



**DEFENSE LEGAL SERVICES AGENCY
DEFENSE OFFICE OF HEARINGS AND APPEALS**



In the matter of:)
)
) ISCR Case No. 24-01920
)
Applicant for Security Clearance)

Appearances

For Government: Alison P. O’Connell, Esq., Department Counsel
For Applicant: John O. Iweanoge II, Esq.

05/22/2026

Decision

BORGSTROM, Eric H., Administrative Judge:

Applicant did not mitigate the financial considerations and personal conduct security concerns. Eligibility for access to classified information is denied.

Statement of the Case

On March 7, 2025, the Defense Counterintelligence and Security Agency (DCSA) issued a Statement of Reasons (SOR) to Applicant detailing security concerns under Guideline F (financial considerations) and Guideline E (personal conduct). The DCSA acted under Executive Order (EO) 10865, *Safeguarding Classified Information within Industry* (February 20, 1960), as amended; Department of Defense (DOD) Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (January 2, 1992), as amended (Directive); and the adjudicative guidelines (AG) implemented on June 8, 2017.

In Applicant’s June 16, 2025 response to the SOR (Answer), he admitted but also disputed the four alleged debts, and he denied the falsification allegation. He provided some additional information about the circumstances contributing to his financial delinquencies. He attached a letter from his spouse detailing her cancer diagnosis, surgery, treatment, and significant medical expenses. He also attached an April 3, 2025 credit report and two character-reference letters. He included an email confirmation that disputes had been submitted to the credit bureaus concerning his accounts. He requested

a hearing before a Defense Office of Hearings and Appeals (DOHA) administrative judge.
(Answer)

On July 1, 2025, the Government was ready to proceed to a hearing. The case was delayed when all administrative judges were furloughed from October 1 through November 12, 2025, during a federal government shutdown due to a lapse in federal funding.

I was assigned this case on December 17, 2025. On January 14, 2026, a notice was issued scheduling the hearing for March 4, 2026. The hearing proceeded as scheduled. The Government proffered 10 evidentiary exhibits, which I admitted as Government Exhibits (GE) 1 through 10, without objection. Applicant testified and submitted 13 exhibits, which I admitted as Applicant Exhibits (AE) A through M, without objection. At Applicant's request, I kept the record open until April 3, 2026, to provide him an opportunity to supplement the evidentiary record. DOHA received the hearing transcript (Tr.) on March 11, 2026.

On March 25, 2026, Applicant submitted two exhibits, which I admitted as AE N and O. Applicant's counsel requested to withdraw Applicant's clearance application due to notification of Applicant's pending employment termination on March 27, 2026. I responded that, pursuant to Paragraphs 4.4 and 4.41 of the Additional Procedural Guidance of the Directive, I am compelled to render an eligibility determination once a hearing has commenced. This email exchange is included in the record as Hearing Exhibit (HE) 4. On April 3, 2026, Applicant's counsel provided an email regarding Applicant's ongoing debt-resolution efforts. This email is admitted into evidence as AE P, without objection. The evidentiary record closed on April 3, 2026.

Findings of Fact

Applicant is 53 years old. He earned a bachelor's degree in 1994 and a master's degree in 2004. He has been married since August 1999. He has two children, ages 17 and 23. (GE 1-3; Tr. 20-21)

From August 2017 to March 27, 2026, Applicant was employed full time as a senior systems engineer for a federal contractor. From August 2011 to August 2016, he was employed full time as a senior systems engineer for a federal contractor. He was granted public trust eligibility while in this position, which he maintained as of the DOHA hearing. Since August 2015, Applicant has also maintained a part-time consulting business providing technical training. (GE 1-3; AE O; Tr. 21-22)

On August 16, 2017, Applicant certified and submitted an Electronic Questionnaire for Investigations Processing (e-QIP). Under Section 22 – Your Financial Record, he reported that he had filed a voluntary petition for Chapter 7 bankruptcy in April 2014. He explained that his family had experienced financial hardship after his wife's cancer diagnosis, surgery, and treatment. They acquired personal loans from family members but were compelled to file a bankruptcy petition due to the medical expenses. The

bankruptcy petition lists \$584,960 in assets and \$863,498 in liabilities. The dischargeable debts were subsequently discharged. (GE 2, GE 9 at 1; Tr. 37)

On February 26, 2024, Applicant updated and submitted another e-QIP. Under Section 26 – Financial Record, he answered “NO” to the following queries:

In the last seven (7) years, [have] you defaulted on any type of loan?

In the last seven (7) years, [have] you had bills or debts turned over to a collection agency?

In the last seven (7) years, [have] you have any account or credit card suspended, charged off, or cancelled for failing to pay as agreed?

In the last seven (7) years, you have been over 120 days delinquent on any debt not previously entered?

You are currently over 120 days delinquent on any debt?

On April 9, 2024, Applicant was interviewed by an authorized investigator on behalf of the Office of Personnel Management (OPM). When questioned about his finances, Applicant stated that he was unable to recall any specifics. He was then confronted with several delinquent accounts. He admitted the four alleged accounts, but he believed that SOR ¶¶ 1.c. and 1.d. were duplicate accounts. He also disputed the balances reported on the credit report referenced by the OPM investigator. He attributed his financial delinquencies to the COVID-19 pandemic and its negative impact on his part-time self-employment. He identified a credit-repair-company (CRC) which he had engaged to dispute the four alleged debts. As of the OPM interview, he had not initiated any payment agreements or made any payments, and he did not provide any documentary evidence of his debt-resolution efforts. In his December 27, 2024 response to DOHA interrogatories, Applicant adopted the summary of his April 2024 OPM interview. (GE 3 at 2-9)

In his interrogatory response, Applicant claimed that he had engaged the services of a CRC to dispute his delinquent debts, including SOR ¶¶ 1.a.-1.d. He claimed to have sent correspondence to the creditors seeking “validation” of the debts, and he included letters to two credit bureaus requesting several accounts, including SOR ¶¶ 1.a. and 1.b., be deleted from his credit report. There was no evidence of any payments or payment arrangements at that time. He attached a monthly budget reflecting \$20,188 in monthly household income (his full-time employment, his part-time employment, and his spouse’s income). The budget listed approximately \$42,293 in monthly expenses and a net remainder of \$8,027; however, these figures cannot be arithmetically correct. He also attached an invoice from a consulting service engaged in “credit repair” as of December 2024, but no specific accounts or actions taken are identified. He attached a list of financial accounts, including SOR ¶¶ 1.a., 1.b., 1.d., that lists these accounts as “closed” with no monthly payments. (GE 3 at 10-19)

Applicant provided limited documentary evidence but testified to having engaged three different CRCs in succession to validate, dispute, and potentially negotiate payments on his delinquent accounts. He did not provide any documentary evidence to specifically identify which accounts were involved. He engaged CRC 1 sometime prior to his engagement of CRC 2 in December 2024. He testified that he had engaged CRC 1 prior to his February 2024 e-QIP. He engaged CRC 2 through early 2025 but did not believe that sufficient progress or communications were accomplished. He provided correspondence to and from the three credit bureau reports, all occurring after the issuance of the SOR, concerning his disputes. On April 3, 2025, one credit bureau acknowledged Applicant's disputes and noted that the investigations had been completed. Six accounts were deleted by the credit bureau, including SOR ¶¶ 1.a. and 1.b. (GE 8; AE C, E-J; Tr. 41-43, 61-62, 75)

On January 16, 2026, Applicant engaged CRC 3 to validate his debts, dispute his accounts, and pursue settlements on any verified accounts. He provided correspondence of requests to all three credit bureau reports requesting the "verification" of specific accounts, including SOR ¶¶ 1.a. and 1.b. There is no evidence of any response from the credit bureaus or actions taken. There is no documentary evidence of any correspondence between any of the engaged CRCs and the creditors in the SOR. As to his plan to resolve his delinquent accounts, he testified as follows:

I'm able to pay it once we come to a resolution of the exact amount because I believe that during the process of a hand change between these creditors, I am not really sure of the exact amount. And I'm willing to settle and pay as soon as I have a validated number that I have to pay into.

(AE C, E-J; GE 8; Tr. 41-43, 53, 73-74)

After the hearing, Applicant provided a January 16, 2026 letter of engagement with CRC 3 outlining the its plan to verify all of the reported debts, seek debt validation documentation from the creditors, and then pursue settlements for the verified accounts. This engagement letter and attached materials do not identify which accounts would be addressed by CRC 3. (AE N; Tr. 31-32)

The SOR alleges four delinquent consumer accounts totaling approximately \$79,600.

SOR ¶ 1.a. This credit-card account was placed for collection in August 2022 in the approximate amount of \$8,194. Applicant's June 2025 credit report noted that Applicant had disputed the account and that the account remained on his credit report. At the DOHA hearing, Applicant admitted that this debt was owed due to a "medical situation." He explained that his spouse had endured brain surgery and cancer treatment beginning in 2014 until at least 2016. He admitted that the account became delinquent in about August 2022 and that, at the time of its delinquency, he owed thousands of dollars on the account. He testified that he engaged the CRCs to contact the original creditors and the subsequent collection agencies for all four alleged accounts to obtain

documentation validating the debt. He further testified that the collection agency did not provide any documentation to validate the debt. There is no evidence of any payments or payment arrangements on this account since its delinquency. (GE 4 at 1-2, GE 5 at 2, GE 6 at 2, GE 7 at 4, GE 10 at 1; Tr. 26-29, 45-47)

SOR ¶ 1.b. This account was opened in July 2014, became delinquent in July 2022, and was charged off in the approximate amount of \$18,074. Applicant's June 2025 credit report noted that he had disputed the account, that the investigation was complete, and the account remained on his credit report. At the DOHA hearing, Applicant testified that he had used this credit card to pay for living expenses during his spouse's treatment. He admitted that, at the time the account became delinquent, he owed thousands of dollars on the account. He engaged the CRCs to validate the debt with the original creditor; however, all correspondence was addressed to the credit bureaus. He testified that he had not contacted this creditor directly in over two years and claimed that the debt had been sold to a collection agency. There is no evidence of any payments or payment arrangements on this account since its delinquency. (GE 4 at 1, GE 5 at 2, GE 6 at 2, GE 7 at 4, GE 10 at 1; Tr. 47-48, 65-6)

SOR ¶ 1.c. This account was placed for collection in January 2022 in the approximate amount of \$33,599. Applicant's February 2024 credit report notes that Applicant disputed the account information. (GE 7 at 3)

SOR ¶ 1.d. This account was placed for collection in January 2022 in the approximate amount of \$19,712. Applicant's September 2024 credit report notes that Applicant disputed the account information.

SOR ¶¶ 1.c. and 1.d. are two different accounts with distinct account numbers and balances held by the same creditor. At the DOHA hearing, Applicant admitted that he had incurred two personal loans for his consulting business to purchase equipment and software. These loans became delinquent due to a business downturn during the pandemic. He admitted that, at the time the loans became delinquent, he owed thousands of dollars on these accounts. There is no evidence of any payments or payment agreements on these accounts since their delinquencies. (GE 6 at 2, GE 7 at 3; Tr. 48-49)

At the hearing, Applicant confirmed that household income delineated in the monthly budget attached to the December 2024 interrogatories and that he has approximately \$8,000 as a monthly net remainder; however, he testified that he had not earned any income from his consulting business since December 2025. In all of 2025, he earned approximately \$40,000 from his consulting business and \$120,000 from his employment as a federal contractor. Since its inception in 2015, his self-employment income has fluctuated from \$0 to \$60,000 annually. He testified that his wife received cancer treatment for five or six years" and continues to require significant medication. He did not quantify any medication costs. Although she missed some work during treatment, he could not specify any period or term of unemployment, and he confirmed that his spouse has worked full time for at least the past four years. Per the December 2024

budget, Applicant purchased a used luxury car for \$60,000 and continues to pay \$1,350 monthly on a vehicle loan. (GE 3; Tr. 37-41, 50-52, 58-59, 63-64)

In June 2023, Applicant sold his house, paid off his mortgage and home-equity loan, and received approximately \$75,000 in proceeds from the sale. He testified that he used some of these proceeds to pay unspecified debts and to pay his son's student loans. He did not use any of these funds to pay any of the alleged delinquent debts. He testified that he retained approximately \$15,000 from the sale of the house. He has approximately \$5,000 in his savings account, \$3,000 in his checking account, and \$50,000 in an investment account. He received a federal income tax refund in the approximate amount of \$10,000 for tax year 2025. He testified that he had paid some of his wife's debts; however, he did not provide any documentary evidence to corroborate his claims. He further testified that financial counseling prompted him to sell his house in 2023, but he did not provide any additional information about when this counseling occurred and what skills he learned. (Tr. 33, 58-61, 63, 68-72)

In October 2025, a healthcare company informed Applicant that his personal information may have been compromised following a cyber incident between October 2024 and January 2025. There is no evidence of any attempted or actual misuse of his personal information. There is no evidence of any identity theft or that any of the alleged accounts were fraudulently created. (AE D; Tr. 30)

Applicant's February 2026 credit report lists a new collection account, placed for collection in May 2025, in the approximate amount of \$1,547. He admitted that this account became delinquent and that he had not made any payments to resolve this account. This account was not alleged on the SOR. (GE 10 at 2; Tr. 55-57)

At the hearing, Applicant testified that he completed the 2024 e-QIP himself. He testified that he did not list any of his delinquent accounts in response to the Section 26 queries because "[he] felt that because they were not – they were charged off and they were not active." When confronted as to why he did not list that he had "charged off" accounts as the questions explicitly inquire, he responded, "I'm not sure if I remember specifically that time." (Tr. 24, 34, 76-77)

Whole Person

Applicant proffered seven character-reference letters in support of his clearance eligibility. A former supervisor praised Applicant's "unshakable integrity," reliability, judgment, and accountability. The other references, who had personal and professional interactions with Applicant, attested to his integrity, judgment, commitment to others, ethics, and dependability. One reference noted Applicant's volunteerism helping to mentor others in the information technology field. (Answer; AE A-B, K-M)

Policies

When evaluating an applicant's suitability for a security clearance, the administrative judge must consider the adjudicative guidelines. In addition to brief introductory explanations for each guideline, the adjudicative guidelines list potentially disqualifying conditions and mitigating conditions, which are to be used 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, administrative judges apply the guidelines 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 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 the applicant or proven by Department Counsel." The applicant has the ultimate burden of persuasion to obtain a favorable security decision.

A person who seeks access to sensitive 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 sensitive information. Decisions include, by necessity, consideration of the possible risk the applicant may deliberately or inadvertently fail to safeguard sensitive information. Such decisions entail a certain degree of legally permissible extrapolation of potential, rather than actual, risk of compromise of sensitive information.

Section 7 of EO 10865 provides that adverse 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).

Analysis

Guideline F: Financial Considerations

The security concern 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. . . .

The guideline notes several conditions that could raise security concerns under AG ¶ 19. The following are potentially applicable in this case:

- (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.

Applicant's admissions and the documentary evidence established his four delinquent accounts, totaling approximately \$79,600. These accounts have been delinquent since at least 2022. Applicant testified that he had approximately \$5,000 in his savings account, \$3,000 in his checking account, and \$50,000 in an investment account. He claimed an \$8,000 monthly net remainder after paying his monthly expenses. He has the financial means to resolve this accounts and has not taken any steps to do so. AG ¶¶ 19(a), 19(b), and 19(c) apply.

Conditions that could mitigate financial considerations security concerns are provided under AG ¶ 20. The following are potentially applicable in this 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;
- (c) the individual has received or is receiving financial counseling for the problem from a legitimate and credible source, such as a non-profit credit counseling service, and there are clear indications that the problem is being resolved or is under control;

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

(e) the individual has a reasonable basis to dispute the legitimacy of the past-due debt which is the cause of the problem and provides documented proof to substantiate the basis of the dispute or provides evidence of actions to resolve the issue.

Applicant bears the burdens of production and persuasion in mitigation. An applicant is not held to a standard of perfection in his or her debt-resolution efforts or required to be debt-free. “Rather, all that is required is that an applicant act responsibly given his circumstances and develop a reasonable plan for repayment, accompanied by ‘concomitant conduct,’ that is, actions which evidence a serious intent to effectuate the plan.” ISCR Case No. 15-02903 at 3 (App. Bd. Mar. 9, 2017). See, e.g., ISCR Case No. 13-00987 at 3, n.5 (App. Bd. Aug. 14, 2014).

As of the close of the record, Applicant’s four delinquent accounts remain unresolved. His February 2026 credit report revealed a new collection account (\$1,547). AG ¶ 20(a) does not apply.

Applicant attributed his financial delinquencies to his wife’s significant medical expenses, her unspecified period of unemployment, and his own underemployment during the pandemic. Notwithstanding these triggering circumstances contributing to his financial delinquencies, he also confirmed that his household generated over \$20,000 in monthly income and had a monthly net remainder of approximately \$8,000. Despite no income from his consulting business since December 2025, he has approximately \$8,000 total in his bank accounts and \$50,000 in investments. The alleged accounts have been delinquent since 2022, and he was aware of these accounts prior to submitting his February 2024 e-QIP. There is no evidence of any payment arrangements or payments on these accounts. He did not establish that he acted responsibly to address his delinquent accounts. AG ¶ 20(b) does not apply.

Applicant testified that he participated in financial counseling that prompted him to sell his house in June 2023, presumably to reduce expenses and pay debts. He did not provide any further information about the financial skills he learned through counseling. More importantly, given his failure to make payment arrangements and payments on the alleged accounts and the presence of a new collection account, the record evidence does not establish clear indications that his financial problems are under control. AG ¶ 20(c) does not apply.

Since early 2024, Applicant has repeatedly disputed delinquent accounts on his credit reports through a series of CRCs. There is no documentary evidence of direct communication either by the CRCs or Applicant with the original creditors or the successive debt collectors. He has persisted in these disputes with the credit bureau reports despite the completed investigation and validation of at least one debt (SOR ¶ 1.b.) on the credit reports. The DOHA Appeal Board has repeatedly held that reliance

upon legal defenses alone, in the absence of “a meaningful track record of payments,” does not demonstrate a good-faith effort to repay creditors under AG ¶ 20(d):

Reliance upon legal defenses such as bankruptcy does not necessarily demonstrate prudence, honesty, and reliability, therefore, such reliance is of diminished probative value in resolving trustworthiness concerns arising out of an applicant’s financial problems. . . . To receive full credit under AG ¶ 20(d), an applicant must initiate and adhere ‘to a good faith effort to repay overdue creditors or otherwise resolve debts.’ In the absence of a meaningful track record of payments, it cannot reasonably be suggested that an applicant has initiated a good-faith effort to repay creditors or otherwise resolve debts.

ISCR Case No. 23-00909 at 4 (App. Bd. Jul. 30, 2024) (citations omitted). Here, Applicant admitted that he owed thousands of dollars on each of the four delinquent accounts. His disputes filed with the credit bureaus, as opposed to the individual creditors, do not reasonably validate the amounts owed beyond what is reported on the credit reports. There is no evidence of payment arrangements or payments on these admitted, delinquent accounts.

With the June 2023 sale of his house, Applicant received approximately \$75,000 in proceeds. He claimed to have paid some of his son’s student loans and to have paid some of his spouse’s debts; however, he provided no corroborating evidence. He maintains a \$50,000 investment account and approximately \$8,000 in his bank accounts, yet he has not initiated and adhered to any efforts to repay his creditors. Moreover, his monthly budget is not arithmetically correct, and he has a \$1,350 monthly payment on a luxury vehicle loan. Applicant admitted he incurred these debts, and he has provided no legitimate basis to excuse him from liability for these financial obligations. For the past two years, he has repeatedly disputed accounts for which he admitted he owed significant sums, without any tangible efforts at payment. Doubts remain as to his financial responsibility. He did not mitigate the financial considerations security concerns.

Guideline E: Personal Conduct

The concern under this guideline is set out in AG ¶ 15:

Conduct involving questionable judgment, lack of candor, dishonesty or unwillingness to comply with rules and regulations can raise questions about an individual’s reliability, trustworthiness, and ability to protect classified or sensitive information. . . .

The guideline notes several conditions that could raise security concerns under AG ¶ 16. The following disqualifying conditions are potentially applicable in this case:

(a) deliberate omission, concealment, or falsification of relevant facts from any personnel security questionnaire, personal history statement, or similar

form used to conduct investigations, determine employment qualifications, award benefits or status, determine national security eligibility or trustworthiness, or award fiduciary responsibilities.

In his February 2024 e-QIP, Applicant did not disclose his delinquent accounts under Section 26, as required. During his April 2024 OPM interview, Applicant stated he unable to recall any specifics about his financial accounts; however, he admitted SOR ¶¶ 1.a. through 1.d. after confronted by the investigator. During the interview, he explained that he had experienced financial problems during the COVID-19 pandemic and that he had engaged CRC 1 to address his delinquent accounts, including SOR ¶¶ 1.a. through 1.d. At the DOHA hearing, Applicant denied any intent to mislead on his e-QIP, and he explained that he had not listed the omitted accounts because they were not “active accounts” but had been “charged off.” When confronted as to his failure to list “charged off” accounts as Section 26 explicitly inquiries, he had no explanation for this omission. Even if Applicant had some confusion as to whether the omitted accounts were “active” or “closed” at the time he completed his e-QIP, he was certainly aware that he had accounts which became delinquent and “charged off” within the prior seven years, as the question inquires. His engagement of CRC 1 is clear evidence of his awareness. AG ¶ 16(a) applies.

The following personal conduct mitigating conditions under AG ¶ 17 are potentially relevant:

- (a) the individual made prompt, good-faith efforts to correct the omission, concealment, or falsification before being confronted with the facts; and
- (c) the offense is so minor, or so much time has passed or the behavior is so infrequent, or it happened under such unique circumstances that it is unlikely to recur and does not cast doubt on the individual's reliability, trustworthiness, or good judgment.

Applicant did not initiate prompt, good-faith efforts to correct his omission prior to be confronted with the undisclosed delinquent accounts during his security interview. At the hearing, he denied any intent to mislead the background security investigation, yet he could not explain why he did not list his “charged off” accounts and known delinquent accounts within the prior seven years. AG ¶ 17(a) does not apply.

Falsification of a security clearance application “strikes at the heart of the security clearance process.” ISCR Case No. 09-01652 at 6 (App. Bd. Aug. 8, 2011). Here, Applicant omitted critical information in his e-QIP, and he has not provided an adequate explanation for his omission. I have considered the character-reference letters on Applicant's behalf, praising his honesty, integrity, and character; however, there is no evidence that any of these references are aware of the falsification allegation. Doubts remain as to his reliability, trustworthiness, and judgment. AG ¶ 17(c) does not apply. Applicant did not mitigate the personal conduct security concerns.

Whole-Person Concept

Under the whole-person concept, the administrative judge must evaluate an applicant's eligibility for access to classified information by considering the totality of the applicant's conduct and all relevant circumstances. The administrative judge should consider the nine adjudicative process factors listed at AG ¶ 2(d):

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

Under AG ¶ 2(c), 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 have incorporated my comments under Guideline F, Guideline E, and the factors in AG ¶ 2(d) in this whole-person analysis.

Applicant's character references praised his honesty, integrity, and volunteerism; however, there is no evidence that the authors of these references are aware of his deliberate omissions on his e-QIP. Applicant repeatedly attested to his assets in his bank accounts and his investments, yet he has not taken tangible and significant steps towards resolving his admitted delinquent accounts. Rather, for the past two years, he has repeatedly disputed these accounts with the credit bureaus. There is no evidence of payment arrangements, payments, or settlement offers, and doubts remain as to his reliability, judgment, and financial responsibility. He did not mitigate the financial considerations and personal conduct security concerns.

Formal Findings

Formal findings for or against Applicant on the allegations set forth in the SOR, as required by section E3.1.25 of Enclosure 3 of the Directive, are:

Paragraph 1, Guideline F:	AGAINST APPLICANT
Subparagraphs 1.a.-1.d.:	Against Applicant
Paragraph 2, Guideline E:	AGAINST APPLICANT
Subparagraph 2.a.:	Against Applicant

Conclusion

In light of all of the circumstances presented by the record in this case, I conclude that it is not clearly consistent with the national interest to grant Applicant's eligibility for access to classified information.

Eric H. Borgstrom
Administrative Judge