt alleged in SOR ¶ 1.b. However, the repayment agreement is fairly recent. It is too soon to conclude that debt will be resolved. The remaining debts alleged in the SOR are no longer on his credit report, but it appears he chose to passively wait seven years until the debts were no longer on his credit report rather than pay them. While Applicant's current financial situation appears to have improved, his past actions raise questions about his trustworthiness and reliability. Security concerns under financial considerations are not mitigated.

Applicant mitigated the security concerns raised under Alcohol Consumption. His DUI arrest occurred in 2018. He has completed the terms of his sentence and has no subsequent alcohol-related incidents. He stopped drinking alcohol four years ago.

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 and 1.c:

For Applicant

Subparagraphs 1.b, 1.d-1.o:	Against Applicant
Paragraph 2, Guideline G:	FOR APPLICANT
Subparagraph 2.a:	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 security to grant Applicant eligibility for a security clearance. Eligibility for access to classified information is denied.

ERIN C. HOGAN
Administrative Judge