

KEYWORD: Personal Conduct; Financial

DIGEST: Applicant's long-standing indebtedness and her intentional falsification of material facts on a Security Clearance Application (SCA) preclude a finding that it is now clearly consistent with the national interest to grant her access to classified information. Clearance is denied.

CASENO: 04-00355.h1

DATE: 01/27/2006

DATE: January 27, 2006

In Re:

SSN: -----

Applicant for Security Clearance

ISCR Case No. 04-00355

DECISION OF ADMINISTRATIVE JUDGE

JOSEPH TESTAN

APPEARANCES

FOR GOVERNMENT

Robert E. Coacher, Department Counsel

FOR APPLICANT

Pro Se

SYNOPSIS

Applicant's long-standing indebtedness and her intentional falsification of material facts on a Security Clearance Application (SCA) preclude a finding that it is now clearly consistent with the national interest to grant her access to classified information. Clearance is denied.

STATEMENT OF THE CASE

On March 18, 2005, the Defense Office of Hearings and Appeals (DOHA), pursuant to Executive Order 10865 and Department of Defense Directive 5220.6 (Directive), dated January 2, 1992, issued a Statement of Reasons (SOR) to applicant which detailed reasons why DOHA could not make the preliminary affirmative finding under the Directive that it is clearly consistent with the national interest to grant or continue a security clearance for applicant and recommended referral to an Administrative Judge to determine whether clearance should be denied or revoked.

Applicant responded to the SOR in writing on April 1, 2005, and elected to have her case determined on a written record in lieu of a hearing. Department Counsel submitted the Government's written case (FORM) on or about June 8, 2005. Applicant did not file a response to the FORM. The case was assigned to me on July 19, 2005.

FINDINGS OF FACT

Applicant is a 40 year old employee of a defense contractor.

Applicant admits all of the factual allegations under Guideline F. Accordingly, SOR Paragraphs 1a through 1r are incorporated by reference as Findings of Fact.

Applicant admits all of the factual allegations under Guideline E. Accordingly, SOR Paragraphs 2a, 2b and 2c are incorporated by reference as Findings of Fact.

CONCLUSIONS

The evidence establishes that at the present time, applicant has at least 18 past-due debts totaling approximately \$42,000.00, all of which have been either charged off or placed for collection. These facts require application of Disqualifying Conditions E2.A6.1.2.1 (*a history of not meeting financial obligations*) and E2.A6.1.2.3 (*inability or unwillingness to satisfy debts*).

In view of applicant's long and extensive history of financial difficulties, and the lack of any evidence that would suggest her financial condition is likely to significantly improve anytime soon, it is not now clearly consistent with the national interest to grant her access to classified information. No mitigating conditions are applicable. Based on the foregoing, Guideline F is found against applicant.

With respect to Guideline E, applicant's falsification of material facts on the SCA is extremely troubling. The Government relies heavily on the honesty and integrity of individuals seeking access to our nation's secrets. When such an individual intentionally falsifies material facts on a security clearance application, it is extremely difficult to conclude that he or she nevertheless possesses the good judgment, reliability and trustworthiness required of clearance holders. Applicant's intentional falsifications require application of Disqualifying Condition E2.A5.1.2.2 (*the deliberate omission, concealment, or falsification of relevant and material facts from any personnel security questionnaire . . .*). No Mitigating Conditions apply. Based on the foregoing, Guideline E is found against applicant.

FORMAL FINDINGS

PARAGRAPH 1: AGAINST THE APPLICANT

All subparagraphs found against applicant

PARAGRAPH 2: AGAINST THE APPLICANT

All subparagraphs found against applicant

DECISION

In light of all the circumstances presented by the record in this case, it is not clearly consistent with the national interest to grant or continue a security clearance for applicant.

Joseph Testan

Administrative Judge