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**United States Department of Energy  
Office of Hearings and Appeals**

In the Matter of: Personnel Security Hearing )  
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Filing Date: August 2, 2024 ) Case No.: PSH-24-0167  
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Issued: November 15, 2024

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**Administrative Judge Decision**

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Kristin L. Martin, Administrative Judge:

This Decision concerns the eligibility of XXXXXXXXXXXX (hereinafter referred to as “the Individual”) for access authorization under the Department of Energy’s (DOE) regulations set forth at 10 C.F.R. Part 710, entitled, “Procedures for Determining Eligibility for Access to Classified Matter and Special Nuclear Material.”<sup>1</sup> For the reasons set forth below, I conclude that the Individual’s security clearance should not be granted.

**I. BACKGROUND**

The Individual was hired by a DOE Contractor in a position which requires that he hold a security clearance. During the subsequent background investigation, derogatory information was discovered regarding the Individual’s finances. The Individual was evaluated for another matter by a DOE Contractor Psychologist (the Psychologist), and the Psychologist reported that the Individual stated that he was current on all his bills. However, the Individual had not resolved his past due debts. The Local Security Office (LSO) began the present administrative review proceeding by issuing a Notification Letter to the Individual informing him that he was entitled to a hearing before an Administrative Judge in order to resolve the substantial doubt regarding his eligibility to hold a security clearance. *See* 10 C.F.R. § 710.21.

The Individual requested a hearing, and the LSO forwarded the Individual’s request to the Office of Hearings and Appeals (OHA). The Director of OHA appointed me as the Administrative Judge in this matter. At the hearing I convened pursuant to 10 C.F.R. § 710.25(d), (e), and (g), the Individual presented the testimony of his wife and testified on his own behalf. *See* Transcript of Hearing, OHA Case No. PSH-24-0167 (hereinafter cited as “Tr.”). The LSO presented the testimony of the Psychologist. *Id.* The LSO submitted nine exhibits, marked as Exhibits 1 through 9 (hereinafter cited as “Ex.”). The Individual submitted one exhibit, marked as Exhibit A.

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<sup>1</sup> Under the regulations, “[a]ccess authorization’ means an administrative determination that an individual is eligible for access to classified matter or is eligible for access to, or control over, special nuclear material.” 10 C.F.R. § 710.5(a). Such authorization will also be referred to in this Decision as a security clearance.

## II. THE NOTIFICATION LETTER AND THE ASSOCIATED SECURITY CONCERNS

As indicated above, the Notification Letter informed the Individual that information in the possession of the DOE created a substantial doubt concerning his eligibility for a security clearance. That information pertains to Guidelines E and F of the *National Security Adjudicative Guidelines for Determining Eligibility for Access to Classified Information or Eligibility to Hold a Sensitive Position*, effective June 8, 2017 (Adjudicative Guidelines). 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. 10 C.F.R. § 710.7.

Guideline E states that “[c]onduct involving questionable judgment, lack of candor, dishonesty, or unwillingness to comply with rules and regulations can raise questions about an individual’s reliability, trustworthiness, and ability to protect classified or sensitive information. Of special interest is any failure to cooperate or provide truthful and candid answers during national security investigative or adjudicative processes.” Adjudicative Guidelines at ¶ 15. Concerns that could raise a security concern include:

- (a) Deliberate omission, concealment, or falsification of relevant facts from any personnel security questionnaire, personal history statement, or similar form used to conduct investigations, determine employment qualifications, award benefits or status, determine national security eligibility or trustworthiness, or award fiduciary responsibilities;
- (b) Deliberately providing false or misleading information; or concealing or omitting information, concerning relevant facts to an employer, investigator, security official, competent medical or mental health professional involved in making a recommendation relevant to a national security eligibility determination, or other official government representative;
- (c) Credible adverse information in several adjudicative issue areas that is not sufficient for an adverse determination under any other single guideline, but which, when considered as a whole, supports a whole-person assessment of questionable judgment, untrustworthiness, unreliability, lack of candor, unwillingness to comply with rules and regulations, or other characteristics indicating that the individual may not properly safeguard classified or sensitive information;
- (d) Credible adverse information that is not explicitly covered under any other guideline and may not be sufficient by itself for an adverse determination, but which, when combined with all available information, supports a whole-person assessment of questionable judgment, untrustworthiness, unreliability, lack of candor, unwillingness to comply with rules and regulations, or other characteristics indicating that the individual may not properly safeguard classified or sensitive information. This includes, but is not limited to, consideration of:

- (1) Untrustworthy or unreliable behavior to include breach of client confidentiality, release of proprietary information, unauthorized release of sensitive corporate or government protected information;
- (2) Any disruptive, violent, or other inappropriate behavior;
- (3) A pattern of dishonesty or rule violations; and
- (4) Evidence of significant misuse of Government or other employer's time or resources;
- (e) Personal conduct, or concealment of information about one's conduct, that creates a vulnerability to exploitation, manipulation, or duress by a foreign intelligence entity or other individual or group. Such conduct includes:
  - (1) Engaging in activities which, if known, could affect the person's personal, professional, or community standing;
  - (2) While in another country, engaging in any activity that is illegal in that country;
  - (3) While in another country, engaging in any activity that, while legal there, is illegal in the United States;
  - (f) Violation of a written or recorded commitment made by the individual to the employer as a condition of employment; and
  - (g) Association with persons involved in criminal activity.

*Id.* at ¶ 16.

Guideline F states that:

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. Affluence that cannot be explained by known sources of income is also a security concern insofar as it may result from criminal activity, including espionage.

*Id.* at ¶ 18. Conditions that could raise a Guideline F security concern include:

- (a) Inability to satisfy debts;
- (b) Unwillingness to satisfy debts regardless of the ability to do so;

- (c) A history of not meeting financial obligations;
- (d) Deceptive or illegal financial practices such as embezzlement, employee theft, check fraud, expense account fraud, mortgage fraud, filing deceptive loan statements and other intentional financial breaches of trust;
- (e) Consistent spending beyond one's means or frivolous or irresponsible spending, which may be indicated by excessive indebtedness, significant negative cash flow, a history of late payments or of non-payment, or other negative financial indicators;
- (f) Failure to file or fraudulently filing annual Federal, state, or local income tax returns or failure to pay annual Federal, state, or local income tax as required;
- (g) Unexplained affluence, as shown by a lifestyle or standard of living, increase in net worth, or money transfers that are inconsistent with known legal sources of income;
- (h) Borrowing money or engaging in significant financial transactions to fund gambling or pay gambling debts; and
- (i) Concealing gambling losses, family conflict, or other problems caused by gambling.

*Id.* at ¶ 19.

The LSO alleges that:

- On his March 2023 Questionnaire for National Security Positions (QNSP), the Individual reported that he had defaulted on loans and failed to pay accounts. A credit report showed collection accounts totaling \$4,323.00. In his response to a Letter of Interrogatory (LOI), the Individual stated that he had not contacted the creditors to resolve the accounts, but he would work out a payment plan when his income improved. (Guideline F)
- The Individual owes the following past due balances (Guideline F):
  - Midland Credit Management, \$782
  - Credit Collection Service, \$270
  - Member One Federal Credit, \$90
  - CB Indigo/GF, \$702
  - Feb Destiny/GF, \$1,179
  - TBOM/Milestone, \$1,300
- During a February 2, 2024, evaluation by the Psychologist, the Individual reported that he was caught up on his debt, however, a new credit report obtained on February 28, 2024,

showed that the above accounts were not resolved and listed the following new collection accounts (Guideline F):

- Jefferson Capital System, \$837
- Jefferson Capital System, \$626
- Credit Control Service, \$442
- On his QNSP and in a Triggered Enhanced Subject Interview (TESI), the Individual reported that he was evicted from his residence in November 2014, for nonpayment of rent. (Guideline F)
- On his QNSP and during the TESI, the Individual failed to proactively report a past due debt for Liberty Mutual Insurance Co. with a balance of \$270. (Guideline E)
- On his QNSP and during the TESI, the Individual failed to proactively report a past due debt for Member One Federal Credit Union. (Guideline E)
- During his psychological evaluation, the Individual reported that his finances had improved, his bills were current and that he lived below his means. However, in his LOI response six months earlier, the Individual provided a Personal Financial Statement with a negative monthly remainder, and his updated credit report showed that he had not resolved any of his collection accounts. (Guideline E)

Ex. 2 at 1–4.

Regarding Guideline E, the Individual omitted information about delinquent accounts both on his QNSP and in the TESI, which falls under conditions of concern (a) and (b). Additionally, the Individual is alleged to have told the Psychologist that he was current on all his bills, but he had not satisfied any of his collection accounts. This also falls under concerning condition (b). Accordingly, the LSO's security concerns under Guideline E are justified.

Regarding Guideline F, the Individual has several delinquent accounts totaling over \$4,000 and was once evicted from his home for non-payment. This falls under Guideline F condition of concern (c) because it demonstrates a long history of not meeting financial obligations. It also falls under condition of concern (a) and (b) because the existence of the delinquent accounts indicates an inability or unwillingness to pay his debts. Accordingly, the LSO's security concerns under Guideline F are justified.

### **III. REGULATORY STANDARDS**

A DOE administrative review proceeding under Part 710 requires me, as the Administrative Judge, to issue a Decision that reflects my comprehensive, common-sense judgment, made after consideration of all of the relevant evidence, favorable and unfavorable, as to whether the granting or continuation of a person's access authorization will not endanger the common defense and security and is clearly consistent with the national interest. 10 C.F.R. § 710.7(a). The entire process

is a conscientious scrutiny of a number of variables known as the “whole person concept.” Adjudicative Guidelines ¶ 2(a). The protection of the national security is the paramount consideration. The regulatory standard implies that there is a presumption against granting or restoring a security clearance. *See Department of Navy v. Egan*, 484 U.S. 518, 531 (1988) (“clearly consistent with the national interest” standard for granting security clearances indicates “that security determinations should err, if they must, on the side of denials”); *Dorfmont v. Brown*, 913 F.2d 1399, 1403 (9th Cir. 1990) (strong presumption against the issuance of a security clearance).

The Individual must come forward at the hearing with evidence to convince the DOE that granting or restoring access authorization “will not endanger the common defense and security and will be clearly consistent with the national interest.” 10 C.F.R. § 710.27(d). The Individual is afforded a full opportunity to present evidence supporting his eligibility for an access authorization. The Part 710 regulations are drafted so as to permit the introduction of a very broad range of evidence at personnel security hearings. Even appropriate hearsay evidence may be admitted. *Id.* § 710.26(h). Hence, an individual is afforded the utmost latitude in the presentation of evidence to mitigate the security concerns at issue.

The discussion below reflects my application of these factors to the testimony and exhibits presented by both sides in this case.

#### **IV. FINDINGS OF FACT**

The Individual’s financial issues accrued over time. Ex. 8 at 5. He is the sole earner for his family while his wife provides childcare for their four children, all of whom have autism spectrum disorder. *Id.*; Tr. at 32; Ex. 7 at 2–3. On a single income, the household struggled to make ends meet. Ex. 8 at 5; Tr. at 32. Following the birth of a stillborn child in 2012, the Individual and his family were unhoused for about eight months. Ex. 7 at 2. The Individual struggled with his emotions during that time and eventually lost his job due to attendance issues. *Id.* In 2013, the Individual filed for bankruptcy. *Id.* In 2016, the Individual experienced impulsiveness, which manifested as attempting to purchase several cars. *Id.* He was not successful in any of the attempts. *Id.* Events such as the COVID-19 pandemic and accruing bank fees caused the Individual to fall behind on insurance and credit card payments. Ex. 8 at 5. He was attending a higher education course to better his situation but had to drop out to care for his children when his wife was hospitalized following the premature birth of their fourth child. *Id.* With little to no money left over at the end of each month, each mistake and setback, even small ones, caused the Individual to get further and further behind on his financial obligations.

During the TESI, the Individual was asked about his collection accounts. Ex. 9 at 56. He told the investigator that he had gotten behind on the accounts gradually due to increases in the prices of gas and food, as well as several periods of unemployment over the preceding ten years. *Id.* at 58. Since 2022, his job had been inconsistent and the plant had shut down several times, though never long enough for the Individual to file for unemployment. *Id.* The Individual told the investigator that the past due debts had originally been used to help make ends meet and that his financial struggles were the result of having a low income to support a large family. *Id.*

In his QNSP, the Individual reported having a particular health condition.<sup>2</sup> Ex. 9 at 35. He was referred to the Psychologist for evaluation. Ex. 7. During the evaluation, the Psychologist asked the Individual about his financial situation. *Id.* at 2. The Individual answered, “Now the kids get their disability money, and we have enough to make ends meet. We live below our means.” *Id.* In his report of the evaluation, the Psychologist wrote, “He and his family have lived at his current housing since 2020. They pay rent, and he reported all bills are current.” *Id.* However, the Individual still had accounts in default, which are listed in the Notification Letter. *See* Ex. 6 at 3–10 (Individual’s credit report dated February 28, 2024).

The Individual’s spouse testified that the family had lost about half its income in June 2024 when some household members stopped receiving disability payments. Tr. at 16–17, 38. She testified that the Individual provided all of the household income. *Id.* at 32. She was not worried about the Individual’s ability to manage finances and testified that the household and their children came first. *Id.* at 19–20. She testified that she and the Individual worked together to decide how to approach finances, but the Individual handled the day-to-day management of accounts. *Id.* at 21, 30. They did not have an explicit family budget, but always tried to make sure the bills were paid. *Id.* The spouse testified that the Individual no longer attempts to purchase cars. *Id.* at 20, 28. She testified that the Individual now spent time with his children when stressed instead of attempting to purchase cars. *Id.* at 28. She testified that at the time of the Individual’s psychological evaluation, all the household’s ongoing bills were current, but she did not know if the delinquent accounts were being paid. *Id.* at 30. The spouse further testified that she believed the Individual had never lied to her about finances. *Id.* at 32–33. She testified that the Individual is generally and financially responsible and that he is an honest person. *Id.* at 34.

The Psychologist testified that anything outside his notes from the evaluation would not be reliable because it had been so long since the evaluation. Tr. at 46. He testified the Individual told him that the disability payments his household members were receiving had allowed him to make ends meet and that his bills were now current. *Id.* at 47. However, he acknowledged that the statement in his report that the bills were current was not in quotation marks and, therefore, was his own paraphrasing rather than a direct quote. *Id.* at 47–48. He testified that the Individual may have had some difficulty comprehending what he meant by his question and acknowledged that the Individual could have been referring to his non-delinquent accounts as current. *Id.* at 54–56. He testified that the Individual was forthcoming and honest in his evaluation and that the Individual told him derogatory information that other similarly situated individuals may not have shared. *Id.* at 52.

The Individual testified that he had not been able to make payments on his delinquent accounts because he could not afford the extra payments. Tr. at 59–60. He testified that several of his bills, such as food, car insurance, rent, and utilities, had increased with inflation. *Id.* He stated that he intends to pay all his delinquencies when he has more money because he does not like to owe money to anyone. *Id.* at 60–61. He testified that he grew up in poverty and is trying to make a better life for his family than he had. *Id.* He also testified that, due to his circumstances, he has no one who can help when things are tight and is still learning about credit because he was not taught financial skills growing up. *Id.* at 60–61.

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<sup>2</sup> The health condition was not raised as a security concern and is only mentioned to provide context for the Individual’s referral to the Psychologist.

The Individual testified that he was on short-term disability for several months in early 2024. *Id.* at 62–63. He testified that he was laid off from his job in August 2024<sup>3</sup> and began receiving food assistance in September 2024. *Id.* at 62. At that time, he cut expenses such as activities with his family, cable TV, and winter coats and new clothes for his four children who were still growing quickly. *Id.* at 64–65. He testified that he was able to complete the payments for his vehicle, which had helped his situation. *Id.* at 61. He also made some money delivering food when he was able, though medical appointments for his children often cut into that time because his wife did not drive. *Id.* at 66–67. The Individual testified that he did not want to file bankruptcy again and intended to pay his delinquent debts when he had the money to do so but was simply unable to at this time. *Id.* at 67–68. He also testified that he completed a credit education course and was monitoring his credit. *Id.* at 68–69.

The Individual testified that, when the Psychologist asked him about his finances, he believed he was being asked about his monthly expenses for which he received a bill every month. Tr. at 74–75. He testified that if he had been asked about his delinquent accounts for which he no longer received a monthly bill due to their collection status, he would have said they were not current. *Id.* at 75. He testified that the Psychologist did not discuss his delinquent accounts with him during the evaluation. *Id.* at 76.

The Individual testified that, regarding the two delinquent accounts that he did not disclose on his QNSP, he did discuss them with the investigator who conducted the TESI. Tr. at 71. He testified that the Liberty Mutual delinquency was for insurance that he had cancelled, but the company had renewed it anyway. *Id.* at 77. He testified that the Member One Federal Credit Union account was an old checking account that had charged off due to fees in 2017 or 2018. *Id.* at 77–78. He did not remember why he was charged the fees. *Id.* at 78. He testified that he had not remembered the accounts when filling out his QNSP. *Id.* at 78. He had checked his Experian credit report before completing his QNSP, where he found his listed delinquencies, but was not able to access his Transunion or Equifax credit reports. Ex. 9 at 56. He testified that he had not intended to mislead the investigators or hide information from them. Tr. at 78.

## V. ANALYSIS

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 places a high degree of trust and confidence in individuals to whom it grants access authorization. Decisions include, by necessity, consideration of the possible risk that the 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.

The issue before me is whether the Individual, at the time of the hearing, presents an unacceptable risk to national security and the common defense. I must consider all the evidence, both favorable and unfavorable, in a commonsense manner. “Any doubt concerning personnel being considered for access for national security eligibility will be resolved in favor of the national security.”

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<sup>3</sup> The Individual was working at a different job while waiting for his security clearance.



Adjudicative Guidelines ¶ 2(b). In reaching this decision, I have drawn only those conclusions that are reasonable, logical, and based on the evidence contained in the record. Because of the strong presumption against granting or restoring security clearances, I must deny access authorization if I am not convinced that the LSO's security concerns have been mitigated such that granting the Individual's clearance is not an unacceptable risk to national security.

#### **A. Guideline E**

Conditions that could mitigate Guideline E concerns include:

- (a) The individual made prompt, good-faith efforts to correct the omission, concealment, or falsification before being confronted with the facts;
- (b) The refusal or failure to cooperate, omission, or concealment was caused or significantly contributed to by advice of legal counsel or of a person with professional responsibilities for advising or instructing the individual specifically concerning security processes. Upon being made aware of the requirement to cooperate or provide the information, the individual cooperated fully and truthfully;
- (c) The offense is so minor, or so much time has passed, or the behavior is so infrequent, or it happened under such unique circumstances that it is unlikely to recur and does not cast doubt on the individual's reliability, trustworthiness, or good judgment;
- (d) The individual has acknowledged the behavior and obtained counseling to change the behavior or taken other positive steps to alleviate the stressors, circumstances, or factors that contributed to untrustworthy, unreliable, or other inappropriate behavior, and such behavior is unlikely to recur;
- (e) The individual has taken positive steps to reduce or eliminate vulnerability to exploitation, manipulation, or duress;
- (f) The information was unsubstantiated or from a source of questionable reliability; and
- (g) Association with persons involved in criminal activities was unwitting, has ceased, or occurs under circumstances that do not cast doubt upon the individual's reliability, trustworthiness, judgment, or willingness to comply with rules and regulations.

Adjudicative Guidelines at ¶ 17. Condition (c) applies.

Regarding his undisclosed delinquencies, the Individual credibly testified that his omission was a mistake. His testimony that he did not previously have credit education and did not regularly check his credit report support that, as does the statement in the TESI investigator's notes (Ex. 9) that he was not able to check two of his three credit reports. Moreover, the Individual listed several balances on his QNSP that were delinquent and in much higher amounts, indicating that he did not intend to conceal his delinquent debts. The Individual acknowledged the omitted accounts readily when asked about them at the TESI and did not try to deflect blame. He was forthcoming with derogatory information to the Psychologist and

honestly testified that he had no ability to resolve his delinquent debts at this time. The Individual also knows now how to find his credit reports and monitors his credit regularly. Given his credible testimony that the omission was a mistake, his forthrightness in acknowledging his debts and supplying derogatory information, and his progress in learning new financial monitoring skills, I find it unlikely that the Individual will omit information in the future. I further find that the omission does not currently reflect poorly on the Individual's judgment, trustworthiness, or reliability.

Regarding the Individual's statements to the Psychologist, the Individual credibly testified that when he said he was current on his bills, he meant he was current on his monthly expenses for which he received a monthly bill. This is supported by the Psychologist's testimony that his question could have been interpreted that way. It is also supported by the Psychologist's testimony that the Individual may have had difficulty comprehending the scope of his question and that the Individual was more honest than many others would be when disclosing other derogatory information. Because the Psychologist testified that the Individual likely honestly had interpreted his question to include only expenses for which he was still receiving a monthly bill, I find that the circumstances surrounding the Individual's answer are unique such that he is unlikely to make such a mistake again, and, therefore, the answer to the Psychologist's financial questions no longer casts doubt upon the Individual's judgment, reliability, and trustworthiness.

I note that the Psychologist commented on the Individual's candor in discussing derogatory information. The Psychologist testified that the Individual told him derogatory information that other people may have omitted. This opinion bolsters the Individual's testimony that his omission and his answer to the Psychologist's financial questions were mistakes, rather than conscious attempts to conceal.

For the foregoing reasons, I find that mitigating condition (c) applies, and that the Individual has mitigated the concerns under Guideline E.

## **B. Guideline F**

Conditions that could mitigate Guideline F security concerns include:

- (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;
- (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;
- (f) The affluence resulted from a legal source of income; and
- (g) The individual has made arrangements with the appropriate tax authority to file or pay the amount owed and is in compliance with those arrangements.

Adjudicative Guidelines at ¶ 20. None of the mitigating conditions apply.

Regarding condition (a), the Individual still owes delinquent debts which have persisted for years, so I cannot find that he is unlikely to have them in the future. Regarding conditions (c) and (d), the Individual testified that he took a credit education course, but there is no indication that the delinquencies are resolved or being paid. Regarding condition (e), the Individual does not dispute any of the past due debts. Conditions (f) and (g) are inapplicable to the Guideline F concerns raised in this case.

Regarding condition (b), frequent short-term work stoppages were circumstances outside of the Individual's control that contributed to his financial difficulties. However, most of the Individual's past due debt accrued prior to his 2022 difficulties with workplace shutdowns. The Individual cited rising prices as an external force that caused him to fall behind on payments. Rising prices are a burden shared by everyone and are not the sort of acute event unique to the Individual, such as an accident or divorce, that may apply under the second mitigating condition. Moreover, he has not attempted to pay any amount on his delinquencies despite knowing that DOE was concerned about them and has not contacted any creditors to inquire about low-cost payment plans or other ways to resolve the accounts. I cannot find that the Individual acted responsibly in ignoring his delinquent debt for years at a time and in continuing to do so after learning of the Guideline F security concerns.

The Individual has taken steps to improve his financial literacy and has testified to his intent to pay all his delinquencies. However, at this time, all his delinquencies remain, as do the security concerns that arise from the existence of delinquent bills. The Individual has been unable to make any payments or set up payment plans to resolve the debts. He is currently unemployed and does not know when he will have the means to resolve his debts. While the Individual is likely sincere in his desire to resolve his debts, until he has resolved them or begun adhering to a payment plan that will resolve them, I cannot find that he has resolved all doubt regarding the LSO's security concerns. Because I must resolve any doubt in favor of the national security, I cannot find that the Individual has mitigated the security concerns under Guideline F.

## **VI. CONCLUSION**

Upon consideration of the entire record in this case, I find that there was evidence that raised concerns regarding the Individual's eligibility for access authorization under Guidelines E and F of the Adjudicative Guidelines. I further find that while the Individual has resolved the security concerns asserted under Guideline E, he has not succeeded in fully resolving the concerns asserted

under Guideline F. Therefore, I cannot conclude that granting DOE access authorization to the Individual “will not endanger the common defense and security and is clearly consistent with the national interest.” 10 C.F.R. § 710.7(a). Accordingly, I find that the DOE should not grant access authorization to the Individual.

This Decision may be appealed in accordance with the procedures set forth at 10 C.F.R. § 710.28.

Kristin L. Martin  
Administrative Judge  
Office of Hearings and Appeals