



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



In the matter of:

Applicant for Security Clearance

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ISCR Case No. 14-05248

Appearances

For Government: Richard Stevens, Esquire, Department Counsel

For Applicant: *Pro se*

12/21/2015

Decision

GALES, Robert Robinson, Administrative Judge:

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

Statement of the Case

On March 9, 2014, Applicant applied for a security clearance and submitted an Electronic Questionnaire for Investigations Processing (e-QIP) version of a Security Clearance Application.¹ On May 19, 2015, the Department of Defense (DOD) Consolidated Adjudications Facility (CAF) issued a Statement of Reasons (SOR) to him, under Executive Order 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 the *Adjudicative Guidelines for Determining Eligibility For Access to Classified Information* (December 29, 2005) (AG) applicable to all adjudications and other determinations made under the Directive, effective September 1, 2006. The SOR alleged security concerns under Guideline F (Financial

¹ GE 1 (e-QIP, dated March 9, 2014).

Considerations), and detailed reasons why the DOD 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.

It is unclear when Applicant received the SOR as there is no receipt in the case file. On June 11, 2015, Applicant responded to the SOR allegations and requested a hearing before an administrative judge. Department Counsel indicated the Government was prepared to proceed on July 16, 2015. The case was assigned to me on October 5, 2015. A Notice of Hearing was issued on October 28, 2015, and I convened the hearing as scheduled on November 16, 2015.

During the hearing, three Government exhibits (GE 1 through GE 3) and six Applicant exhibits (AE A through AE F) were admitted into evidence without objection. Applicant testified. The transcript (Tr.) was received on November 23, 2015. I kept the record open to enable Applicant to supplement it. Applicant took advantage of that opportunity. He timely submitted a number of documents, which were marked as AE G through AE P, and admitted into evidence without objection. The record closed on November 30, 2015.

Findings of Fact

In his Answer to the SOR, Applicant admitted all of the factual allegations pertaining to financial considerations (§§ 1.a. through 1.i.). Applicant's answers are incorporated herein as findings of fact. After a complete and thorough review of the evidence in the record, and upon due consideration of same, I make the following additional findings of fact:

Applicant is a 30-year-old employee of a defense contractor. He has been a game tester, and now an associate producer, since March 2014.² He is a May 2003 high school graduate.³ Applicant subsequently attended three different colleges, primarily online, but chose not to complete the requirements for a degree.⁴ He enlisted in the U.S. Army in September 2006, but was honorably discharged in June 2007 for a medical condition, not a disability.⁵ It is unclear if he was granted a security clearance when he entered military service.⁶ Applicant was married in December 2007 and divorced in March 2011.⁷ He has custody of his daughter, born in 2008.⁸

² GE 1, *supra* note 1, at 11; Tr. at 23.

³ GE 1, *supra* note 1, at 10.

⁴ GE 1, *supra* note 1, at 10-11; GE 2 (Personal Subject Interview, dated April 14, 2014), at 1; Tr. at 24.

⁵ AE F (Certificate of Release or Discharge from Active Duty (DD Form 214), dated June 8, 2007); GE 1, *supra* note 1, at 25.

⁶ GE 1, *supra* note 1, at 28; GE 2, *supra* note 4, at 5; Tr. at 6.

⁷ GE 1, *supra* note 1, at 16.

Financial Considerations

It is unclear when Applicant first started having issues with his finances. He was briefly unemployed for one to three months in 2007 (while caring for his pregnant wife), 2008 (while caring for his sick mother-in-law), and 2009 (after relocating and caring for his daughter).⁹ His ex-wife does not contribute any child support.¹⁰ From 2009 until he obtained his current position in 2014, he had no health insurance. He had panic disorder with agoraphobia – essentially an anxiety disorder that he had to deal with a number of years. Those issues are now under control with medication. With substantial medical bills arising from his medical conditions at the end of each month, he was living paycheck-to-paycheck and had no funds remaining to address some of his accounts.¹¹ Applicant made “a lot of stupid decisions” in his early 20s. He failed to understand the consequences of debt, failed to take his financial issues seriously enough, and did not fully appreciate the importance of financial stability and debt management. Nevertheless, he prioritized his needs with food, shelter, and the security and care of his daughter at the top of his list.¹² As a result, accounts became delinquent and were placed for collection.

The situation improved for two reasons. First, when Applicant was hired by his current employer, his annual salary improved significantly from approximately under \$18,000 to \$35,000, and shortly thereafter to \$45,000. It is between \$46,000 and \$47,000 at the present time.¹³ In June 2015, Applicant estimated he had \$200 to \$300 remaining each month for discretionary saving or spending. That amount diminished when his cohabitant, who had an annual salary of \$33,000, lost her job and Applicant started assisting her financially.¹⁴ She was expected to start her new job two weeks after the hearing.¹⁵ Second, Applicant started taking classes with the Dave Ramsey Financial Peace University. He considered himself financially naïve, and the classes taught him all the financial information he should have known before he turned 30. He learned about mortgages, checking accounts, credit scores, handling debts, collections, and budgeting.¹⁶ Armed with his new knowledge, Applicant contacted, or attempted to contact, his known creditors to see if repayment arrangements could be made.¹⁷ He set

⁸ GE 1, *supra* note 1, at 7, 34-35.

⁹ GE 2, *supra* note 4, at 4; GE 1, *supra* note 1, at 13, 15-16.

¹⁰ Tr. at 28.

¹¹ Tr. at 30.

¹² Tr. at 30-31, 54, 65-66.

¹³ Tr. at 31-33.

¹⁴ Tr. at 34.

¹⁵ Tr. at 47-48.

¹⁶ Tr. at 50.

¹⁷ Tr. at 37-39, 42-43, 45-46.

up a proposed debt repayment plan, listing an anticipated debt repayment schedule.¹⁸ His student loans were placed in forbearance from deferment, and he intends to start making monthly payments on those as well.¹⁹

A dramatic event occurred after the hearing. Applicant's mother reminded him of the existence of a mutual fund – an emergency fund – that had been set up for him when he graduated from high school and was under the custodial care of his aunt.²⁰ Within a matter of days, the account was cashed out, and Applicant's uncle, using the available funds, paid several creditors in full.²¹

The SOR identified nine delinquent debts that had been placed for collection, as reflected by an April 2014 credit report.²² Those debts, totaling approximately \$17,327, and their respective current status, according to the credit report, other evidence submitted by the Government and Applicant, and Applicant's comments regarding same, are described below.

(SOR ¶ 1.a.): This is a medical account with a past-due balance of \$446 that was placed for collection and listed with Experian.²³ Applicant was unable to identify the creditor. The account is not listed in Applicant's November 2015 TransUnion credit report²⁴ or his November 2015 Equifax credit report.²⁵ When Applicant attempted to obtain an Experian credit report on line, the response was that a condition exists that prevented Experian from accepting the request at the time.²⁶ Applicant has made unsuccessful efforts to identify the creditor and repay the account. The account may still be unresolved simply because it was listed in a 2014 credit report, but it may also have been resolved because it does not appear in two recent credit reports. It is unclear if the account has been resolved, despite Applicant's best efforts to do so.

(SOR ¶¶ 1.b. and 1.c.): These are two medical accounts with past-due balances of \$218 and \$230 that were placed for collection.²⁷ Both accounts were paid in full on November 24, 2015.²⁸ Both accounts have been resolved.

¹⁸ AE A (Debt Repayment Plan, undated).

¹⁹ AE B (Education Loans, undated); Tr. at 45-46.

²⁰ AE G (Letter, undated); AE H (Trade Confirmation, dated November 17, 2015).

²¹ AE I (Letter and Check, dated November 24, 2015); AE J (Letter and Check, dated November 24, 2015); AE K (Letter and Check, dated November 24, 2015).

²² GE 3 (Combined Experian, TransUnion, and Equifax Credit Report, dated April 3, 2014).

²³ GE 3, *supra* note 22, at 4.

²⁴ See AE O (TransUnion Credit Report, dated November 17, 2015).

²⁵ See AE N (Equifax Credit Report, dated November 17, 2015).

²⁶ AE M (Message, undated).

²⁷ GE 3, *supra* note 22, at 6; AE O, *supra* note 24, at 7; AE N, *supra* note 25, at 55-56.

(SOR ¶¶ 1.d. and 1.e.): These are two medical accounts with past-due balances of \$187 and \$416 that were placed for collection.²⁹ Both accounts were paid in full on November 24, 2015.³⁰ Both accounts have been resolved.

(SOR ¶ 1.f.): This is a medical account with an unpaid balance of \$197 that was placed for collection and listed with Experian.³¹ Applicant was unable to identify the creditor. The account is not listed in Applicant's November 2015 TransUnion credit report³² or his November 2015 Equifax credit report.³³ Applicant was unable to obtain a copy of his Experian credit report.³⁴ Applicant has made unsuccessful efforts to identify the creditor and repay the account. The account may still be unresolved simply because it was listed in a 2014 credit report, but it may also have been resolved because it does not appear in two recent credit reports. It is unclear if the account has been resolved, despite Applicant's best efforts to do so.

(SOR ¶ 1.g.): This is a medical account with an unpaid balance of \$532 that was placed for collection.³⁵ The account was paid in full on November 24, 2015.³⁶ The account has been resolved.

(SOR ¶ 1.h.): This is an unspecified type of education account with an unpaid balance of \$394 that was placed for collection.³⁷ Applicant disputed the account because he had both student loans and the Montgomery G.I. Bill covering his educational expenses, and he could not understand why there would be any direct billing.³⁸ Upon further investigation, it was determined that the debt was not Applicant's. The state attorney general has filed a case against the creditor for bad debt-predatory practices, and the debt was eliminated several years ago.³⁹ In November 2015, the creditor informed Applicant that the account had been closed on April 18, 2012,

²⁸ AE I, *supra* note 21.

²⁹ GE 3, *supra* note 22, at 6-7; AE O, *supra* note 24, at 7-8; AE N, *supra* note 25, at 56-57.

³⁰ AE J, *supra* note 21.

³¹ GE 3, *supra* note 22, at 7.

³² See AE O, *supra* note 24.

³³ See AE N, *supra* note 25.

³⁴ AE M (Message, undated).

³⁵ GE 3, *supra* note 22, at 8.

³⁶ AE K, *supra* note 21.

³⁷ GE 3, *supra* note 22, at 8.

³⁸ Tr. at 39, 59-60.

³⁹ AE G, *supra* note 20.

because of the settlement with the state attorney general.⁴⁰ The account has been resolved.

(SOR ¶ 1.i.): This is an automobile loan from a bank with an unpaid balance of \$14,707 that was placed for collection.⁴¹ Applicant had purchased a new vehicle for approximately \$20,000 while he was in the U.S. Army, but after about eight months, he could no longer afford the payments. The vehicle was repossessed and sold at auction.⁴² Applicant contacted the creditor on several occasions and the discussions led first to a demand for \$8,230, and then to a demand for \$823. They agreed to a settlement.⁴³ On October 30, 2015, he paid the contractor \$823,⁴⁴ and the creditor acknowledged that the account had been settled-in-full.⁴⁵ The account was paid in full on November 24, 2015.⁴⁶ The account has been resolved.

As he matured, Applicant evolved into a more responsible individual. As a single father, he learned how to change diapers in the hospital. He has been uniquely active in his daughter's upbringing, volunteered to lead her Girl Scout troop, and is active with fraternal organizations in community outreach. He now has health insurance. His bills are paid on time. He has a lifelong passion for his job.⁴⁷

Work Performance and Character References

The studio lead, who serves as a supervisor, is effusive in his praise for Applicant. He said that Applicant has demonstrated a dedication to the project by working long hours, not because he was asked to do so, but because he saw the need and took the initiative to get the job done. When Applicant's interim clearance was revoked, Applicant continued to work hard on the project with a positive attitude, rather than looking for another job or becoming less productive. He considers Applicant to be "an invaluable member of our team."⁴⁸

Policies

The U.S. Supreme Court has recognized the substantial discretion of the Executive Branch in regulating access to information pertaining to national security

⁴⁰ AE L (Letter, dated November 17, 2015).

⁴¹ GE 3, *supra* note 22, at 9.

⁴² Tr. at 40-41.

⁴³ Tr. at 43-44.

⁴⁴ AE E (Official Receipt, dated October 30, 2015).

⁴⁵ AE P (Letter, dated November 25, 2015).

⁴⁶ AE K, *supra* note 21.

⁴⁷ Tr. at 66-68.

⁴⁸ AE D (Character Reference, dated November 4, 2015).

emphasizing, “no one has a ‘right’ to a security clearance.”⁴⁹ 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.”⁵⁰

When evaluating an applicant’s suitability for a security clearance, the administrative judge must consider the AG. In addition to brief introductory explanations for each guideline, the AG 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.”⁵¹ 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.⁵²

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

⁴⁹ *Department of the Navy v. Egan*, 484 U.S. 518, 528 (1988).

⁵⁰ Exec. Or. 10865, *Safeguarding Classified Information within Industry* § 2 (Feb. 20, 1960), as amended and modified.

⁵¹ “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).

⁵² See ISCR Case No. 02-31154 at 5 (App. Bd. Sep. 22, 2005).

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.”⁵³

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.”⁵⁴ 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 or inability 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 information. An individual who is financially overextended is at risk of having to engage in illegal acts to generate funds. . . .

The guideline notes several conditions that could raise security concerns. Under AG ¶ 19(a), an “inability or unwillingness to satisfy debts” is potentially disqualifying. Similarly, under AG ¶ 19(c), a “history of not meeting financial obligations” may raise security concerns. Applicant’s financial problems arose shortly after his discharge from the U.S. Army in 2007. At various points over the ensuing years, he was unable to continue making his routine monthly payments. Various accounts became delinquent and were placed for collection. AG ¶¶ 19(a) and 19(c) apply.

The guideline also includes examples of conditions that could mitigate security concerns arising from financial difficulties. Under AG ¶ 20(a), the disqualifying condition may be mitigated where “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

⁵³ *Egan*, 484 U.S. at 531.

⁵⁴ See Exec. Or. 10865 § 7.

on the individual's current reliability, trustworthiness, or good judgment." Also, under AG ¶ 20(b), financial security concerns may be mitigated where "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, or a death, divorce or separation), and the individual acted responsibly under the circumstances." Evidence that "the person has received or is receiving counseling for the problem and/or there are clear indications that the problem is being resolved or is under control" is potentially mitigating under AG ¶ 20(c). Similarly, AG ¶ 20(d) applies where the evidence shows "the individual initiated a good-faith effort to repay overdue creditors or otherwise resolve debts."⁵⁵ Under AG ¶ 20(e), the disqualifying condition may be mitigated where "the individual has a reasonable basis to dispute the legitimacy of the past-due debt which is the cause of the problem and provides documented proof to substantiate the basis of the dispute or provides evidence of actions to resolve the issue."

AG ¶¶ 20(b), 20(c), 20(d), and 20(e) apply. AG ¶ 20(a) partially applies. Applicant's financial problems were not caused by frivolous or irresponsible spending, but he apparently did spend beyond his means. To his credit, he acknowledged having made poor decisions in his early 20s and failing to understand the importance of his financial issues. The nature, frequency, and recency of Applicant's continuing financial difficulties make it difficult to conclude that it occurred "so long ago" or "was so infrequent." Instead, as noted above, Applicant's financial problems started shortly after his medical discharge from the U.S. Army in June 2007. He went through brief periods of unemployment and one period of underemployment. He cared for his sick mother-in-law and his pregnant wife. He was divorced in 2011, and while he was awarded custody of his daughter, he receives no child support from his ex-wife. Even though he was employed from 2009 until 2014, he did not have any health insurance benefits to help pay his medical expenses associated with his treatment for his panic disorder with agoraphobia. He was living paycheck-to-paycheck. Those circumstances were substantially beyond his control. Applicant was forced to prioritize his monthly payments because of an inability to make the normal payments. Now that the financial situation has improved and stabilized, it appears that Applicant's unanticipated financial issues occurred under such circumstances that they are unlikely to recur.

To his credit, Applicant took control over his financial situation. He started taking classes with the Dave Ramsey Financial Peace University. He considered himself

⁵⁵ 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." Accordingly, an applicant must do more than merely show that he or she relied on a legally available option (such as bankruptcy) in order to claim the benefit of [the "good-faith" mitigating condition].

(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. June 4, 2001)).

financially naïve, and the classes taught him what he should have already known financially: about mortgages, checking accounts, credit scores, handling debts, collections, and budgeting. Applicant contacted, or attempted to contact, his known creditors to see if repayment arrangements could be made. He set up a proposed debt repayment plan, listing an anticipated debt repayment schedule. Luck interceded. He was reminded of the existence of an emergency fund that had previously been set up for him. Within a matter of days, those funds enabled him to pay several creditors in full. Applicant has successfully resolved six of the nine SOR accounts with payments, and one account with a successful dispute. It is unclear if the two remaining accounts (with relatively insignificant balances of \$446 and \$197) have been resolved because Applicant has been unable to identify the creditors, and neither account is listed in his most recent credit reports. Applicant has no other delinquent accounts. With a good salary, as well as health insurance benefits, there are clear indications that Applicant's financial problems are under control. Applicant's actions, under the circumstances confronting him, no longer cast doubt on his current reliability, trustworthiness, or good judgment.⁵⁶

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 AG ¶ 2(a):

(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. 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.⁵⁷

There is some evidence against mitigating Applicant's conduct. Applicant made a lot of poor decisions in his early 20s. He failed to understand the consequences of debt, failed to take his financial issues seriously, and did not fully appreciate the importance of

⁵⁶ See ISCR Case No. 09-08533 at 3-4 (App. Bd. Oct. 6, 2010).

⁵⁷ 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).

financial stability and debt management. Accounts were placed for collection, and an automobile was repossessed.

The mitigating evidence under the whole-person concept is more substantial. Applicant has an outstanding reputation in the workplace. He is active in the community in which he has resided. While his initial potential resolution actions were constrained by his limited salary, Applicant commenced a course of conduct to address and resolve his financial problems. He sought financial counseling, contacted creditors, disputed an account when appropriate, and set up an intended debt repayment plan. With his new job and a substantially increased salary, as well as health insurance benefits, Applicant was about to start his intended repayment process. However, as noted above, good fortune intervened with the emergence of his emergency fund. Debt resolution followed without any further delay. Applicant has resolved nearly all of his debts with the possible exception of two relatively small debts. There are clear indications that Applicant's financial problems are under control. His actions under the circumstances confronting him do not cast doubt on his current reliability, trustworthiness, or good judgment.

The Appeal Board has 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.⁵⁸

Applicant has demonstrated a "meaningful track record" of debt reduction and elimination efforts. Overall, the evidence leaves me without questions and doubts as to Applicant's eligibility and suitability for a security clearance. For all of these reasons, I conclude Applicant has mitigated the security concerns arising from his financial considerations. See AG ¶ 2(a)(1) through AG ¶ 2(a)(9).

⁵⁸ ISCR Case No. 07-06482 at 2-3 (App. Bd. May 21, 2008) (internal citations omitted).

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
Subparagraph 1.b:	For Applicant
Subparagraph 1.c:	For Applicant
Subparagraph 1.d:	For Applicant
Subparagraph 1.e:	For Applicant
Subparagraph 1.f:	For Applicant
Subparagraph 1.g:	For Applicant
Subparagraph 1.h:	For Applicant
Subparagraph 1.i:	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