



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



In the matter of:)
)
) ISCR Case No. 09-05539
)
)
Applicant for Security Clearance)

Appearances

For Government: Nichole Noel, Esquire, Department Counsel
For Applicant: *Pro se*

February 8, 2011

Decision

HENRY, Mary E., Administrative Judge:

Based upon a review of the pleadings, exhibits, and testimony, I grant Applicant's eligibility for access to classified information.

Applicant signed an Electronic Questionnaire for Investigations Processing (e-QIP) version of a security clearance application (SF-86) on May 16, 2009. The Defense Office of Hearings and Appeals (DOHA) issued Applicant a Statement of Reasons (SOR) on June 5, 2010, detailing security concerns under Guideline F, Financial Considerations, and Guideline E, Personal Conduct, that provided the basis for its preliminary decision to deny him a security clearance. The action was taken under Executive Order 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) implemented on September 1, 2006.

Applicant received the SOR and submitted an answer in writing, through counsel, on July 1, 2010. Applicant requested a hearing before an administrative judge. DOHA received the request and Department Counsel was prepared to proceed on September 28, 2010. I received the case assignment on October 4, 2010. DOHA issued a notice of hearing on October 26, 2010, and I convened the hearing as scheduled on November 18, 2010. The Government offered three exhibits (GE) 1 through 3. Applicant testified. He submitted 39 exhibits (AE) A through MM-2,¹ which were received and admitted into evidence without objection. DOHA received the transcript of the hearing (Tr.) on December 3, 2010. I held the record open until December 9, 2010, for Applicant to submit additional matters.

Through his counsel, Applicant timely requested an additional 10 days to submit the additional matters. Department Counsel did not object to Applicant's request for additional time. Upon a showing of good cause, Applicant's request for an additional 10 days to submit documentation was granted in an order dated December 1, 2010. Applicant timely submitted AE NN through AE TT, without objection. The record closed on December 19, 2010.

Findings of Fact

In his Answer to the SOR, Applicant denied all the factual allegations in the SOR.² He also provided additional information to support his request for eligibility for a security clearance. After a complete and thorough review of the evidence of record, I make the following additional findings of fact.

Applicant, who is 34 years old, works as security and management specialist for a Department of Defense contractor. He performs his job duties, which do not involve security clearance application, in the Middle East, where he has worked for approximately six years. His supervisors describe him as the ultimate example of dedication to support the war effort. He is competent with a reputation of excellent mission support. His co-workers have a high level of confidence in him. His supervisors consider him trustworthy, honest and dependable. He has a reputation for integrity and a good work ethic. He received several letters of appreciation and a letter of recognition for his work in the Middle East.³

¹The record does not contain an AE HH. Tr. 25.

²When SOR allegations are controverted, the government bears the burden of producing evidence sufficient to prove controverted allegations. Directive, ¶ E3.1.14. "That burden has two components. First, the government must establish by substantial evidence that the facts and events alleged in the SOR indeed took place. Second, the government must establish a nexus between the existence of the established facts and events and a legitimate security concern." See ISCR Case No. 07-18525 at 4 (App. Bd. Feb. 18, 2009), (concurring and dissenting, in part) (citations omitted). The guidelines presume a nexus or rational connection between proven conduct under any of the criteria listed therein and an applicant's security suitability. See ISCR Case No. 08-06605 at 3 (App. Bd. Feb. 4, 2010); ISCR Case No. 08-07290 at 2 (App. Bd. Nov. 17, 2009).

³GE 1; AE B; AE C; AE N; AE Q; AE R; AE T- AE W; AE Z; Tr. 27.

Applicant graduated from high school in 1996. He joined the United States Army Reserve in December 1996 and began basic training in May 1997. In 1998, he transferred to active duty and remained on active duty until October 2004, when he received an honorable discharge from the Army. At this time, his pay grade was E-5. After leaving the Army, he signed a contract to play football in the Canadian Football League. Shortly thereafter, he discovered neither the job nor the pay was what he expected. He left and accepted employment with a Department of Defense contractor in 2004, which led to his work in the Middle East.⁴

Applicant married in 1998. He and his wife have three children, a daughter, who is 13, and two sons, who are 11 and 2. His family remained in the United States for a period of time when he first deployed to the Middle East. His family now lives overseas with him. Family members and family friends wrote letters of recommendation on behalf of Applicant. They describe him as hard-working, trustworthy, dependable, and respectful. They consider him a good family man and friend.⁵

Applicant's financial problems began about eight years ago, while he was still in the Army. When he left the Army, his financial problems continued. At this time, his father was seriously ill, and he tried to help support his parents while supporting his own family.⁶

The SOR identified 14 purportedly continuing delinquencies as reflected by credit reports from 2009 and 2010, totaling approximately \$68,993. Some accounts have been transferred, reassigned, or sold to other creditors or collection agents. Other accounts are referenced repeatedly in both credit reports, in many instances duplicating other accounts listed, either under the same creditor or collection agency name or under a different creditor or collection agency name. Some accounts are identified by complete account numbers, while others are identified by partial account numbers, in some instances eliminating the last four digits and in others eliminating other digits.

Applicant earns both base pay and a foreign living allowance for a total gross income of \$130,000. His wife also works in his overseas location, earning approximately \$110,000 in gross income based on base pay and a foreign living allowance. Their net monthly income is unknown. However, with their monthly income, Applicant and his wife pay their monthly expenses. At the time of the hearing, Applicant had \$20,000 in savings and \$15,000 in his checking account. His wife inherited some land, which is located in the United States.⁷

⁴GE 1; AE M.

⁵AE X; AE Y; AE AA-AE EE; AE GG; Tr. 29-30.

⁶AE M; Tr. 28, 52.

⁷Response to SOR; Tr. 30-31.

When Applicant deployed to the Middle East, his wife managed the household finances. Although he stated that she managed the finances “pretty good”, in 2005, he discovered that debts had not been paid. At that time, he attempted to resolve the debts he knew existed. In the summer of 2009, he learned more debts existed. He began contacting creditors to resolve his debts, which was challenging from overseas because of the time difference, the lack of documents, and the unavailability of 800 numbers. Over the next months, he paid a number of smaller debts and submitted documentation, showing the debts that he had resolved. These debts are not listed on the SOR.⁸

The \$595 debt in SOR ¶ 1.a concerns a phone debt held by a creditor. In September 2009, Applicant’s wife wrote to the original creditor to verify this debt, because it was shown on her credit report. She indicated that she believed the bill had been paid before she moved overseas. She further stated, that if she owed this money, she would pay the bill. She provided the creditor with the information it requested, except for the phone number, which she did not have. The creditor stated that it could not help her on the information she provided, requesting the phone number. She responded, again advising that she did not have the number. More recently, Applicant disputed this debt as a fraudulent account. Although his wife acknowledged an account with this creditor in the past, he did not recognize the account. He denied obtaining a phone from this company in 2007 as he was stationed overseas. He submitted paperwork to the original creditor for fraud and mailed a letter asking the original creditor for information in December 2010.⁹

The \$2,614 debt in SOR ¶ 1.b concerns education costs. Applicant enrolled in a training program through on-line courses while working overseas. He understood that his courses would be paid through the GI Bill’s education program, but recently learned that his tuition costs have not been paid by the Government. He acknowledged the debt. At the hearing, he indicated that he would pay the debt by January 1, 2011 and wait for the Government to reimburse him. The day after the hearing Applicant paid the creditor \$1,684 and authorized a second check to be issued. Applicant has resolved this debt. Applicant stated that he paid the \$91 medical bill in SOR ¶ 1.c, but that he did not have verifying information.¹⁰

SOR ¶¶ 1.d (\$1,615) and 1.e (\$1,016) involve the same account, as shown by the account numbers on the February 2, 2010 and August 24, 2010 credit reports. Thus, I find these debts are the same. Although Applicant disputed this debt with the creditor, he paid it. The debt is now resolved.¹¹

⁸Response and attachments to SOR; AE H-AE L; Tr. 28-29, 52, 54-56, 65-68.

⁹Response to SOR; AE LL; AE NN-AE PP; Tr. 32-33.

¹⁰AE SS; Tr. 34-35.

¹¹GE 2; AE II; AE JJ; AE QQ, p 17-18; Tr. 37-38.

The \$3,024 debt in SOR ¶ 1.f and the \$4,418 debt in SOR ¶ 1.m involve the same 10-year-old military loan. The account numbers listed for these debts in the May 23, 2009 credit report are the same. I find that these are the same account. Applicant paid this debt in December 2009. His payment is reflected on the February 2, 2010 and the August 24, 2010 credit reports.¹²

Applicant obtained education loans in the past. The debts in SOR ¶¶ 1.h (\$6,126), 1.i (\$3,766), and 1.l (\$8,144) concern the same education debts. In 2009, Applicant contacted the United States Department of Education to resolve these loans. The Department of Education required him to pay \$200 a month for a period of time. After these payments were completed, his loans would be considered current. Applicant made the payments, his loans are current, and because he returned to school, his education loans are now in deferment status.¹³

Applicant and his wife purchased a time share on which the mortgagor foreclosed. The debts in SOR ¶¶ 1.j (\$8,664) and 1.k (\$10,492) relate to the time share. Applicant contacted the creditor in September 2009 and offered to settle his debt. The creditor and Applicant reached an agreement to settle his debt for \$3,500. Applicant fully paid the settlement amount by March 2010.¹⁴

The \$524 debt in SOR ¶ 1.n concerns a medical bill. Applicant paid the bill, but did not have a receipt as the creditor only provided him with a reference number. The August 24, 2010 credit report indicates that this debt is paid.¹⁵

The \$17,924 debt in SOR ¶ 1.g concerns an automobile owned by Applicant and his wife. They fell behind in their payments, but the car was not repossessed initially. Since moving overseas, the creditor took possession of the car. Applicant wrote the creditor on September 25, 2009 for information about this debt. In response to his letter, he and the creditor agreed that he would pay \$300 a month for 10 months, then a final settlement amount would be decided. Applicant made his first \$300 payment on November 15, 2009 and made a similar payment each month through May 15, 2010 for a total of \$2,100. His cancelled checks shows the same account number as listed on the May 23, 2009 and February 2, 2010 credit reports, and in his letter of September 25, 2009. However, the processing information from the creditor indicates a different account number. Applicant did not complete the full 10 payments because the creditor sold the account to a collection company. In September 2010, he received notice that the car would be sold at auction that same month. He has not resumed payments or

¹²GE 2; GE 3; AE F; AE QQ; Tr. 39.

¹³GE 2; GE 3; AE G; AE S; AE QQ, p. 6; Tr. 46-48.

¹⁴GE 2; GE 3; Response to SOR and attachments; AE E; Tr. 48-49.

¹⁵GE 2; GE 3; AE QQ, p. 14; Tr. 49-50.

made a settlement offer, as he is experiencing difficulty with determining which creditor now owns the account. This debt is not resolved.¹⁶

Applicant took a financial counseling course, where he learned about managing his money. He has developed a budget. While he and his wife work on their finances together, he now pays the monthly bills. In September 2009, he contacted a debt resolution law firm. He hired the firm, but did not remain with the firm.¹⁷

When he completed his e-QIP, Applicant answer “no” to the following questions in Section 26:

- a. Have you been over 180 days delinquent on any debt(s)?
- b. Are you currently over 90 days delinquent on any debt(s)?
- c. Have you had any possession or property voluntarily or involuntarily repossessed or foreclosed?

When he completed his e-QIP, Applicant did not have any documents or information available to him. Until he recently received notice about the sale of the car, he did not realize the car had been repossessed. When he first fell behind in his loan payments, he retained possession of the car. He acknowledges that he had bills, but he did not understand he had old overdue bills as he had resolved debts in 2005. At this time, he had not defaulted on his student loans, although he was a month or so behind. He believed the debt in SOR ¶¶ 1.f and 1.m had been paid.

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 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, 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(c), 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.

¹⁶GE 2; GE 3; AE D; AE RR; Tr. 39-46.

¹⁷AE L; Attachments to Response to SOR; Tr. 54-55.

The protection of the national security is the paramount consideration. AG ¶ 2(b) requires that “[a]ny doubt concerning personnel being considered for access to classified information will be resolved in favor of 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, an applicant is responsible for presenting “witnesses and other evidence to rebut, explain, extenuate, or mitigate facts admitted by applicant or proven by Department Counsel. . . .” An applicant has the ultimate burden of persuasion for 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 an 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 Executive Order 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).

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.

AG ¶ 19 describes the disqualifying conditions that could raise security concerns. I have considered all the conditions, and especially the following:

- (a) inability or unwillingness to satisfy debts; and

(c) a history of not meeting financial obligations.

Applicant developed significant financial problems when he separated from the military and assumed responsibility for financial help to his parents during his father's illness. He deployed overseas and his wife managed the household finances. She did not pay all their bills, leaving unpaid debts. These two disqualifying conditions apply.

The Financial Considerations guideline also includes examples of conditions that can mitigate security concerns. I have considered mitigating factors AG ¶ 20(a) through 20(f), and especially the following:

(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, or a death, divorce or separation), and the individual acted responsibly under the circumstances;

(c) 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;

(d) the individual initiated 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's financial problems occurred some time ago, when he tried to support his family and help his parents financially during a medical crisis, but lacked the income to pay all his bills. His parents no longer need his financial help, and he earns sufficient income to pay his living expenses and his debts. He enrolled in school for more training, which is enabling to improve his work skills. He is working to assure his future. Thus, his past financial problems do not cast doubt on his current reliability, trustworthiness, or good judgment. AG ¶ 20(a) applies.

Applicant's financial problems arose when he attempted to help his parents financially during his father's illness and as he switched from the Army to the civilian work force. His initial employment in the Canadian Football League proved unsatisfying and financially inadequate. He found a better paying job, which took him overseas.

When he discovered some financial problems in 2005, he resolved the debts he knew existed at that time. AG ¶ 20(b) is partially applicable.

Applicant took a financial counseling course, from which he has learned to budget his income and manage his money. He has resolved many of the debts in the SOR. He contacted all the creditors listed in the SOR and arranged payment of his debts. His good faith efforts resulted in the resolution of many of the SOR debts. He complied with request of the United States Department of Education to make monthly payments on his loans for a specific period of time. As a result, his loans are now current and in deferment because he is in school. He contacted the creditor for the car loan in 2009 and made an arrangement to pay the debt. He made the required payments, but the creditor sold the debt to another company. It appears that he has not received any credit for his \$2,100 in payments to this creditor. By selling the debt, the creditor has failed to comply with its agreement with Applicant. Applicant is experiencing problems with locating the new debt owner to resolve the debt. His finances and debts are under control. AG ¶¶ 20(c) and 20(d) apply.

Applicant challenged the cell phone debt in SOR ¶ 1.a, after several attempts by he and his wife to resolve the debt. The original creditor has refused to work with him. Since he personally did not have an account with the company nor did he open an account with the original creditor, he has challenged the debt as fraudulent. His wife paid the earlier accounts with this company. He has a legitimate reason to challenge this small debt. AG ¶ 20(e) applies to this SOR allegation only.

Guideline E, Personal Conduct

AG ¶ 15 expresses the security concern pertaining to personal conduct:

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 information. Of special interest is any failure to provide truthful and candid answers during the security clearance process or any other failure to cooperate with the security clearance process.

AG ¶ 16(a) describes a condition that could raise a security concern and may be disqualifying:

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 security clearance eligibility or trustworthiness, or award fiduciary responsibilities.

For AG ¶ 16(a) to apply, Applicant's omission, concealment or falsification in his answer must be deliberate. The government established that Applicant omitted a

material fact from his SF-86 when he answered “no” to Questions 26a, about debts over 180 days delinquent, 26b about debts currently 90 days overdue, and 26c about the repossession of a car. This information is material to the evaluation of Applicant’s trustworthiness to hold a security clearance and to his honesty. In his response, he denies, however, that he had an intent to hide this information from the Government. When a falsification allegation is controverted, the Government has the burden of proving it. Proof of an omission, standing alone, does not establish or prove an applicant’s intent or state of mind when the omission occurred. An administrative judge must consider the record evidence as a whole to determine whether there is direct or circumstantial evidence concerning an applicant’s intent or state of mind at the time the omission occurred.¹⁸

When he completed his e-QIP in May 2009, Applicant believed that he had resolved his old debts in 2005. Since he had worked overseas for almost five years without access to his credit report, he lacked any information showing that he still unpaid debts. When he fell behind in his car payments, he retained possession of the car. He did not learn about its repossession until 2010. When he first deployed to the Middle East, his wife managed the household finances, as she was still living in the United States. With this distance, he relied on her to pay the bills, resulting in him having little actual knowledge about the status of their bills. At the time he completed his e-QIP, he was unaware of the extent of his past financial problems. His current bills are paid. He did not intentionally falsify his answers to Questions 26a, 26b and 26c because he did not taken the time to develop information about his financial problems. The Government has not established intentional falsification.

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 an applicant’s conduct and all relevant 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

¹⁸See ISCR Case No. 03-09483 at 4 (App. Bd. Nov.17, 2004)(explaining holding in ISCR Case No. 02-23133 at 5 (App. Bd. Jun. 9, 2004)).

consideration of the guidelines and the whole-person concept. The decision to grant or deny a security clearance requires a careful weighing of all relevant factors, both favorable and unfavorable. In so doing, an administrative judge must review all the evidence of record, not a single item in isolation, to determine if a security concern is established and then whether it is mitigated. A determination of an applicant's eligibility for a security clearance should not be made as punishment for specific past conduct, but on a reasonable and careful evaluation of all the evidence of record to decide if a nexus exists between established facts and a legitimate security concern.

In assessing whether an Applicant has established mitigation under Guideline F, the Appeal Board provided the following guidance in ISCR Case No. 07-06482 at 3 (App. Bd. May 21, 2008):

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." See, e.g., ISCR Case No. 05-01920 at 5 (App. Bd. Mar. 1, 200). However, an applicant is not required, as a matter of law, to establish that he has paid off each and every debt listed in the SOR. See, e.g., ISCR Case No. 02-25499 at 2 (App. Bd. Jun. 5, 2006). All that is required is that an applicant demonstrate that he has ". . . established a plan to resolve his financial problems and taken significant actions to implement that plan." See, e.g., ISCR Case No. 04-09684 at 2 (App. Bd. Jul. 6, 2006). The Judge can reasonably consider the entirety of an applicant's financial situation and his 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. See, e.g., ISCR Case No. 06-25584 at 4 (App. Bd. Apr. 4, 2008). 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.

The evidence in support of granting a security clearance to Applicant under the whole-person concept is more substantial than the evidence in support of denial. In reaching a conclusion, I considered the potentially disqualifying and mitigating conditions in light of all the facts and circumstances surrounding this case. Applicant developed financial problems after he separated from the Army and when he initially obtained work in the civilian sector. His post-Army work did not provide him with enough income to support his family and help his parents financially. He quickly recognized that playing football in Canada was not financially beneficial to him and sought work elsewhere. He found a job with a good salary. This job required him to work in the Middle East to support the military effort, where he has worked for more than six years.

By living overseas, he lacked access to information showing problems with his finances. With the income he earns, he has resolved most of the debts listed in the SOR as well as other debts he learned he owed. One large debt is not paid, not because he has not attempted to pay the debt, but because of the actions of the creditor. The creditor sold the debt without acknowledging his efforts. He cannot resolve this debt presently because he is trying to determine who owns the debt. Applicant has established a track record for resolving his debts and for paying of his current expenses. His current finances are under control and he has money in a savings account. His family now resides with him in the Middle East and his wife works. Her contribution to the household income helped with his resolution of their old debts. Most significantly, he has taken affirmative action to pay or resolve most of the delinquent debts raising security concerns. (See AG ¶ 2(a)(6).) He has not been able to pay the outstanding car debt because of the creditor's actions not his, thus, this debt is not a source of improper pressure or duress. The payment of the \$91 medical bill is not verified. Given the de minimus amount of this debt, it cannot be a source of improper pressure or duress. Of course, the issue is not simply whether all his debts are paid: it is whether his financial circumstances raise concerns about his fitness to hold a security clearance. Though some debts remain unpaid, they do not raise security concerns. His failure to provide information about his debts on his e-QIP is not a security concern. (See AG ¶ 2(a)(1).)

Overall, the record evidence leaves me without questions or doubts as to Applicant's eligibility and suitability for a security clearance. For all these reasons, I conclude Applicant mitigated the security concerns arising from his finances and personal conduct under Guidelines F and E.

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
Subparagraphs 1.a-1.n:	For Applicant
Paragraph 2, Guideline E:	FOR APPLICANT
Subparagraph 2.a:	For Applicant

Conclusion

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

MARY E. HENRY
Administrative Judge