United States Department of Energy
Office of Hearings and Appeals

In the Matter of: Personnel Security Hearing	)		
	)		
Filing Date: September 10, 2025	)	Case No.:	PSH-25-0207
	)		
	)		

Issued: November 7, 2025

Administrative Judge Decision

Noorassa A. Rahimzadeh, Administrative Judge:

This Decision concerns the eligibility of XXXXXXXXXXXXXXXXXXXXXXXXX (the Individual) to hold an access authorization under the United States Department of Energy's (DOE) regulations, set forth at 10 C.F.R. Part 710, "Procedures for Determining Eligibility for Access to Classified Matter and Special Nuclear Material or Eligibility to Hold a Sensitive Position."[1] As discussed below, after carefully considering the record before me in light of the relevant regulations and the *National Security Adjudicative Guidelines for Determining Eligibility for Access to Classified Information or Eligibility to Hold a Sensitive Position* (June 8, 2017) (Adjudicative Guidelines), I conclude that the Individual's access authorization should not be restored.

I. Background

As part of the access authorization application process, the Individual signed and submitted a Questionnaire for National Security Positions (QNSP) in September 2015. Exhibit (Ex.) 4 at 145. During the course of the investigation, a copy of the Individual's credit report was obtained in November 2015. *Id.* at 167. The credit report revealed several accounts that had been placed for collection. *Id.* One account, totaling $27 was reported to the credit reporting agency in August 2015. *Id.* Another account totaling $1,648 was reported in November 2015. *Id.* One account that had been charged off had a balance of $493 and was reported in November 2015. *Id.* at 168. Another account with a $0 balance that had been transferred or sold, was reported in July 2015. *Id.* An account with a balance of $132 that was reported in October 2015 was past due 120 days, and an account with a balance of $385 that was reported in November 2015 was also past due 120 days. *Id.* at 169. Another account with a balance of $855 that was reported in October 2015 was 120 days past due twice. *Id.* Also reported in October 2015 was an account in the amount of $1,019 and past due 120 days. *Id.* at 170. In November 2015 an account was reported 150 days past due, twice. *Id.*

[1] The regulations define access authorization as "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). This Decision will refer to such authorization as access authorization or security clearance.

The Individual received his access authorization in 2015. Beginning in August 2017, the Individual's wages were garnished by a federal agency, for an amount of $2,456.13 due. Ex. 13. The wage garnishment was terminated in February 2018. Ex. 12.

As part of the reinvestigation process, the Individual signed and completed another QNSP in May 2024. Ex. 4. When asked about delinquencies involving routine accounts in the last seven years, the Individual listed several delinquent accounts. *Id.* at 58–60. The Individual listed one delinquent account in the amount of $1,697. *Id.* at 58. He indicated that the delinquency was the result of financial hardship "due to [his] wife's premature exit [from the] military due to health concerns and [the] relocation of [his] family." *Id.* He also stated that the delinquency was under control, as he "[s]ought help from a financial assistance company" and was on a "plan to resolve all debt in a timely manner." *Id.* He also disclosed that, for the same reasons, he had a "financial issue" in the amount of $24,000, a debt associated with a personal car. *Id.* at 59. The debt was resolved around 2018 with the help of the aforementioned financial institution. *Id.* The Individual also owed an estimated $17,000 on another car, which was sold in an auction around November 2023 to satisfy the outstanding amount. *Id.* at 60. When asked if he was "over 120 days delinquent on any debt[,]" the Individual marked "no." *Id.* at 61.

The Individual subsequently underwent an Enhanced Subject Interview (ESI) conducted by an investigator in late June 2024. *Id.* at 63. The investigator noted in the report that the Individual "verified his responses to the financial section and was given the opportunity to provide additional information but did not." *Id.* at 70. The investigator confronted the Individual with five financial accounts that were in collection or charge off status and/or settled for less than the full balance, totaling approximately $21,042, which the Individual had not disclosed on the 2024 QNSP. *Id.* at 70. The Individual explained that "his current financial situation was good" and that the "delinquent debts resulted from getting out of the military and not being prepared and not having a job in place." *Id.* at 71. He further stated that an "unforeseen issue that resulted in [his] wife's exiting the military, which resulted in a one income family," contributed to the debts falling into delinquency. *Id.* He explained that he would get in touch with the creditors to satisfy the delinquent accounts. *Id.*

As questions remained, the Local Security Office (LSO) asked the Individual to complete a Letter of Interrogatory (LOI), which the Individual submitted in January 2025. Ex. 10; Ex. 11. In his LOI response, the Individual indicated that he had a car loan in the amount of $25,606 that was in repossession status and became delinquent in March 2020. Ex. 11 at 280. A repossession sale "satisfied [the] remaining balance." *Id.* An updated credit report was obtained as part of the investigation in March 2025. Ex. 9. The credit report revealed three accounts on which the Individual owed a cumulative amount of $7,673 that had been placed for collection. *Id.* at 264–65. The credit report indicates that all three accounts were reported to the credit reporting agency in March 2023. *Id.* The first account had a balance of $4,146, the second had a balance of $2,013, and the third had a balance of $1,514. *Id.* An account in the amount of $12,000, which was reported in October 2022, was transferred or sold. *Id.* at 265. An account in the amount of $673, which was reported in April 2024, was paid after being settled for the less than the full balance. *Id.* The Individual also had several student loans that were 120 days past due in February 2025, with past due amounts totaling $2,547, and a total balance of $59,340. *Id.* at 266–68. The credit report also indicated that a mortgage was 90 days past due in January 2025 with a past due amount of $6,346, and a car loan was sixty days past due in February 2025 with a past due amount of $1,275. *Id.* at 268.

The LSO began the present administrative review proceeding by issuing a letter (Notification Letter) to the Individual in which it notified him that it possessed reliable information that created a substantial doubt regarding his continued eligibility for access authorization. In a Summary of Security Concerns (SSC) attached to the Notification Letter, the LSO explained that the derogatory information raised security concerns under Guidelines F (Financial Considerations) and E (Personal Conduct) of the Adjudicative Guidelines. Ex. 2. The Notification Letter informed the Individual that he was entitled to a hearing before an Administrative Judge 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 Administrative Judge in this matter. At the hearing I convened pursuant to 10 C.F.R. § 710.25(d), (e), and (g), the Individual testified on his own behalf and presented the testimony of his wife. *See* Transcript of Hearing, OHA Case No. PSH-25-0207 (hereinafter cited as "Tr.") The Individual also submitted seven exhibits, marked Exhibits A through G. The DOE Counsel submitted thirteen exhibits marked as Exhibits 1 through 13.

II. Notification Letter

Guideline F

Guideline F provides 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." Adjudicative Guidelines at ¶ 18. Among those conditions set forth in the Adjudicative Guidelines that could raise disqualifying security concerns are "[the] inability to satisfy debts[,]" and "a history of not meeting financial obligations[.]" *Id.* at ¶ 19(a), (c). The LSO alleged that a March 2025 credit report revealed that the Individual had three accounts in collection totaling $7,673. Ex. 2 at 6. The LSO also cited an account in the amount of $12,000 that fell into delinquency.[2] *Id.* at 7. The Individual had seven student loan accounts that were "120 days past due, with a total balance of $59,340 and a total past due amount of $2,547." *Id.* at 7. Further, the Individual was ninety days past due on a mortgage with a past due amount of $6,346 and sixty days past due on an automobile loan in the amount of $1,275, and, in the January 2025 LOI response, the Individual "failed to provide documentation that he is resolving his debts[.]" *Id.* at 7–8. As indicated above, the LSO alleged that the Individual has a history of not fulfilling financial obligations. Specifically regarding this concern, the LSO cited:

1. An account in the amount of $25,606 that was in foreclosure or repossession status became delinquent in March 2020. *Id.* at 8. The obligation was satisfied. *Id.*

---

[2] Although the Individual indicated that he had initiated a payment plan to satisfy the debt in his LOI, the Individual admitted during the hearing that he had not done so. *See infra* p. 7.

2. A charge off account that became delinquent in 2017, in the amount of $673, which the Individual paid. *Id.*

3. A collection account that was reported in August 2015 had a balance of $27. *Id.*

4. A "collection account reported in November 2015" had a balance of $1,648. *Id.*

5. A "charge off account reported in November 2015" had a balance of $493. *Id.*

6. A charge off account that was reported in July 2015 "was transferred/sold." *Id.*

7. An account reported in October 2015 was past due 120 days "with a past due balance of $132[.]" *Id.*

8. An account reported in November 2015 was 120 days past due with a past due balance of $385. *Id.*

9. A past due account reported in October 2015 had a past due balance of $855. *Id.*

10. An account reported in October 2015 was 120 days past due with a past due balance of $1,019. *Id.*

11. An account that was reported twice in November 2015 was past due 150 days. *Id.*

12. "A wage garnishment was filed against [the Individual]" in August 2017 by a federal agency. *Id.* The garnishment was released in February 2018. *Id.*

The LSO's invocation of Guideline F is justified.

Guideline E

Under Guideline E, "[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." Adjudicative Guidelines at ¶ 15. Among those conditions set forth in the Adjudicative Guidelines that could raise a disqualifying concern is the "deliberate omission, concealment, or falsification of relevant facts from any personnel security questionnaire[,]" and "deliberately . . . concealing or omitting information, concerning relevant facts to an . . . investigator[.]" *Id.* at ¶ 16(a)–(b). Under Guideline E, the LSO alleged that the Individual failed to disclose all delinquent financial accounts on his 2024 QNSP, and he did not voluntarily disclose this information to the investigator during the ESI prior to being confronted with the information. Ex. 2 at 10. Further, the Individual did not report to the LSO fourteen accounts that "were 120 or more days delinquent[,]" as indicated in a late March 2025 credit report within three working days of the debts falling into delinquency.[3] *Id.* The LSO's invocation of Guideline E is justified.

[3] Cleared individuals are required to disclose financial anomalies, including "[d]elinquency more than 120 days on any debt," within three working days of the event. DOE Order 472.2A at ¶ 4(w)(5), Att. 5 (Jun. 10, 2022).

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 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 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.

IV. Findings of Fact and Hearing Testimony

The January 2025 LOI asked the Individual to provide information regarding his delinquent accounts. Ex. 11. Regarding all of the aforementioned accounts, the Individual stated that he was "unable to satisfy [his] debts as originally agreed to with the creditor" due to financial hardship, and that he failed to disclose the debts on his QNSP because of "inadequate records[.]" *Id.* at 273, 279–81 He also explained that he "[was not] concerned of the impact." *Id.*. Specifically, regarding the debt that had been placed in collection totaling $12,000, the Individual indicated that the documentation regarding the satisfaction of the debt had been attached to the LOI.[4] *Id.* at 279. The Individual also indicated in the LOI response that he had "[e]stablished a settlement and payment plan in January 2024" for the account totaling $12,000, and that he was "current on all payments." *Id.* at 285.

At the start of the hearing, the Individual indicated that one of his "collateral duties is processing clearances for [his] local community partners that get a clearance to . . . work[] with [them.]" Tr. at 18. Regarding the omissions on his most recent QNSP, the Individual was asked if he remembered being interviewed by the investigator, and he indicated that he did and he confirmed that he was asked to verify information in his QNSP. *Id.* at 20–22. He also confirmed that he was given the opportunity to disclose information after the information he provided in the QNSP was reviewed with him. *Id*. at 23. The Individual confirmed in his testimony that he agreed with the debts with which the investigator confronted him. *Id.* Regarding why he had failed to disclose

[4] The LOI does not contain the aforementioned documentation. Ex. 11.

those debts on his QNSP, the Individual offered inconsistent explanations. He indicated that, because a few of the debts had been charged off, he did not "have documentation and current information regarding" those debts when he completed the QNSP and believed he "had listed everything at that current time," but also stated that "he was under the belief" that the information relevant to the QNSP pertained to "a certain time frame" and that he "may have been misunderstanding the time frame of the items that were being looked for in the financial obligation." *Id*. at 23–24.

The Individual was also specifically asked why he indicated in his LOI that he "[was not] concerned of the impact" when responding to the question asking him to explain why he had omitted information from the QNSP. *Id.* at 31–32. The Individual responded that he indicated that he was not "concerned of the impact," because he was "working to resolve it and facilitate the funds to be able to make the payments." *Id.* at 32. He indicated that he believes that he meant that he was not "concerned with the ability to resolve" the debts. *Id.* When asked whether he acknowledged that he has "an obligation to report debts that come more than 120 days delinquent" to the LSO, the Individual indicated that he does not "know that specifically." *Id.* at 39.

When asked how much he was earning before he stopped working in the months prior to the hearing, the Individual stated that he was earning approximately $2,200 "every two weeks" and receives $1,800 per month in veteran's benefits. *Id.* at 65–66. When asked how much his wife currently earns, he stated that his wife earns about $2,400 per month and also receives $1,800 monthly in veteran's benefits. [5] *Id.* at 66. At the hearing, the Individual did not know how much they have every month after all necessary bills and expenditures are satisfied, and he admitted that he had not formulated a personal financial statement since entering into payment plans for some of his delinquent debts earlier this year. *Id.* at 56–57, 66. Regarding the three accounts in collection totaling $7,673, the Individual established a payment plan for one of the accounts totaling $4,146. Tr. at 34; Ex. B. The Individual made the first payment in the amount of $100 in early October 2025. Ex. B. The Individual entered into a payment plan for the second of these accounts, totaling $2,013. Tr. at 35. Pursuant to the payment agreement, the Individual has agreed to pay $225 every month. Ex. C. The Individual also made one lump sum payment on the account in early October 2025 in the amount of $749.99. Ex. C; Tr. at 35. Regarding the third account totaling $1,514, the Individual submitted a September 2025 letter indicating that the account was settled. Tr. at 35; Ex. D. The Individual explained in his testimony that he had previously been making payments on these accounts via older payment arrangements, but that they could not maintain making payments pursuant to the arrangements. Tr. at 35. The initial payment arrangements were made in early 2025. *Id.* at 60. They could not maintain making payments pursuant to those previous payment arrangements as they "[g]ot bogged down with a lot of extracurricular items, as far as school and sports for the kids[.]" *Id.* at 61. He indicated that he "would [have] love[d]" for those prior arrangements to have continued, "so it [does not] look like [he] just kind of scraped something together[.]" *Id.*

---

[5] The Individual's wife worked at a restaurant for approximately six to eight months "before [they] moved . . . in 2015." Tr. at 62. She then was out of work until "a year or two" before the COVID-19 pandemic. *Id.* She then stopped working after the COVID-19 pandemic struck and stayed out of work until 2023. *Id.* Although their financial situation improved, it worsened again in 2024. *Id.* at 62–63. When asked why, the Individual could not pinpoint a reason. *Id.* at 63.

The Individual testified that the account totaling $12,000 had become the "bane of [his] existence[,]" as he is not able to get in touch with the creditor to attempt to resolve the matter. *Id.* at 36. The Individual stated that the creditor does not have an online presence but does have a phone number that he has called multiple times. *Id.* He has left messages but has not received a return call. *Id.* The creditor has also not made any attempts to collect this outstanding amount. *Id.* at 38. The Individual's testimony regarding this account was markedly different from the information he provided in the 2024 LOI, where he claimed he had already created a payment plan with the creditor to satisfy this debt. *See* Ex. 11 at 279.

Regarding his student loan debt, the Individual indicated that he is making payments on the loans and that they are "paid up." *Id.* at 40. A printout of the account information indicates that his next payment is due in late October 2025 and lists the past due amount as $0. Ex. F; Tr. at 41. Regarding his mortgage, which was listed in the SSC as being 90 days past due in the amount of $6,346, the Individual testified that he is now "current" on the account. Tr. at 42. He described his monthly mortgage payment as a "priority payment." *Id.* He also submitted a printout of his posted mortgage payments from early October 2025, indicating that his last payment was in mid-September 2025. Ex. E. He indicated that his mortgage became 90 days past due as the family was "struggling a little bit as far as a few things coming out that [were not] supposed to at that time" and accordingly, they "lost a hold of . . . where the funds were going[.]"[6] Tr. at 42–43. They became current on the mortgage in May 2025. *Id.* at 63. The Individual testified that his car loan payment is also current and submitted online payment information indicating that he paid the creditor $745.99 in early October 2025.[7] Tr. at 43; Ex. G. The Individual indicated that there are "fluctuations of missed payment[s]" on their car payments. Tr. at 65. Prior to the October 2025 payment, the Individual made one car payment in September 2025, no payment in August 2025, one payment in July 2025, two payments in June 2025, no payment in May 2025, one payment in April 2025, two payments in March 2025, no payment in February 2025, and one payment in January 2025. Ex. G.

In terms of his past history of delinquent accounts, listed above as concerns one through twelve under Guideline F, the Individual testified that some were satisfied, he acknowledged that all were past due, and he disputed owing one. Tr. at 45–51. Specifically, he disputed owing the debt totaling $27 from 2015, indicating that it pertained to a truck he had sold, but he received a ticket because the new owner failed to register the car in a timely manner. *Id.* at 46. The Individual acknowledged that he experienced financial difficulties in the past, and when he was asked whether he received any financial advice/services in the past, the Individual indicated that his wife handles the family finances and that she enjoys learning about and organizing their finances.[8] *Id.* at 53–55. The

[6] The Individual's wife stated that they fell behind on their mortgage and car payments because of the increase in the cost of living during the COVID-19 pandemic. Tr. at 93–95. Around the end of 2023, when they fell behind on their mortgage payments, she realized that one income was not enough to sustain the family, and accordingly, she found a job. *Id.* at 93, 95. They used their refund from tax year 2024 to come current on their mortgage and car payments. *Id.* at 94–95.

[7] The Individual was asked about previously repossessed vehicles, and he admitted that he had two repossessed. *Id.* at 45.

[8] The Individual testified that the financial difficulties in 2015 began when he decided not to reenlist in the armed services at a time when they were not in good financial standing. Tr. at 67–68. He stated that after he decided not to reenlist, they "were not in any good sort of financial standing[.]" *Id.* at 68. Specifically, they "had nowhere to live[,]" they "had no jobs[,]" and they "had nowhere to go when [they] moved back" to the state in which they currently reside. *Id.* at 68, 78

Individual indicated that the family has a budget and a binder of information "that lays it all out." *Id.* at 56. When asked whether he had formulated a recent "financial statement to indicate what [his] bills are and what [his] income is[,]" the Individual indicated that he had not, but that his wife may have. *Id.* at 57. Although they communicate about finances, his wife has "really taken hold of" the finances. *Id.* at 57–58. Although the Individual was able to provide testimony regarding how much each spouse earns every month, he could not provide testimony regarding how much income remains after bills and necessary expenses are paid. *Id.* at 66. They did consider filing for bankruptcy at some point, and they did discuss the matter with a financial advisor, but the financial counseling "[was not] . . . anything . . . steady." *Id.* at 62.

The Individual's wife confirmed in her testimony that she is primarily responsible for handling "a lot of the finances for the family." *Id.* at 75. She testified that the Individual "is aware" of the routine monthly expenses and "costs that come up," but she is responsible for "allocating what money needs to go where[.]" *Id.* at 76. She seeks input from the Individual for larger expenses. *Id.* She confirmed that since she left the military, there have been times during which they have had to decide between bills and expenses, acknowledging that some bills had to go unpaid. *Id.* at 76–77. She indicated that their first major financial hurdle came when the Individual decided against reenlisting in the military, and they moved to a different state to be closer to family around the same time. *Id.* at 77–78. Then when their children had to stay home from school during the COVID-19 pandemic, she stopped working to stay at home with their children. *Id.* at 78–79. The Individual's wife testified that it was around this time that her financial illiteracy became apparent, so she decided to utilize financial tools and to educate herself.[9] *Id.* at 79–80, 87. When she started work at her new job, they were focused on "getting back on track with any past due bills[.]" *Id.* at 82. After the Individual's wife secured employment in 2023 and they paid their past due bills, she began reaching out to collection agencies and, by mid-2024, she had established payment plans for several of their delinquent accounts. *Id.* at 82. Her goal was to have all outstanding debts "on a payment plan or paid off by the end of this year." *Id.* at 83. She admitted that, to date, she has not been able to establish a payment plan for one account, and due to "a few obstacles most recently in the past couple of months[,]" they could not make payments pursuant to some of those payment plans. *Id.* at 83. The Individual's wife explained that they have had some maintenance challenges with their house in the months prior to the hearing, as well as some unexpected veterinary bills, and because they had some emergency funds established, they could handle some of those expenses. *Id.* at 84. However, as the Individual has not been working and earning money in the months prior to the hearing, the family's financial situation became "a struggle." *Id.* at 92. She began taking on overtime hours and worked with creditors to make sure they understood the hardship the family was experiencing, due to the aforementioned reasons, and to establish payment plans. *Id.* at 84–85, 92–93. Every creditor she could contact let her reenter into a payment plan. *Id.* at 85. The Individual's wife explained that she maintains a binder to help her plan their finances, and although she does go over some of the information with the Individual, the Individual does not "go over absolutely everything in it." *Id.* at 88–91. Using the binder, she stated that she has planned for them to resolve their delinquent debts by the end of the year, and in some cases, the end of June 2026. *Id.* at 91.

V. Analysis

[9] The Individual's wife utilized YouTube videos. Tr. at 95.

Guideline F

The Adjudicative Guidelines provide that conditions that could mitigate security concerns under Guideline F 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.

While I can see that the Individual's wife has done some work to better the family's financial situation and to resolve delinquent accounts, I cannot conclude that the Individual has mitigated the stated concerns. What I have before me is an unclear financial picture. The record indicates that financial strains began in 2015, when the Individual decided not the reenlist in the military. As stated above, he received his access authorization in 2015 in connection with his current position. Although the Individual's wife secured employment around 2018, the COVID-19 Pandemic compelled her to stay at home with their minor children, resulting in a worsening of the family's financial situation. The Individual's wife secured employment in approximately 2023, and using their 2024 tax refund, the family came current on their mortgage and car payments, but again missed several mortgage and car payments in 2025. The family was earning two incomes up until the recent past and based on the information I gathered at the hearing, before the Individual stopped working in the months prior to the hearing, the family was earning approximately $10,000 per month. The testimony indicates that at some point in 2024 or 2025, the family had to contend with home repairs and unexpected veterinary visits. Based on the Individual's testimony, they have also had expenses associated with the children's extracurricular activities. They testified that they became delinquent on the payments made pursuant to payment plans to satisfy outstanding debts as a result of these unexpected expenses, but there is too little information in the record for me to validate the extent to which these expenses, as opposed to other spending, prevented the Individual from meeting the terms of the payment plans. As the Individual's wife has made efforts to resolve the family's financial situation, they established new payment plans for all debts, except the debt totaling $12,000. At the time of the hearing, the Individual and his wife made one payment pursuant to the aforementioned new payment agreements. Accordingly, the future of these delinquent accounts remains largely unsettled.

The record reveals an almost cyclical pattern of incurring debt and establishing payment plans/satisfying accounts since 2015, the most recent cycle having taken place in 2024/2025. I cannot conclude that the behavior happened long ago, was 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. The Individual has not met requirements of mitigating factor (a).

While the fallout from the COVID-19 pandemic was beyond anyone's control, the couple did financially recover, earning up to approximately $10,000 per month in the recent past. When asked about the causes of his more recent financial troubles, the Individual's wife indicated that that they endured some costs associates with veterinary services and home repairs. The Individual also indicated that they "[g]ot bogged down with a lot of extracurricular items, as far as school and sports for the kids[.]" Tr. at 61. Without further information, the more recent difficulties appear to be the result of financial mismanagement considering that the expenses cited by the Individual and his wife are ordinary household expenses. I cannot conclude that the Individual has mitigated the stated concerns pursuant to mitigating factor (b).

Finally, although the Individual has established payment plans for all but one of his outstanding debts, as indicated above, I do not have a history of payments made pursuant to the payment plans. The Individual recently discontinued payment plans he established to resolve his delinquent debts before entering into new plans shortly before the hearing. Considering this recent history, I cannot conclude that he is "adhering" to these payment plans. And further, one large debt remains outstanding and without any payment plan in place to satisfy the amount owed. Mitigating factor (d) has not been met.

Outside of an indication in the 2024 QNSP that the Individual was receiving financial help from a financial assistance company, I have no further information on the matter. I have no information whether that help continued into the recent past and whether the financial counseling was from a legitimate or credible source. The Individual has failed to meet the requirements of mitigating factor (c). Although the Individual disputed the legitimacy of one of the outstanding past debts, totaling $27, he did not dispute any other current outstanding financial obligations. Further, the record does not contain any documents substantiating the dispute and there is no evidence of actions taken to resolve any disputed debt. Mitigating factor (e) has not been satisfied. The allegations in the SSC did not involve any inexplicable affluence or any outstanding tax obligation. Mitigating factors (f) and (g) are not applicable.

For the foregoing reasons, I find that the Individual has not resolved the security concerns asserted by the LSO under Guideline F.

Guideline E

The Adjudicative Guidelines provide that conditions that could mitigate security concerns under Guideline E 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.

The Individual's failure to disclose thousands of dollars of debt on his 2024 QNSP is concerning. Pursuant to 10 C.F.R. § 710.7(c), I am tasked with considering, among other things, the circumstances surrounding the conduct. In the matter at hand, the Individual stated in his testimony that he assists in the clearance process for community members. Further, the Individual previously completed and submitted a QNSP in 2015. Accordingly, I have an individual before me who presumably understands the application process better than most applicants, but he failed to disclose information that was easily ascertainable via his credit report. While I can understand that debts that are in charge off status may not be at the forefront of the Individual's mind, it is still incumbent upon the Individual to provide complete and truthful information on a QNSP. Any individual "seeking a security clearance should be well aware of the need for complete, honest and candid answers to DOE questions. Therefore[,] when completing a QNSP such an individual should err on the side of providing too much rather than too little information." *Personnel Security Hearing,* OHA Case No. TSO-0023 at 30–31 (2003). The Individual failed to take the proper care while completing his 2024 QNSP.

The Individual did not provide a compelling reason for his failure to provide the full extent of his delinquent accounts, and he failed to do so on his most recent QNSP, which he completed a little more than one year prior to the hearing. I cannot conclude that 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. The Individual has failed to meet the requirements of mitigating factor (c).

There is no indication in the record that the Individual made any effort to disclose the information omitted from the QNSP prior to being confronted with it by the investigator. Mitigating factor (a) is not applicable. There is no indication in the record that the Individual omitted any information from the QNSP based on the advice of an attorney or some other qualified individual. Therefore, mitigating factor (b) is not applicable. There is no indication in the record that the Individual is receiving counseling for the underlying behavior. Mitigating (d) is not applicable. There is no allegation that the Individual was vulnerable or subject to exploitation, manipulation, or duress. Mitigating factor (e) is not applicable. The Individual did not argue that the information cited in the SSC came from a questionable source. Mitigating factor (f) is not applicable. The LSO did not allege that the Individual was involved with any persons involved in criminal activities. Mitigating factor (g) is not applicable.

For the foregoing reasons, I find that the Individual has not resolved the security concerns asserted by the LSO under Guideline E.

VI. Conclusion

For the reasons set forth above, I conclude that the LSO properly invoked Guidelines F and E of the Adjudicative Guidelines. After considering all the evidence, both favorable and unfavorable, in a comprehensive, common-sense manner, including weighing all the testimony and other evidence presented at the hearing, I find that the Individual has not brought forth sufficient evidence to resolve the Guidelines F and E concerns set forth in the SSC. Accordingly, the Individual has not demonstrated that restoring his security clearance would not endanger the common defense and security and would be clearly consistent with the national interest. Therefore, I find that the Individual's access authorization should not be restored. This Decision may be appealed in accordance with the procedures set forth at 10 C.F.R. § 710.28.

Noorassa A. Rahimzadeh
Administrative Judge
Office of Hearings and Appeals