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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: January 20, 2026)	Case No.: PSH-26-0047
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Issued: June 4, 2026

Administrative Judge Decision

Erin C. Weinstock, Administrative Judge:

This Decision concerns the eligibility of XXXXXXXXXXXX (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 be restored.

I. BACKGROUND

The Individual is employed by a DOE contractor in a position that requires him to hold an access authorization. Exhibit (Ex.) 1 at 1. In February 2025, the Individual completed a Questionnaire for National Security Positions (2025 QNSP) as part of the standard reinvestigation process. Ex. 5. In his 2025 QNSP, the Individual reported two delinquent debts. *Id.* at 70–72. These debts also appeared on his credit report. Ex. 6 at 4. As a result of the Individual's debts, the Local Security Office (LSO) issued the Individual a Letter of Interrogatory (2025 LOI), which the Individual completed in August 2025. Ex. 8. The LSO also raised concerns about issues that the Individual had had meeting his financial obligations between 2009 and 2019. Ex. 6 at 92.

After the Individual completed the 2025 LOI, the LSO issued the Individual a Notification Letter advising him that it possessed reliable information that created substantial doubt regarding his eligibility for access authorization. Ex. 1 at 1–4. In a Summary of Security Concerns (SSC)

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.

attached to the letter, the LSO explained that the derogatory information raised security concerns under Guideline F of the Adjudicative Guidelines. Ex. 2 at 5–7.

The Individual exercised his right to request an administrative review hearing pursuant to 10 C.F.R. Part 710. Ex. 3. The Director of the Office of Hearings and Appeals (OHA) appointed me as the Administrative Judge in this matter, and I conducted an administrative hearing. The LSO submitted eleven exhibits (Ex. 1–11). The Individual submitted fourteen exhibits (Ex. A–N). The Individual testified on his own behalf, and no other witnesses were called. Hearing Transcript, OHA Case No. PSH-26-0047 (Tr.).

II. THE SECURITY CONCERNS

Guideline F, under which the LSO raised security concerns, relates to security risks arising from financial concerns. “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. Conditions that may raise a security concern include: “inability to satisfy debts” and “a history of not meeting financial obligations.” *Id.* at ¶ 19(a), (c). In citing Guideline F, the LSO relied upon the Individual’s delinquent debts and his history of failing to meet his financial obligations. Ex. 2 at 5–7. The information cited by the LSO justifies its invocation of Guideline F. *See* Adjudicative Guidelines at ¶ 19(a), (c).

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 Dep’t 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).

An 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). An individual is afforded a full opportunity to present evidence supporting their eligibility for an access authorization. The Part 710 regulations are drafted to permit the introduction of a very broad range of evidence at personnel security hearings. Even appropriate hearsay evidence may be admitted. *Id.* at § 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

Around 2009, the Individual filed for Chapter 7 bankruptcy. Tr. at 18–19. The Individual had purchased a home and had unknowingly signed an adjustable-rate loan rather than a traditional 30-year fixed rate loan. *Id.* at 19. As the monthly payment for his home rose, the Individual became unable to cover all of his expenses and determined that filing for bankruptcy would be the best option. *Id.* at 19–20. Approximately \$150,000 was discharged in bankruptcy, including some of what the Individual owed on his home and credit card debts that he was unable to pay. *Id.* at 21; Ex. 11 at 57–61. The Individual was eventually able to convert the adjustable-rate loan into a 30-year fixed rate loan. Tr. at 22.

For several months in 2016, the Individual did not have a job. Ex. 11 at 21. During this time period, he fell behind on several of his bills, and some of those bills went to collections or were past due. *Id.* at 20–21. These debts were all settled prior to the beginning of the Individual’s employment with the DOE contractor in 2021. *Id.* at 17, 30–34.

Around 2016, the Individual got a foreclosure notice on his home and sold the property via short sale. Ex. 6 at 75. The Individual testified that due to the expenses associated with necessary repairs on the property and a tenant that had not paid their rent, he was unable to keep up with the mortgage payments. Tr. at 23. He was advised to sell the house via short sale, and he did so. *Id.*

A July 2025 credit report revealed that the Individual had two past due debts, Debt A and Debt B. Ex. 6 at 4. Debt A was a loan in collections for approximately \$8,000. *Id.* The Individual took out this loan to cover debts related to his education and household expenses while his wife was looking for a job. Tr. at 25–26. When the Individual became delinquent on the debt, he went back and forth with the company, and they eventually came to an agreement to settle the debt for a lump sum in December 2025. *Id.* at 26–27; Ex. B (January 2026 letter from creditor showing that Debt A has a balance of \$0). Debt B was a charged off account with a balance of approximately \$3,500. Ex. 6 at 4. The Individual had ordered a furniture set from a retailer which he repeatedly returned because it had been delivered to his home damaged. Tr. at 30. Eventually, the furniture was delivered to the Individual’s home without damage, but the retailer charged the Individual more money than he had agreed to pay. *Id.* He attempted to resolve the matter with the retailer, but was unsuccessful. Ex. 8 at 4. In November 2025, the Individual came to an agreement with the creditor on a payment plan to pay off Debt B. Tr. at 32; Ex. C (letter from creditor detailing payment plan). The Individual testified that he had been making the monthly payments since November 2025 and provided documentation showing his most recent payment. Tr. at 32–33; Ex. M (screenshot of the Individual’s bank account showing a payment in April 2026).

At the time of the hearing, the Individual was enrolled in a financial coaching program through his employer’s employee assistance program. Tr. at 47–49. The Individual meets with a certified financial coach approximately every three weeks to discuss budgeting and creating good financial habits. Ex. I (letter from financial counseling service explaining the Individual’s participation in the program). The Individual also provided a copy of the budget he created with one of his financial coaches. Ex. H. He testified that working on this budget has helped him to prepare for one-off expenses and pay his bills. Tr. at 53.

The Individual and his wife had saved approximately \$5,000 at the time of the hearing. *Id.* at 52–53. He stated that the financial coaching courses had helped him learn a lot about how to save. *Id.* at 55–56. The Individual’s wife now has a job and that additional income has made their financial situation less stressful. *Id.* at 52. There is no indication on any of the Individual’s credit reports that the Individual is currently past due on any of his accounts. Ex. G (three credit reports for the Individual generated in April 2026 showing no current accounts past due).

V. ANALYSIS

An individual may be able to mitigate security concerns under Guideline F through the following conditions:

- (a) the behavior happened so long ago, was so infrequent, or it happened under such unusual circumstances that it is unlikely to recur or does not cast doubt on the individual’s current reliability, trustworthiness, or 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 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 action to solve the issue;
- (f) the affluence resulted from a legal form or income; and
- (g) the individual 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.

A. Delinquent Debts

The Individual has resolved Debt A and provided documentation from the creditor showing that the balance on the account is currently zero dollars. Further, the Individual has entered into a

payment plan in order to resolve Debt B. He provided documentation from the creditor showing that the creditor had agreed to the payment plan and proof that he had made the most recent monthly payment at the time of the hearing. The Individual also provided proof of his participation in financial counseling services that he accessed via his employer's employee concerns program. His participation in that program and the budget worksheet he completed using that program show that he is learning new skills in order to resolve his past financial problems. The Individual's actions show that he has mitigated the security concerns pursuant to mitigating factors (c) and (d).

Therefore, the Individual has mitigated the security concerns related to his delinquent debts.

B. History of Not Fulfilling Financial Obligations

As discussed above, at the time of the hearing the Individual was attending financial counseling classes which include individual sessions with a counselor. At the hearing, he explained how those sessions have helped him with budgeting for his family's expenses. An April 2026 credit report showed that the Individual was current on all of his bills and supports my finding that the Individual's past financial problems are under control. Therefore, the Individual has mitigated the security concern about his history of not fulfilling his financial obligations pursuant to mitigating factor (c).

Accordingly, I find that the Individual has resolved the security concerns asserted by the LSO under Guideline F.

VI. CONCLUSION

In the above analysis, I found that there was sufficient derogatory information in the possession of DOE to raise security concerns under Guideline F of the Adjudicative Guidelines. After considering all the relevant information, 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 brought forth sufficient evidence to resolve the security concerns set forth in the Summary of Security Concerns. Accordingly, I have determined that the Individual's access authorization should be restored. This Decision may be appealed in accordance with the procedures set forth at 10 C.F.R. § 710.28.

Erin C. Weinstock
Administrative Judge
Office of Hearings and Appeals