*The original of this document contains information which is subject to withholding from disclosure under 5 U.S. C. § 552. Such material has been deleted from this copy and replaced with XXXXXX's.

United States Department of Energy
Office of Hearings and Appeals

In the Matter of: Personnel Security Hearing	)		
	)		
Filing Date: June 23, 2026	)	Case No.:	PSH-26-0139
	)		
	)		

Issued: November 6, 2026

Administrative Judge Decision

Noorassa A. Rahimzadeh, Administrative Judge:

This Decision concerns the eligibility of XXXXXXXXXXXXXX (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 a routine reinvestigation, the Individual, a clearance holder, completed and submitted a Questionnaire for National Security Positions (QNSP) in March 2026. Exhibit (Ex.) 6.[2] The Individual disclosed in his QNSP that in the past seven years, he had defaulted on a loan, had debts turned over to a collection agency, had "an account or credit card suspended, charged off, or cancelled for failing to pay as agreed[,]" and was "over 120 days delinquent on [a] debt." *Id.* at 75. He provided further information, indicating that Debt 2[3] had a balance of $30,904, and that it went into delinquency because of his "wife's very unhealthy spending habits/inflation/credit cards raising [annual percentage rates]" which "all led to [him] being unable to continue credit card minimum payments." *Id.* He also stated that his wife was laid off from her job, which exacerbated matters. *Id.* He estimated that the "financial issue" began in March 2025, and that they were

[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.

[2] This Decision cites the PDF page number for exhibits presented by DOE.

[3] The debts are numbered in the order that they appear in Section II of the Summary of Security Concerns (SSC), and the names of the companies have been withheld to protect the Individual's privacy.

"awaiting money from relatives to make necessary settlement payment[s]." *Id.* He also indicated that he was delinquent on Debt 1 with a balance of $33,565, Debt 3 with a balance of $17,632, Debt 5 with a balance of $13,031, Debt 6 with a balance of $8,879, Debt 4 with a balance of $13,495, Debt 9 with a balance of $5,276, Debt 8 with a balance of $4,068, Debt 7 with a balance of $7,516, and a debt that was not listed in the SSC with a balance of $940. *Id.* at 76–83. He also disclosed that he had a delinquent Debt 10 in the amount of $3,188. *Id.* at 83–84.

A continuous evaluation report from March 2026, which captured a copy of the Individual's credit report, revealed that the Individual had a delinquent balance of $7,169 on Debt 1, which was charged off. Ex. 5 at 25. The Individual's Debt 2 was past due in the amount of $30,904 and was charged off. *Id.* at 26. Debt 3 was past due in the amount of $17,632 and was charged off. *Id.* at 27. The credit report also revealed Debt 4, which was delinquent in the amount of $13,495 and charged off, and Debt 5, which was past due 90 to 119 days in the amount of $852. *Id.* at 27–28. Debt 6 was charged off and was past due in the amount of $8,879. *Id.* at 29. Debt 7 was charged off with a past due amount of $7,516. *Id.* Debt 8 was charged off with a past due amount of $5,276, and Debt 9 was charged off with a past due amount of $4,068. *Id.* at 30. The credit report also revealed that Debt 10 was 120 past due in the amount of $1,776. *Id.* at 31. Debt 11 was in collection with a past due balance of $12,752. *Id.* at 38. He was also 120 days past due on his mortgage payment, starting in March 2025. *Id.* at 24.

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 eligibility for access authorization. In the SSC attached to the Notification Letter, the LSO explained that the derogatory information raised security concerns under Guidelines E (Personal Conduct) and F (Financial Considerations) of the Adjudicative Guidelines. Ex. 1. 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-26-0139 (hereinafter cited as "Tr.") The Individual also submitted fifty-four exhibits, marked Exhibits A through BBB. The DOE Counsel submitted nine exhibits marked as Exhibits 1 through 9.

II. Notification Letter

Guideline E

Under Guideline E, "[c]onduct involving questionable judgement, 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 are the "deliberate omission, concealment, or falsification of relevant

facts from any personnel security questionnaire" and "concealing or omitting information, concerning relevant facts to . . . [a] security official." *Id.* at ¶ 16(a)–(b). Under Guideline E, the LSO alleged that:

1. The Individual failed to timely report accounts that had become 120 days delinquent pursuant to DOE Order 472.2A, Personnel Security, Attachment V, Reporting Requirements. Ex. 1 at 5.

2. The Individual failed to disclose that his mortgage was 120 days past due on his March 2026 QNSP. *Id.*

The LSO's invocation of Guideline E is justified.

Guideline F

Guideline F provides that "[f]ailure 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 could raise a security concern include the "inability to satisfy debts[,]" or "consistent spending beyond one's means or frivolous or irresponsible spending, which may be indicated by excessive indebtedness . . . [or] a history of late payments or of nonpayment[.]" *Id.* at ¶ 19(a), (e). Under Guideline F, the LSO alleged that:

1. The Individual disclosed in his QNSP that "beginning in January 2025, he accumulated a total debt of $138,585 due to unpaid delinquent financial accounts." Ex. 1 at 5. The Individual attributed the debt to his wife's "unhealthy spending." *Id.*

2. The Individual has delinquent debts totaling $110,319.

    a. Debt 1 was charged off in the amount of $7,169.

    b. Debt 2 was charged off in the amount of $30,904.

    c. Debt 3 was charged off in the amount of $17,632.

    d. Debt 4 was charged off in the amount of $13,495.

    e. Debt 5 was 90 to 119 days past due in the amount of $852.

    f. Debt 6 was charged off in the amount of $8,879.

    g. Debt 7 was charged off in the amount of $7,516.

    h. Debt 8 was charged off in the amount of $5,276.

i. Debt 9 was charged off in the amount of $4,068.

j. Debt 10 was 120 or more days past due in the amount of $1,776.

k. Debt 11 was in collection in the amount of $12,752. *Id.* at 5–6.

3. A credit report from March 2026 revealed that the Individual's mortgage was "120 days or more past the due date in December 2025 for $21,332." *Id.*

The LSO's invocation of Guideline F is 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 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 Individual's wife testified that the Individual and their family moved to a new home in 2020. Tr. at 20, 61. Accordingly, she began the process of trying to furnish their new home and their mortgage payment increased.[4] *Id.* at 20, 61–62. The Individual's wife started becoming aware of the debt that her family was accumulating around the end of 2024 and began throwing credit card statements into the trash due to feeling overwhelmed. *Id.* at 19, 35, 55. The Individual explained

[4] The Individual testified that they "incurred a lot of debt because of the home furnishing." Tr. at 78. At the time, as their credit card debt increased for such purchases, they decided to take out a home equity line of credit to pay down the credit card balances. *Id.* at 78–79. However, their credit card balances went back up, "[s]o [then they were] stuck with the [home equity line of credit] payment plus owing all the credit card minimums that [they could not] afford." *Id.* at 79. The payments for the home equity line of credit are accounted for in the Individual's monthly budget with each payment totaling approximately $650. Ex. Z at 1.

that he tried to talk to his wife about their financial circumstances at that time. *Id.* at 62. The Individual's wife felt that at that point in late 2024, the debts were "becoming more and more out of control." *Id.* at 19. It was also around that time that her communication with the Individual pertaining to the debt became sparser, and they "were just not on the same page at that time." *Id.* at 19–20. The Individual stated that it was around that time that he "gave up." *Id.* at 62–63. It was around February 2025, the Individual's wife testified, that she felt that they had "hit rock bottom" with respect to their delinquent debts. *Id*. at 20, 42. She testified that prior to February 2025, the Individual had a more limited understanding of the delinquent debts than she did. *Id.* at 20–21. For example, she stated that she had applied for an airline credit card using the Individual's information without his knowledge. *Id.* at 21, 35, 39–40, 63.

The Individual's wife explained that she lost her job, which paid $35,000 per year, in April 2025.[5] *Id*. at 18. She explained that when she lost her job, "things became unbearable to pay" and the loss of her income was significant for their family finances. *Id.* at 19. The minimum payments on credit cards became "several hundred dollars each." *Id.* at 20.

It was around January 2026 that they realized that they needed to reach out to family to get some help. *Id.* at 63. The Individual's wife's grandfather was able to assist with her family's finances by providing them with a cash gift of $18,000 around March 2026. *Id.* at 22, 44. By the time the Individual and his wife received the gift of $18,000, the Individual had withdrawn $20,000 from his retirement account to pay off some of his debts. [6] *Id.* at 45, 105, 129. The Individual also took out a loan against his retirement account in April 2026 in the amount of approximately $36,000 for the same reason. *Id.* at 103–04, 129–30. They started trying to pay down delinquent debts in April 2026. *Id.* at 72–73. Around the same time, they endeavored to learn more about managing their finances and now, they are discussing their finances on a weekly basis, allowing them to create a timeline for when they intend to satisfy delinquent debts. *Id.* at 22, 30, 74, 76. With respect to learning more about finances, they engaged a nonprofit debt counseling service in the summer of 2026 and availed themselves of telephone appointments. *Id.* at 22–23, 47, 52–53. Also, via the nonprofit counseling service, they were able to "consolidate everything" and by making one monthly payment to the nonprofit counseling service, they are able to pay their creditors.[7] Tr. at 23; Ex. V. Debts 3 and 6, which became 120 days delinquent in September 2024, Debt 7, which became 120 days delinquent in July 2024, Debt 5, and Debt 11 are part of the consolidation plan. Ex. V; Ex. 5 at 27, 29–30; Tr. at 110–11.

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[5] The Individual's wife testified that she would occasionally tutor children during her period of general unemployment. Tr. at 41. She was able to secure steady fulltime employment in July 2026. Tr. at 28; Ex. W; Ex. X.

[6] When asked whether he had paid the penalty that was incurred as a result of the early withdrawal, the Individaul said, "[t]hat will be during tax season next year" and did not provide further details. Tr. at 103–04. When asked if he "still owe[s] on that loan[,]" the Individual said, "[o]h, yeah." *Id.* at 104–05.

[7] A payment schedule for the consolidated payment plan went into effect in mid-September 2026, and the hearing was held in late September 2026. Ex. V; Tr. at 91. The Individual testified that it is a forty-five-month payment plan. Tr. at 94. The consolidation plan includes twelve different delinquent accounts, not all of which were at issue in the SSC, with a payment amount totaling $1,846. Ex. V; Ex. Z at 1. Not all of the Individual's debts are delinquent. Per his credit report, those debts that are not delinquent amount to $126,153. Ex. 5. The record does not have a copy of the Individual's wife's credit report.

They have also participated in a popular financial education program, which they completed in August 2026, that taught them to set aside $1,000 in a savings account for emergencies. Tr. at 26–27, 31; Ex. A; Ex. B; Ex. C; Ex. EE. They are able to manage expenses when emergencies occur because of the savings account, and once the emergency is resolved, they replenish their emergency savings account. Tr. at 26–27; Ex. D. With respect to discretionary purchases, the Individual and his wife have a rule that they consult each other for discretionary purchases over $100. Tr. at 30–31. Further, they created a monthly budget, the earliest of which that is in the record is from May 2026, for which the Individual is responsible, which details their monthly expenses, including debts.[8] *Id.* at 31, 53; Ex. D; Ex. Z. Based on the information they received from the nonprofit counseling service, they created their "zero-dollar budget." Tr. at 53. They have not overspent since the creation of the budget, and the Individual's wife clarified that they are not using credit cards at the moment. *Id.* at 54.

The Individual was 120 days delinquent on Debt 1 in January 2025, which he settled and satisfied using money he had withdrawn from his retirement account, and in July 2026, he received a letter acknowledging that he had "completed a settlement arrangement and resolved the outstanding balance[.]" Ex. P; Tr. at 102–03, 105; Ex. Z at 3; Ex. 5 at 25. In September 2026, the Individual satisfied Debt 2, which he was 120 days delinquent on in December 2024, with a past due amount of $30,904, using the loan that he had taken out against his retirement account. Ex. BB; Tr. at 86, 104; Ex. L; Ex. CC; Ex. 5 at 26. The Individual also settled and satisfied Debt 4 in March 2026. Ex. DD; Ex. O; Ex. QQ; Tr. at 87–89. In March 2026, the Individual settled and satisfied the outstanding balances on Debt 8 and Debt 9. Ex. M; Ex. N; Tr. at 87. Debts 8 and 9 were 120 days delinquent in November 2024. Ex. 5 at 30–31.

The consolidation plan could not incorporate Debt 10, which became 120 days delinquent in June 2025, so the Individual established a 140-month payment plan to dispose of this delinquent student loan debt. *Id.* at 92–93; Ex. U. The first payment made pursuant to that payment plan was made in early September 2026. Ex. U; Tr. at 93. The next payment for Debt 10 was scheduled for early October 2026. Ex. LL. With respect to his mortgage, the Individual testified that he and his wife were attempting to restructure their loan, but that he was making payments in the meantime. Tr. at 114–15. He stated that their mortgage payments were approximately $2,500 a month, and they wanted to lower the payment amount. *Id.* at 115. He explained that they were placed on a trial period where they were asked to make payments of what they could afford, but during that period, they continued to make their usual monthly payments. *Id.* Their monthly mortgage payment was ultimately lowered to $2,173 a month. *Id.* When asked if he had ever been behind on the account, the Individual responded, "[n]o" and reiterated that they had been making their payments. *Id.* at 115–16. When asked if he had been receiving late notices in the mail with respect to their payments, the Individual said that they did receive "things in the mail" but they were asked to

[8] Previously, both the Individual and his wife would manage the household finances. Tr. at 35. They did not have a specific system with respect to either the Individual or his wife being responsible for specific payments. *Id.* The Individual's wife would do her best to pay credit card bills, but they were "trying to just stay afloat." *Id.* at 36. A copy of the budget reveals that the total monthly expenses are $6,661.25, with "variable expenses" totaling $2,450, and a total monthly income of $12,104.54. Ex. Z at 1. The projected "extra" amount going toward credit card payments, which is separate from the total monthly expenses, is $2,993.29. *Id.* Per the budget, the Individual's continuing debt amounts to $63,770.29. *Id.* at 3. The budget also covers debts like the home equity loan payments, car payments, car repair loan payments, and Debt 10 payments. *Id.*

"ignore them because [they] . . . were going to restructure everything." *Id.* at 116–17. Further, they "were making [their] payments." *Id.* at 116. The Individual confirmed that he believes he was receiving late notices from December 2024 to December 2025,[9] which is when they were applying for the loan restructuring. Tr. at 118–19; Ex. SS; TT; Ex. UU. The Individual submitted banking statements from November 2024 to September 2026 which showed that his mortgage payments were debited from his account every month by his mortgage servicer in amounts that ranged from $2,107.67 to $2,492.72. Ex. YY; Ex. ZZ; Ex. AAA. A new mortgage payment amount of $2,300 became effective in September 2026, and was reflected in a September 2026 statement. Ex. VV; Ex. WW.

With respect to the QNSP, the Individual explained that he "never intended to . . . withhold anything" regarding his delinquent accounts. Tr. at 66. He remembered that when he was completing the QNSP, "at that point, [he], basically . . . thought of in [his] head all of the credit cards that [he had] and . . . checked online to see . . . balances on them and stuff." *Id.* He also explained that the wording of DOE Order 472.2A changed since he first received his access authorization, and he could not recall being required to report delinquencies over 120 days. *Id.* at 132. He was also, at the time, "overburdened with work," causing him to overlook this requirement. *Id.* Because he had not filed for bankruptcy or had his wages garnished, it did not occur to him to report anything to the security office. *Id.* at 133. He had no intention of hiding anything. *Id.* at 133–34. Further, he did not report that he was behind on his mortgage, because he did not know that he was. *Id.* at 134.

When asked whether her husband knew about the purchases she had been making prior to establishing a $100 limit, the Individual's wife testified that sometimes he did, and sometimes he did not. *Id.* at 37. She was not discussing her purchases with her husband before making them. *Id.* at 37–38. She stated that between the two of them, she was the "spender." *Id.* at 38. The Individual's wife harbors a lot of shame and wants to do what she can to ensure that they do not experience the same financial issues again. *Id.* at 49. Accordingly, she has no intention of opening another credit card. *Id.* at 58. The Individual confirmed that every credit card has been closed but that they did get a loan for car repairs in 2024.[10] Tr. at 68–69, 70; Ex. D at 2. The Individual has also started earning supplemental income by making deliveries. Ex. Y; Tr. at 82. He feels that any "extra [money] can help." *Id.* at 86. The Individual explained that while he was not spending as much money as his wife was, he admitted that he just "gave up." *Id.* at 125. However, he did say that there were some credit cards his wife applied for that he could not have known about. *Id.* at 126.

V. Analysis

Guideline F

Conditions that could mitigate Guideline F concerns include:

[9] The process was designed to take six months to complete, but because the Individual and his wife had submitted some paperwork in an untimely manner, the process began again. Tr. at 119; Ex. TT.

[10] The monthly repayment for this loan has been incorporated into the Individual's budget. Ex. Z.

(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 debt;

(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 with the appropriate tax authority to file or pay the amount owed and is in compliance with those arrangements.

Adjudicative Guidelines at ¶ 20.

The Individual has made great efforts in resolving the matter of his delinquent debts. He settled Debts 1, 2, 4, 8, and 9, and placed the remainder of the debts on a payment plan. Per the testimony before me, the Individual sought and received financial education and availed himself of a credible, nonprofit counseling service to learn more about how to resolve his financial difficulties and to create a budget. I am, however, tasked under mitigating condition (c) with determining whether there are "clear indications that the problem is being resolved or is under control." I am also, under 10 C.F.R. § 710.7(c), required to consider, among other things, "the frequency and recency of the conduct," the "circumstances surrounding the conduct" and the "likelihood of continuation or recurrence." The evidence shows that the Individual spent years accumulating debt and came to a point where he could no longer manage the payments, causing multiple accounts with balances in the thousands to become delinquent. This pattern of behavior was years in the making, and the Individual only recently began to address the matter in early 2026. At the time of the hearing, the Individual only made one payment in furtherance of his payment plans, and one payment is not enough to establish a pattern of behavior. I am also concerned by whether the Individual can continue making payments pursuant to his payment plans in the future. As indicated in his budget, after all expenses are paid, he has $2,993.29 in otherwise unobligated funds that he has determined is "extra for credit cards." He also has a significant sum, $126,153, in debts that are not delinquent.

Between all of his payments, the Individual is striking a delicate balance and any concerns regarding whether he will be able to continue to make payments pursuant to the aforementioned payment agreements can only be allayed by an established and consistent payment history. For the foregoing reasons, I am not sufficiently satisfied that the Individual has provided enough evidence to clearly indicate that the problem is being resolved or is under control. Mitigating factor (c) has not been met.

While it is true that the Individual's wife lost her job in April 2025, I cannot conclude that their financial distress was solely attributed to her job loss. The Individual and his wife both stated that there was overspending, a lack of communication, willful ignorance, and even deceit with respect to their financial habits. While I can understand that the Individual did not know about certain debts, the record reveals that he became delinquent on debts that he did know about. I am also not heartened by the fact that he just "gave up" when he saw his finances start to spin out of control. The record does not, on the whole, reflect that it was completely beyond his control. Even if the Individual's circumstances were beyond his control, his willful refusal to confront the circumstances until shortly before the hearing shows that he did not act responsibly. Mitigating factor (b) is not satisfied. Further, as the Individual's accounts were delinquent until the recent past, I cannot conclude that the behavior occurred so long ago, that it does not cast doubt on his good judgment, reliability, or trustworthiness. As indicated previously, the circumstances under which the accounts went into delinquency were not unusual and they were not infrequent. Mitigating factor (a) has not been satisfied.

Since coming to terms with the matter of his delinquent debts, the Individual has made strides in addressing the matter. He has, for example, fully resolved five of his delinquent debts, and consolidated a number of the remaining debts for repayment, including Debt 3, Debt 5 Debt 6, Debt 7, and Debt 11. He is also resolving Debt 10 with a separate payment plan. However, the record only contains information corroborating the first payment, which is an initiation of the plan. In order for me to find that the Individual is adhering to a payment plan, I need to see a pattern of consistent and timely payments. This is especially important with respect to the Individual's past behavior of failing to make timely payments. As the Individual has only made one payment, I cannot conclude that he has shown that he is adhering to a good-faith effort to repay overdue creditors. Mitigating factor (d) has not been satisfied.

With respect to the mortgage, the Individual testified that he engaged the servicer to reduce his payments, and from December 2024 to December 2025, he was in the process of applying for a restructuring. He explained that although he received notices in the mail, he was told to ignore them, and he continued to make his mortgage payments as usual. The Individual subsequently provided bank statements evidencing the fact that he continued to make regular mortgage payments. Accordingly, with respect to the mortgage payments, I find that the Individual has mitigated the stated concern pursuant to mitigating factor (e).

The SSC did not allege unexplained affluence. Mitigating factor (f) is not applicable.

The SSC did not allege that the Individual failed to file or satisfy his tax obligations. Mitigating factor (g) is not applicable.

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.

Pursuant to Attachment 5 of DOE Order 472.2A, Reporting Requirements, an individual with an access authorization must report "financial anomalies," which include "[d]elinquency more than 120 days on any debt." Attachment 5 at ¶ 6(b)(3). An examination of the Order reveals that this version of the Order was approved on June 10, 2022. The Individual was, therefore, under an obligation to report such delinquent accounts since, at least, June 2022. As the record indicates, the Individual was 120 days delinquent on Debt 1 in January 2025, Debt 2 in December 2024, Debt 3 in September 2024, Debt 6 in September 2024, Debt 7 in July 2024, Debts 8 and 9 in November 2024, and Debt 10 in June 2025. Ex. 5 at 25–31. All of these delinquent debts postdate the approval of the June 2022 Order. Further, there is no evidence in the record that the Individual attempted to alert the security office or even any superiors. It is the Individual's duty to remain abreast of reporting requirements, irrespective of how difficult or time-consuming work becomes. However, with respect to the allegation that the Individual failed to report a delinquent mortgage,

as indicated above, I find that the Individual was making his mortgage payments, and that he was not past due. Therefore, he had not run afoul of the reporting requirements of DOE Order 472.2A with respect to past due mortgage payments.

I have no information before me that the Individual attempted to correct the omission or report the matter prior to completing the March 2026 QNSP. While the Individual volunteered the supermajority of his delinquencies on the QNSP without being confronted, the passage of over one year since many of the accounts fell into delinquency precludes me from finding that the Individual's disclosures were "prompt." Mitigating factor (a) is not applicable.

There is no indication in the record that the Individual failed to report and disclose information on his QNSP as a result of advice received from an attorney or an individual who is responsible for advising or instructing others with respect to the security process. Mitigating factor (b) is not applicable.

I cannot conclude that the matter was minor, that enough time had elapsed, or that the behavior was infrequent. Every individual with an access authorization has a duty to report information covered in the aforementioned DOE Order 472.2A reporting requirements. The Individual failed to do so while holding an access authorization, and as can be seen above, the accounts were well past the 120-day delinquency date by the time he was asked to complete another QNSP in March 2026. Further, the delinquencies were substantial in nature, amounting to tens of thousands of dollars. This was a financial anomaly as contemplated by the reporting requirements, meriting a report for each delinquent debt within three working days after the occurrence.

There is no evidence in the record that the Individual sought counseling to address the behavior. As financial counseling is not the sort of counseling that is designed to address untruthful or less than forthcoming behavior, mitigating factor (d) is not applicable.

The SSC did not allege vulnerability to exploitation, manipulation, or duress. Mitigating factor (e) is not applicable.

The Individual did not argue that the information came from a source of questionable reliability. Mitigating factor (f) is not applicable.

The SSC did not allege association with persons involved in criminal activity. Mitigating factor (g) is not applicable.

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 E and F 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