



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



In the matter of:

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ISCR Case No. 23-02701

Applicant for Security Clearance

**Appearances**

For Government: William H. Miller, Esq., Department Counsel

For Applicant: *Pro se*

03/05/2025

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**Decision**

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HARVEY, Mark, Administrative Judge:

Guideline F (financial considerations) security concerns are mitigated. Eligibility for access to classified information is granted.

**Statement of the Case**

On January 2, 2023, Applicant completed an Electronic Questionnaires for Investigations Processing or security clearance application (SCA). (Government Exhibit (GE) 1) On December 11, 2023, the Defense Counterintelligence and Security Agency (DCSA) issued a statement of reasons (SOR) to Applicant under Executive Order (Exec. Or.) 10865, *Safeguarding Classified Information within Industry* (February 20, 1960); Department of Defense (DOD) Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (Directive) (January 2, 1992), as amended; and Security Executive Agent Directive 4, establishing in Appendix A, the *National Security Adjudicative Guidelines for Determining Eligibility for Access to Classified Information or Eligibility to Hold a Sensitive Position* (AGs), effective June 8, 2017. (Hearing Exhibit (HE) 2)

The SOR detailed reasons why the DCSA did not find under the Directive that it is clearly consistent with the interests of national security to grant or continue a security clearance for Applicant and recommended referral to an administrative judge to determine whether a clearance should be granted, continued, denied, or revoked. Specifically, the SOR set forth security concerns arising under Guideline F. (HE 2) On

May 29, 2024, Applicant provided his response to the SOR. On September 24, 2024, Department Counsel was ready to proceed. On October 3, 2024, the case was assigned to me. On October 9, 2024, the Defense Office of Hearings and Appeals (DOHA) issued a notice scheduling the hearing on November 19, 2024. (HE 1) The hearing was held as scheduled, using the Microsoft Teams video teleconference system.

During the hearing, Department Counsel offered four exhibits into evidence, and Applicant offered one exhibit into evidence. (Tr. 10, 14-16; GE 1-GE 4; Applicant Exhibit (AE) A) There were no objections, and all proffered exhibits were admitted into evidence. (Tr. 15-16) On December 2, 2024, DOHA received a copy of the transcript. Applicant provided one exhibit after the hearing, which was admitted into evidence. (AE B) On January 23, 2025, the record closed when the exhibit was received. (AE B)

Some details were excluded to protect Applicant's right to privacy. Specific information is available in the cited exhibits and transcript.

### **Findings of Fact**

In Applicant's SOR response, he admitted the SOR allegations in ¶¶ 1.a through 1.d, 1.f through 1.o, and 1.q. (HE 3) He denied the allegations in SOR ¶¶ 1.e and 1.p. (HE 3) He also provided mitigating information. His admissions are accepted as findings of fact.

Applicant is a 37-year-old armed security officer, who has worked for a government contractor since January 2023. (Tr. 6-7, 18) In 2006, he graduated from high school, and he has not attended college. (Tr. 6) He has not served in the military. (Tr. 6) He has never married, and he does not have any children. (Tr. 6) He has been on Workers' Compensation since March 2023. (Tr. 7)

### **Financial Considerations**

Applicant lives with his mother. (Tr. 17) He does not pay rent; however, he assists with some expenses. (Tr. 17-18) He provides about \$400 monthly in financial support to his mother. (Tr. 20) His employer paid him \$24 an hour from January 2023, when he became employed, until he was injured in March 2023. (Tr. 18, 21) He has been receiving \$664 per week while on Workers' Compensation since March 2023. (Tr. 19) He has received multiple surgeries and physical therapy; more surgeries and rehabilitation are needed; and he does not expect to return to work in the near future. (Tr. 49-50)

From October 2016 until July 2022, Applicant worked for a hospital, and his annual salary was \$32,000 to \$35,000. (Tr. 22) In 2020, Applicant had COVID, and he accumulated some medical debts. (Tr. 40) His hours and income were reduced during the COVID 19 pandemic. (Tr. 40-41) He was unemployed from August to December 2022. (Tr. 22) All of the debts alleged on the SOR were delinquent before he started his current employment. (Tr. 24)

Applicant's February 14, 2023, and September 24, 2024 credit bureau reports (CBR) state and his SOR alleges he has 17 delinquent debts totaling \$23,145. The status of the SOR debts is as follows:

SOR ¶ 1.a alleges a charged-off debt for \$6,211. Applicant had several medical debts. (Tr. 25) He borrowed funds to consolidate his medical debts. (Tr. 25) He was unable to afford the payments the creditor proposed after he received the funds, and he did not make any payments. (Tr. 25-26)

SOR ¶¶ 1.b and 1.c allege two charged-off debts owed to the same creditor for \$2,958 and \$2,392, respectively. Applicant used the two credit cards for emergencies, maintenance for a car, and daily expenses. (Tr. 26-27) He stopped making payments in 2020. (Tr. 27) He was unable to afford and did not make any payments. (Tr. 28)

SOR ¶¶ 1.d and 1.e allege two accounts placed for collection for the same amount, \$1,480. Applicant said the two debts were duplications of each other, and SOR ¶ 1.d is mitigated as a duplication. (HE 3) The creditor offered to settle the SOR ¶ 1.e debt for \$740, and he paid \$185 in 2024. (Tr. 29-30; AE A at 2; AE B at 15) He plans to continue making monthly payments of \$74. (Tr. 30) The current balance is \$555. (AE B at 15) The SOR ¶ 1.e debt is in an established payment plan.

SOR ¶ 1.f alleges an account placed for collection for \$1,093. Applicant was unsure if he had made any payments on this credit-card account. (Tr. 31) It could have been paid. (Tr. 31) It does not appear on his September 24, 2024 CBR. (Tr. 31)

SOR ¶ 1.g alleges a charged-off debt for \$999. The debt is shown on his February 14, 2023, and September 24, 2024 CBRs. (GE 2 and 3) Applicant did not resolve this debt.

SOR ¶ 1.h alleges an account placed for collection for \$924. Applicant is paying \$15 monthly, and he has been making payments for 13 months. (Tr. 32) He has paid \$225. (Tr. 32-33; AE B at 1) His first payment was in October 2023. (Tr. 33) His current balance is \$699. (AE A at 4; AE B at 1) This debt is in an established payment plan.

Applicant has a non-SOR account with the same creditor as in SOR ¶ 1.h with a balance of \$1,024. (AE A at 3) The creditor offered to settle the debt for \$512; Applicant made \$50 monthly payments; and he reduced the debt to \$12. (Tr. 31; AE A at 3; AE B at 2) This debt is in an established payment plan.

SOR ¶ 1.i alleges a charged-off, credit-card debt for \$923. (Tr. 33; GE 2 at 2) He disputed the debt because there were improper charges on the account. (Tr. 33) He believed the debt should be less than \$700. (Tr. 34) He communicated with the creditor several times about his concerns, and he did not receive any relief. (Tr. 34) He contacted the creditor to settle the account, and he was unable to talk to someone who could resolve the debt. (Tr. 35)

SOR ¶ 1.j alleges a medical account placed for collection for \$819. Applicant believes he paid the debt. (Tr. 35) It does not appear on his September 24, 2024 CBR. (Tr. 35)

SOR ¶ 1.k alleges an account placed for collection for \$727. He is making \$16 monthly payments, and in January 2025, the balance was reduced to \$487. (Tr. 36; GE 4 at 2; AE B at 21-23) This debt is in an established payment plan.

SOR ¶ 1.l alleges an account placed for collection for \$724. (GE 4 at 2) Applicant had a credit card from the creditor. (Tr. 37) He disputed the debt because there were improper charges on the account. (Tr. 37) He believed the debt should be about \$300 because the credit limit was \$300. (Tr. 37-38)

SOR ¶ 1.m alleges a charged-off debt for \$722. (GE 2 at 2) His credit limit was \$300. (GE 2 at 2) He did not provide any evidence of payments to the creditor.

SOR ¶ 1.n alleges an account placed for collection for \$646. (GE 2 at 2) The account was opened in 2021. (AE B at 24) Applicant made \$97 monthly payments, and he made the final payment in October 2024. (AE A at 8, 10) The account has a zero balance. (AE A at 8, 10; AE B at 24-25, 27) This debt is paid.

SOR ¶ 1.o alleges a charged-off debt for \$592. Applicant did not make any payments to the creditor. (Tr. 38-39)

SOR ¶ 1.p alleges a medical account placed for collection for \$312. (GE 3 at 7) Applicant believes he paid the debt. (Tr. 39) The debt does not appear on his September 24, 2024 CBR.

SOR ¶ 1.q alleges an account placed for collection for \$143. Applicant settled the debt for less than the full amount. (Tr. 40; GE 2 at 2) This debt is paid.

In 2013, Applicant's nonpriority unsecured debts were discharged in bankruptcy. (Tr. 44; GE 2 at 3) He said the bankruptcy related to resolution of some estate issues involving his grandmother and repossession of his vehicle. (Tr. 46)

Applicant has a non-SOR debt for \$1,560, and he is making payments to address the debt. (Tr. 42)

In 2021, Applicant had a non-SOR credit-card debt with a balance of \$3,052. (AE A at 5-7) He made \$70 monthly payments, and in January 2025, the balance was \$1,210. (AE A at 5-7; AE B at 26)

Applicant purchased a vehicle in 2017, and he borrowed \$13,790. (AE A at 9) As of January 2025, this non-SOR account was current, and he owed \$3,589. (AE A at 9)

Applicant does not have a retirement account. (Tr. 47) He has about \$300 in his bank account. (Tr. 47) His required federal and state income taxes are filed and paid. (Tr. 47) He received financial counseling. (Tr. 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 emphasizing, “no one has a ‘right’ to a security clearance.” *Department of the Navy v. Egan*, 484 U.S. 518, 528 (1988). 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.” *Id.* at 527. The President has authorized the Secretary of Defense or his designee to grant applicant’s eligibility for access to classified information “only upon a finding that it is clearly consistent with the national interest to do so.” Exec. Or. 10865, *Safeguarding Classified Information within Industry* § 2 (Feb. 20, 1960), as amended.

Eligibility for a security clearance is predicated upon the applicant meeting the criteria contained in the adjudicative guidelines. These guidelines are not inflexible rules of law. Instead, recognizing the complexities of human behavior, these guidelines are applied in conjunction with an evaluation of the whole person. An administrative judge’s overarching adjudicative goal is a fair, impartial, and commonsense decision. An administrative judge must consider all available, reliable information about the person, past and present, favorable, and unfavorable.

The Government reposes a high degree of trust and confidence in persons with access to classified information. This relationship transcends normal duty hours and endures throughout off-duty hours. Decisions include, by necessity, consideration of the possible risk the applicant may deliberately or inadvertently fail to safeguard classified information. Such decisions entail a certain degree of legally permissible extrapolation about potential, rather than actual, risk of compromise of classified information. 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.” See Exec. Or. 10865 § 7. Thus, nothing in this decision should be construed to suggest that it is based, in whole or in part, on any express or implied determination about applicant’s allegiance, loyalty, or patriotism. It is merely an indication the applicant has not met the strict guidelines the President, Secretary of Defense, and Director of National Intelligence have established for issuing a clearance.

Initially, the Government must establish, by substantial evidence, conditions in the personal or professional history of the applicant that may disqualify the applicant from being eligible for access to classified information. The Government has the burden of establishing controverted facts alleged in the SOR. See *Egan*, 484 U.S. at 531. “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). 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. 95-0611 at 2 (App. Bd. May 2, 1996).

Once the Government establishes a disqualifying condition by substantial evidence, the burden shifts to the applicant to rebut, explain, extenuate, or mitigate the facts. Directive ¶ E3.1.15. An applicant "has the ultimate burden of demonstrating that it is clearly consistent with the national interest to grant or continue his [or her] security clearance." ISCR Case No. 01-20700 at 3 (App. Bd. Dec. 19, 2002). The burden of disproving a mitigating condition never shifts to the Government. See ISCR Case No. 02-31154 at 5 (App. Bd. Sep. 22, 2005). "[S]ecurity clearance determinations should err, if they must, on the side of denials." *Egan*, 484 U.S. at 531; see AG ¶ 2(b).

## Analysis

### Financial Considerations

AG ¶ 18 articulates the security concern for financial problems:

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 Appeal Board explained the scope and rationale for the financial considerations security concern in ISCR Case No. 11-05365 at 3 (App. Bd. May 1, 2012) (citation omitted) as follows:

This concern is broader than the possibility that an applicant might knowingly compromise classified information in order to raise money in satisfaction of his or her debts. Rather, it requires a Judge to examine the totality of an applicant's financial history and circumstances. The Judge must consider pertinent evidence regarding the applicant's self-control, judgment, and other qualities essential to protecting the national secrets as well as the vulnerabilities inherent in the circumstances. The Directive presumes a nexus between proven conduct under any of the Guidelines and an applicant's security eligibility.

AG ¶ 19 includes two disqualifying conditions that could raise a security concern and may be disqualifying in this case, "(a) inability to satisfy debts"; and "(c) a history of not meeting financial obligations."

“[A] single debt can be sufficient to raise Guideline F security concerns.” ISCR Case No. 19-02667 at 3 (App. Bd. Nov. 3, 2021) (citing ISCR Case No. 14-05366 at 3 (App. Bd. Feb. 5, 2016)). “Additionally, a single debt that remains unpaid over a period of years can properly be characterized as a history of not meeting financial obligations.” *Id.*

The record establishes the disqualifying conditions in AG ¶¶ 19(a) and 19(c). Additional inquiry about the possible applicability of mitigating conditions is required. Discussion of the disqualifying conditions is contained in the mitigation section, *infra*.

The financial considerations mitigating conditions under AG ¶ 20, which may be applicable in this case are as follows:

- (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.

The Appeal Board in ISCR Case No. 10-04641 at 4 (App. Bd. Sept. 24, 2013) explained Applicant’s responsibility for proving the applicability of mitigating conditions as follows:

Once a concern arises regarding an Applicant’s security clearance eligibility, there is a strong presumption against the grant or maintenance of a security clearance. See *Dorfmont v. Brown*, 913 F. 2d 1399, 1401 (9th Cir. 1990), *cert. denied*, 499 U.S. 905 (1991). After the Government presents evidence raising security concerns, the burden shifts to the applicant to rebut or mitigate those concerns. See Directive ¶ E3.1.15. The

standard applicable in security clearance decisions is that articulated in *Egan, supra*. “Any doubt concerning personnel being considered for access to classified information will be resolved in favor of the national security.” Directive, Enclosure 2 ¶ 2(b).

AG ¶ 20(a) does not apply to the SOR debts. “It is also well established that an applicant’s ongoing, unpaid debts demonstrate a continuing course of conduct and can be viewed as recent for purposes of the Guideline F mitigating conditions.” ISCR 22-02226 at 2 (App. Bd. Oct. 27, 2023) (citing ISCR Case No. 15-06532 at 3 (App. Bd. Feb. 16, 2017)).

Applicant was underemployed during the COVID 19 pandemic; he was unemployed for three months in 2021; and he has been on Workers’ Compensation since March 2023. Some of his debts are related to his medical care. These factors are circumstances largely beyond his control, which adversely affected his finances. However, “[e]ven if [an applicant’s] financial difficulties initially arose, in whole or in part, due to circumstances outside his [or her] control, the [administrative judge] could still consider whether [the applicant] has since acted in a reasonable manner when dealing with those financial difficulties.” ISCR Case No. 05-11366 at 4 n.9 (App. Bd. Jan. 12, 2007).

Applicant’s history of non-payment of several debts has important security implications. See ISCR Case No. 20-01004 at 3 (App. Bd. June 28, 2021) (“Resolution of a delinquent debt does not preclude further inquiry or examination regarding it. Even if an alleged debt has been paid or canceled, a Judge may still consider the circumstances underlying the debt as well as any previous actions or lapses to resolve the debt for what they reveal about the applicant’s worthiness for a clearance”) (citing ISCR Case No. 15-02957 at 3 (App. Bd. Feb. 17, 2017)).

Two Appeal Board decisions illustrate the analysis for applying AG ¶¶ 20(a) and 20(b) in cases where there are limited financial resources and circumstances beyond an applicant’s control adversely affecting his or her finances. In ISCR Case No. 09-08533 (App. Bd. Oct. 6, 2010), the applicant had \$41,871 in delinquent credit-card debt and defaulted on a home loan generating a \$162,000 delinquent debt. *Id.* at 2. That applicant filed for bankruptcy the same month the Administrative Judge issued her decision. *Id.* at 1-2. The applicant in ISCR Case No. 09-08533 was recently divorced, had been unemployed for 10 months, and had childcare responsibilities. Her former husband was inconsistent in his child support payments to her. The Appeal Board determined that AG ¶ 20(a) was “clearly applicable (debt occurred under such circumstances that it is unlikely to recur and [the debt] does not cast doubt on the individual’s current reliability, trustworthiness, or good judgment)” even though that applicant’s debts were unresolved at the time the Administrative Judge’s decision was issued. *Id.* at 3. The Appeal Board also decided that the record evidence raised the applicability of AG ¶ 20(b) because of the absence of evidence of irresponsible behavior, poor judgment, unreliability, or lack of trustworthiness. *Id.* at 4. I note that Applicant has the burden of proving the applicability of any mitigating conditions, and the burden to disprove a mitigating condition never shifts to the Government.

Similarly, in ISCR Case No. 08-06567 (App. Bd. Oct. 29, 2009) the Appeal Board addressed a situation where an applicant was sporadically unemployed and lacked the ability to pay his creditors. The Appeal Board noted “it will be a long time at best before he has paid” all of his creditors. *Id.* at 3. The applicant was living on unemployment compensation at the time of his hearing. The Appeal Board explained that such a circumstance was not necessarily a bar to having access to classified information stating:

However, the Board has previously noted that an applicant is not required to be debt-free nor to develop a plan for paying off all debts immediately or simultaneously. All that is required is that an applicant act responsibly given his [or her] 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. 08-06567 at 3 (App. Bd. Oct. 29, 2009) (citing ISCR Case No. 07-06482 at 3 (App. Bd. May 21, 2008)). The applicant in ISCR Case No. 08-06567 used his limited resources to (1) resolve some of his debts; (2) had a repayment plan for the remaining debts; and (3) took “reasonable actions to effectuate that plan.” *Id.* The Appeal Board remanded the Administrative Judge’s decision because it did not “articulate a satisfactory explanation for his conclusions,” emphasizing the Administrative Judge did “not explain[] what he believes that applicant could or should have done under the circumstances that he has not already done to rectify his poor financial condition, or why the approach taken by applicant was not ‘responsible’ in light of his limited circumstances.” *Id.*

Applicant’s SOR alleges he has 17 delinquent debts totaling \$23,145. He resolved or is resolving seven SOR debts. SOR ¶ 1.d (\$1,480) is a duplication of SOR ¶ 1.e (\$1,480). Applicant has an established payment plan for SOR ¶¶ 1.e (\$1,480), 1.h (\$924), 1.k (\$727), and 1.n (\$646); and he has reduced the current balances to \$555, \$699, \$487, and \$0, respectively. Applicant settled the debt in SOR ¶ 1.q (\$143) for less than the full amount.

Applicant was unsure if he paid the debts in SOR ¶¶ 1.f (\$1,093), 1.j (\$819), and 1.p (\$312), and they could have been paid. They do not appear on his September 24, 2024 CBR. He is credited with paying or resolving these three debts.

Applicant has disputed the amounts of the debts in SOR ¶¶ 1.i (\$923) and 1.l (\$724). He is willing to settle the debts once a reasonable amount is established. He did not provide documentation showing the basis of the dispute, and he does not receive full mitigating credit under AG ¶ 20(e).

Applicant provided evidence that he has been paying four non-SOR debts, and the payments started before the SOR was issued. He reduced the balance owed on a credit card from \$3,052 to \$1,210. He reduced his vehicle loan from \$13,790 to \$3,589. He reduced a credit-card debt of \$1,024 to \$12. Applicant has a non-SOR debt for \$1,560, and he is making payments to address the debt.

Applicant established mitigation under AG ¶¶ 20(b) and 20(d). He showed good faith in his overall handling of his finances. I found his statement at his hearing to be candid and credible. He indicated he will pay his debts and establish his financial responsibility. Future delinquent debts are unlikely to recur, and there are clear indications his financial problems are in the process of being resolved. His history of handling his finances does not cast doubt on his current reliability, trustworthiness, and judgment. Financial considerations security concerns are mitigated.

### **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(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), “[t]he ultimate determination” of whether to grant a security clearance “must be an overall commonsense judgment based upon careful consideration of the guidelines” and the whole-person concept. My comments under Guideline F are incorporated in my whole-person analysis. Some of the factors in AG ¶ 2(d) were addressed under that guideline but some warrant additional comment.

Applicant is a 37-year-old armed security officer, who has worked for a government contractor since January 2023. He has been on Workers' Compensation since March 2023.

Applicant has a history of delinquent debt. In 2013, Applicant's nonpriority unsecured debts were discharged in bankruptcy. His SOR alleges he has 17 delinquent debts totaling \$23,145. The evidence supporting grant of a security clearance is detailed in the financial considerations analysis section, *supra*, and this evidence is more substantial than the evidence against mitigation. Underemployment, unemployment, and injuries harmed his finances. He acted responsibly under the circumstances within his limited means. He resolved or is resolving 10 SOR debts. He is making payments on four non-SOR debts.

The Appeal Board has addressed a key element in the whole-person analysis in financial cases stating:

. . . 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 has paid off each and every debt listed in the SOR. 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. 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. 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.

ISCR Case No. 07-06482 at 2-3 (App. Bd. May 21, 2008) (internal citations and quotation marks omitted). Applicant has demonstrated a meaningful financial track record of repayment of overdue creditors and otherwise resolved debts.

I have carefully applied the law, as set forth in *Egan*, Exec. Or. 10865, the Directive, the AGs, and the Appeal Board's jurisprudence to the facts and circumstances in the context of the whole person. Applicant mitigated financial considerations 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:

**FOR APPLICANT**

Subparagraphs 1.a through 1.q:

For Applicant

### **Conclusion**

I conclude that it is clearly consistent with the interests of national security of the United States to grant or continue Applicant's national security eligibility for access to classified information. Eligibility for access to classified information is granted.

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Mark Harvey  
Administrative Judge