



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



In the matter of:)	
)	
-----)	ISCR Case No. 17-02581
)	
Applicant for Security Clearance)	

Appearances

For Government: Alison O' Connell, Esq., Department Counsel
 For Applicant: Alan V. Edmunds, Esq.
 12/09/2019

Decision

KATAUSKAS, Philip J., Administrative Judge:

Applicant contests the Defense Department's intent to deny her eligibility for access to classified information. She did not present sufficient evidence to explain, extenuate, and mitigate the security concern stemming from her problematic income tax and financial history. Accordingly, this case is decided against Applicant.

Statement of the Case

On January 12, 2018, the Department of Defense (DOD) Consolidated Adjudications Facility (CAF) sent Applicant a Statement of Reasons (SOR) alleging that her circumstances raised security concerns under Guideline F, financial considerations. This action was taken under Executive Order (E.O.) 10865, Safeguarding Classified Information within Industry (February 20, 1960), as amended, as well as DOD Directive 5220.6, Defense Industrial Personnel Security Clearance Review Program (January 2, 1992), as amended (Directive). The Adjudicative Guidelines for Determining Eligibility for Access to Classified Information (AG), effective within the Defense Department on June 8, 2017, apply here. Applicant answered the SOR on February 7, 2018, and requested a hearing to establish her eligibility for continued access to classified information.

I was assigned the case on July 20, 2018. On September 27, 2018, a date mutually agreed to by the parties, a hearing was held. Applicant testified at the hearing. The Government offered seven exhibits, which were marked for identification as GE 1 through 7, and which were admitted without objection. Applicant offered 25 exhibits (AE), which were marked for identification as AE A through Y, and were admitted without objection. The record was left open until October 12, 2018. Applicant timely submitted 17 additional exhibits, which were marked for identification as AE Z through AE PP and admitted without objection. The transcript of the hearing (Tr.) was received on October 12, 2018.

Findings of Fact

Applicant is 64 years old, married with three adult children, the youngest of whom was in college at the time of the hearing. The two oldest children are college graduates. Applicant is a college graduate with a major in Accounting. In the near future, she plans to take courses in preparation for the certified public accountants exam. From 1993 until 2016, Applicant was the owner and independent contractor of her own company. She did consulting, financial analysis, and project management for federal agencies. Her husband was one of her employees. Since March 2016, Applicant has been employed as an accountant and auditor for a defense contractor. Since Sept 2016, her spouse has been employed as a contract representative for a national accounting firm. (GE 1; Tr. 16-19, 55-56.) Although there were instances of personal financial and professional hardship, discussed below, since 2016 Applicant and her spouse have had full-time employment and make \$108,000 and \$175,000 per year, respectively. (Tr. 18-19, 54-55.)

The SOR alleged that Applicant failed to file as required her federal income tax returns for 1989, 1991 and 1992, 1995 and 1996, 2005 and 2006, 2009 through 2012, and 2014 and 2015. The SOR also alleged that Applicant failed to file as required state income tax returns for 1989, 1991 through 1996, 2003, 2005 and 2006, and 2008 through 2012. The SOR alleges that Applicant is indebted to the federal government for delinquent taxes for 2011 (\$69,849) and 2012 (\$5,225). (SOR ¶¶ 1.a-d.) Applicant denied those allegations and pleaded matters in mitigation, but she admitted that her federal and state income tax returns were not timely filed. Applicant also contended that the 13 untimely federal filings all had an “allowable six-month ‘extension’” and that seven of those 13 estimated a refund. She was advised by her tax preparer that timely filing was not required if she was getting a refund. All of the late state and federal income tax returns were filed between 1991 and 2012 (state) and 1991 and 2017 (federal). (Answer ¶¶ 1.a-d; Tr. 21, 57.)

Applicant attributed her failure to file federal and state income tax returns and pay taxes due to a number of reasons: (1) in 1989 her father-in-law was diagnosed with cancer and died in 1995; (2) Applicant and her spouse experienced job lay-offs due to downsizing of companies they worked for; (3) in 2009 Applicant’s youngest sister was diagnosed with cancer and her husband had been laid off, so Applicant and her spouse financially supported her sister, who had no medical insurance; her sister died in December 2013. (Answer ¶¶ 1.a & b; AE U.)

The SOR also alleged 14 delinquent consumer debts totaling \$105,093. (SOR ¶¶ 1.e-r.) Applicant denied the allegations, answering that she is either “continuing to make all monthly payments per [her] legal agreement with [the creditor]” (Answer ¶¶ 1.e-g, and n), or that she has “worked with [the creditor] to establish a repayment agreement” (Answer ¶¶ 1.h-m, and o-r).

Applicant’s first financial problems (in contrast to her tax filing problems) developed in 2009, when her sister was diagnosed with terminal cancer. At that time, her sister’s spouse had been laid off. He had no income, nor did his wife, who had no medical insurance. As a result, Applicant and her spouse assumed all of the financial burdens of Applicant’s sister and her husband until her sister died. Applicant purchased a car for her sister, so she could get to her treatments. Applicant’s sister and husband were living in a hotel, which Applicant paid for by making cash transfers to her sister. (Tr. 49-50; GE 1; AE U.)

Several months before Applicant’s sister died, Applicant received notification in April 2013 from one of her prime contractors, to which her company was a subcontractor, that the federal agency was making significant contractual cuts due to sequestration. That required Applicant to cut two of her five employees who were working on that subcontract. One of those employees was her spouse; she had no discretion as to whom to cut as the prime contractor specifically named her spouse as one of the two to be cut. Applicant’s spouse had worked for her company from 2009 to 2013. Applicant did not testify as to the financial impact these cuts had, but it is fair to infer that the effect was adverse to Applicant’s company and to the family finances. (Tr.51-54; AE T.)

Applicant also testified about college expenses for her three children in that timeframe. Her oldest and middle daughters were in private colleges. Together, their tuition, books, and living expenses were about \$50,000 to \$60,000 per year. They graduated in 2013 and 2015. Applicant currently has one child, her son, who is in college, and she pays his expenses. (Tr. 54.)

Applicant testified that the federal government sequestration and an early contract termination caused reduced income from mid-2013 through the early contract termination in March 2016. From mid-2013 through 2015, Applicant was paying all her credit card debt every month. Applicant explained that she ran up significant credit card debt primarily to support her business. It was “very difficult to get capital, in particular when [her] subcontractor’s being cut back.” Applicant testified about an April 24, 2016 notice (AE S) terminating her company’s subcontract that was supporting a federal agency prime contract. The termination was unexpected and cancelled all funding for that project. That termination had a dramatically adverse effect on Applicant’s business. Before the termination, Applicant’s gross revenues had been at least \$50,000 per month. It was her sole source of income. After the termination, her income and her husband’s income went to zero. From May 2016 until September 2016, her spouse was unemployed. (Tr. 18-19, 38-39, 49, 54-55, 60-61.) Applicant found full-time employment in March 2016.

Applicant offered exhibits and testimony about how she has addressed and is addressing her income tax problems. Applicant submitted IRS tax transcripts showing monthly payments under installment plans for tax years 2009 through 2012 in amounts varying from \$3,000 in June 2013 until the last payment for tax year 2012 in September 2018 for \$2,000 (AE X). She also provided documents showing monthly payments under installment agreements for tax years 2009 through 2010 varying from \$1,000 to \$3,000 per month (Tr. 23-29, AE Z; AE AA through AE CC). She made no monthly payments to the IRS from February through May 2016. When her payments were not in the amount set forth in the latest installment agreement, the IRS accepted the payments and credited them to another tax year. (AE X; GE 5, p. 25.) Notwithstanding Applicant's payments under IRS payment plans, she still needs to defray about \$70,000 in tax arrearages for 2011, which is the approximate amount alleged in SOR ¶ 1.c. (Tr. 73-74.)

Applicant currently has applied with the IRS for a new payment plan, and she was not certain if her recent payments were under an existing plan. (Tr. 62-64.) The latest IRS agreement signed by Applicant and her spouse is dated May 29, 2018, and applies to tax years 2011 and 2012 with a balance due of \$70,096 with \$2,000 in monthly payments. (AE BB.) That same exhibit also includes the first page of an IRS letter dated July, 25, 2018, acknowledging receipt of an installment agreement for tax year 2017. It instructs Applicant to continue to make payments under any existing agreement while the IRS processes the latest request. (AE BB.) To recap, Applicant has been under IRS payment plans regularly, if not necessarily continuously, since May 31, 2013 to present. (AE X; AE Z; AE AA; AE BB.) She currently continues to make monthly payments to the IRS of \$2,000. (Tr. 71-73.)

Applicant has not filed her federal income tax return for 2016, which is "being worked on by someone else" because she does not have the time. Applicant has not filed her federal return for 2017; she claims that it is not due until October 2018 because of an extension. No document was submitted at the hearing or post-hearing showing such an extension. Applicant does not know if she owes any federal taxes for 2016 or 2017. She has not filed her state income tax returns for 2016 or 2017. (Tr. 74-75.)

Applicant testified about SOR ¶¶ 1. e and f, two signature loans with a credit union (\$826 past due, \$24,761 bal.). Applicant's documents show monthly payments (\$620) to this creditor since October 2017. (Tr. 36-38; AE A; AE Y, pp. 6-10.) These accounts are being resolved.

SOR ¶ 1.g is a credit card account (\$233 past due, bal. \$1,247). (Tr. 38-39.) Applicant's documents showed a statement payment due date of February 24, 2018 for \$29.00; it did not report that that amount, or any amount, was paid by that date. (AE B.) Another document showed \$29.00 paid on August 24, 2018. (AE Y, pp. 3-4.)

SOR ¶ 1.h is a credit card account charged off by the creditor (\$18,452). Applicant promised to submit payment documents post-hearing. (Tr. 39-40.) Applicant's documents showed one payment of \$100 on September 28, 2018 (AE GG.)

SOR ¶¶ 1.i and j are two credit cards charged off by the creditor (\$16,267). (Tr. 41-42.) Applicant's documents showed a first payment of \$100 on September 17, 2018, with five additional monthly payments scheduled, the second one to be paid on September 19, 2018. (AE C; AE HH; AE II.)

SOR ¶ 1.k is a credit card charged off by the creditor (\$13,946). (Tr. 42.) Applicant's documents showed a one-time payment on September 17, 2018, but no amount was stated. (AE D.) Applicant's post-hearing submissions did not provide any additional documents about this debt. (AE Z through AE PP.)

SOR ¶ 1.l is an account placed for collection by the creditor (\$1,419). (Tr. 43-44.) Applicant promised to submit payment documents post-hearing. Applicant's post-hearing submission showed one payment to the collection agent of \$100 on September 18, 2018. (AE FF; AE JJ.)

SOR ¶ 1.m is an account charged off by the creditor (\$8,822). Applicant's AE E refers to two different accounts with this creditor but does not refer to the account that is the subject of this SOR allegation. The correct exhibit shows monthly payments of \$620 being paid from October 17, 2017 to September 6, 2018. (AE Y, p. 8 (no payment was made in August 2018).) (Tr. 44-45.) This account is being resolved.

SOR ¶ 1.n is a credit card account (\$1,619 past due, bal. \$40,290). Applicant was referred to AE F, which showed a minimum payment due date of February 16, 2018 but did not show any payment made. A more recent statement showed no past due payment and previous payments made of \$707 with no available credit. (AE Y, p. 11; Tr. 45-46.)

SOR ¶ 1.o, an account that has been charged off by the creditor (\$17,913). (Tr. 46.) Applicant's documentation for this account shows a schedule of automatic monthly bank debits prepared by collection counsel from July 21, 2017, to June 21, 2018 (\$620). (AE E; AE G.) This appears to be a duplicate of SOR ¶ 1.m. If it not a duplicate, this account is being resolved.

SOR ¶ 1.p is an account that has been charged off by the creditor (\$5,949). She said she was on a monthly payment plan and would submit documentation post-hearing. (Tr. 46-47.) Applicant submitted documents showing one payment of \$100 on October 3, 2018. (AE LL.)

SOR ¶ 1.q is an account that has been charged off by the creditor (\$8,895). She said that she is on a payment plan and would provide documentation post-hearing. (Tr. 47.) Applicant's post-hearing submission showed one payment of \$100 on September 28, 2018, to collection counsel. (AE MM.)

SOR ¶ 1.r is an account that has been charged off by the creditor (\$10,752). She testified that she is on a payment agreement and referred to AE H. (Tr. 47.) That exhibit shows four monthly payments of \$100 from September 17, 2018, through December 30, 2018.

Applicant submitted three letters of recommendation. The first author praised her “quality of work and attention to detail” and had a high regard for her “professional integrity and strength of character.” A second author lauded Applicant as “highly professional and honest” and that her “dedication and loyalty to the mission [was] unwavering.” The third author noted her “great integrity, both personally and professionally” and that she was highly “trustworthy.” The authors had known Applicant for 10 years or more. Applicant testified that the authors were aware of the SOR allegations. (AE O; Tr. 47-48.) Applicant provided documents that she enrolled in and completed an online financial education program on September 26, 2018. (AE DD.)

Policies

It is well established that no one has a right to a security clearance. As the Supreme Court held in “the clearly consistent standard indicates that security determinations should err, if they must, on the side of denials.” *Department of the Navy v. Egan*, 484 U.S. 518, 531 (1988).

When evaluating an applicant’s suitability for a security clearance, the administrative judge must consider the adjudicative guidelines. In addition to brief introductory explanations for each guideline, the adjudicative guidelines list potentially disqualifying conditions and mitigating conditions, which are used in evaluating an applicant’s eligibility for access to classified information.

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. The administrative judge’s overarching adjudicative goal is a fair, impartial, and commonsense decision. According to AG ¶ 2(a), the entire process is a conscientious scrutiny of a number of variables known as the “whole-person concept.” The administrative judge must consider all available, reliable information about the person, past and present, favorable and unfavorable, in making a decision.

The protection of the national security is the paramount consideration. AG ¶ 2(b) requires that “[a]ny doubt concerning personnel being considered for national security eligibility will be resolved in favor of the national security.” In reaching this decision, I have drawn only those conclusions that are reasonable, logical, and based on the evidence contained in the record. Likewise, I have not drawn inferences grounded on mere speculation or conjecture.

Under Directive ¶ E3.1.14, the Government must present evidence to establish controverted facts alleged in the SOR. Under Directive ¶ E3.1.15, an “applicant is responsible for presenting witnesses and other evidence to rebut, explain, extenuate, or mitigate facts admitted by applicant or proven by Department Counsel and has the ultimate burden of persuasion to obtain a favorable security decision.”

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 reposes a high degree of trust and confidence in individuals to whom it grants access to classified information. Decisions include, by necessity, consideration of the possible risk the applicant may deliberately or inadvertently fail to safeguard classified information. Such decisions entail a certain degree of legally permissible extrapolation of potential, rather than actual, risk of compromise of classified information.

Analysis

Guideline F, Financial Considerations

The financial considerations security concern is set out in AG ¶ 18:

Failure to live within one's means, satisfy debts, and meet financial obligations may indicate poor self-control, lack of judgment, or unwillingness to abide by rules and regulations, all of which can raise questions about an individual's reliability, trustworthiness, and ability to protect classified or sensitive information. Financial distress can also be caused or exacerbated by, and thus can be a possible indicator of, other issues of personnel security concern such as excessive gambling, mental health conditions, substance misuse, or alcohol abuse or dependence. An individual who is financially overextended is at greater risk of having to engage in illegal or otherwise questionable acts to generate funds. . . .

The guideline sets forth several conditions that could raise security concerns under AG ¶ 19. The following conditions are potentially applicable:

- (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; and
- (f) failure to file . . . annual Federal, state, or local income tax returns or failure to pay annual Federal, state, or local income tax as required.

AG ¶¶ 19(a) through (c) apply to Applicant's delinquent consumer debts. AG ¶¶ 19(a) through (c) and (f) apply to the tax issues in question. Applicant had a duty to file her annual state and Federal income tax returns in a timely manner and pay any taxes due. Filing tax returns as required is not a mere formality. As the Appeal Board has long held:

Failure to file tax returns suggests that an applicant has a problem complying with well-established governmental rules and systems. Voluntary

compliance with such rules and systems is essential for protecting classified information. ISCR Case No. 01-05340 at 3 (App. Bd. Dec. 20, 2002). As we have noted in the past, a clearance adjudication is not directed at collecting debts. See, e.g., ISCR Case No. 07-08049 at 5 (App. Bd. Jul. 22, 2008). By the same token, neither is it directed towards inducing an applicant to file tax returns. Rather, it is a proceeding aimed at evaluating an applicant's judgment and reliability. *Id.* A person who fails repeatedly to fulfill his or her legal obligations does not demonstrate the high degree of good judgment and reliability required of those granted access to classified information. See, e.g., ISCR Case No. 14-01894 at 5 (App. Bd. Aug. 18, 2015); ISCR Case No. 14-04437 at 3 (App. Bd. Apr. 15, 2016).

Conditions that could mitigate financial considerations security concerns are provided under AG ¶ 20. The following are potentially applicable:

- (a) the behavior happened so long ago, was so infrequent, or occurred under such circumstances that it is unlikely to recur and does not cast doubt on the individual's current reliability, trustworthiness, or good judgment;
- (b) the conditions that resulted in the financial problem were largely beyond the person's control (e.g., loss of employment, a business downturn, unexpected medical emergency, a death, divorce or separation, clear victimization by predatory lending practices, or identity theft), and the individual acted responsibly under the circumstances;
- (c) the individual has received or is receiving financial counseling for the problem from a legitimate and credible source, such as a non-profit credit counseling service, and there are clear indications that the problem is being resolved or is under control;
- (d) the individual initiated and is adhering to a good-faith effort to repay overdue creditors or otherwise resolve debts; and
- (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.

Pertaining to the tax issues, as noted, Applicant had a duty to file her annual state and Federal income tax returns in a timely manner and to pay any taxes due. For 13 years going back as far as 1989, Applicant failed to file her Federal income tax returns. The most recent tardy tax return in the SOR is for tax year 2015, which Applicant filed in August 2017. Similarly, Applicant filed 15 untimely state income tax returns from 1989 to 2012, the latter of which she filed in March 2014. She also incurred significant federal income tax arrearages. AG ¶ 19(f) applies. The question is whether any mitigating conditions apply.

Applicant claimed that she was told by a tax preparer that for the years she was owed a refund, an untimely filing was not a problem. I find that difficult to believe. From 1983 to 2016, Applicant's company offered financial services to clients. It is fair to infer that among those services included income tax advice. Also, since March 2016, Applicant has worked as an accountant and an auditor. She either knew or should have known that the tax preparer's advice was questionable. Applicant also claims that she was protected by the "allowable six-month 'extensions.'" That might work in Applicant's favor, except for two reasons. First, Applicant did not provide a single document showing that she had sought such extensions. Second, and more importantly, the tax returns that were eventually filed were filed well beyond the customary six-month extensions.

Applicant also claimed that certain family hardships caused her tax problems. First, she noted that her father-in-law was diagnosed with cancer in 1989 and died in 1995. She offered no nexus between those events and her failure to file tax returns, which failures continued until 2017 (federal) and 2012 (state). In short, her failures to file returns continued long after her father-in-law died. A similar analysis applies to Applicant's excuse that her youngest sister was diagnosed with cancer in 2009 and died in 2013. Applicant's failures to file tax returns began in 1989 and continued until 2017 (federal) and 2012 (state). That is, the failures to file began long before the sister was diagnosed and persisted for years (federal) after the sister died in 2013. Applicant's failures to file timely federal and state income tax returns was just business as usual for over a decade. In fact, she has not yet filed her federal return for 2016 or her return for 2017, for which she claims she has an extension (albeit undocumented) until October 2018. The SOR did not allege failures to file Applicant's federal returns for 2017 and 2018. I am allowed, however, to consider non-alleged conduct to assess an applicant's credibility, to evaluate her case for mitigation, or to perform a whole-person analysis. ISCR Case No. 14-01941 at 3 (App. Bd. Mar. 30, 2015).

Applicant's failures to file did not occur long ago or infrequently. They continue to this day. AG ¶ 20(a) does not apply. Applicant failed to establish how her family hardships (admittedly largely beyond her control) kept her from filing timely income tax returns. She did not act responsibly in light of those hardships. AG ¶ 20(b) does not apply. Applicant did go through a financial counseling course but only on the day before the hearing. AG ¶ 20(c) does not apply. Applicant did not establish that her untimely filings were pursuant to an agreement with the IRS or the state taxing authority. AG ¶ 20(g) does not apply. I find against Applicant on SOR ¶¶ 1.a and 1.b.

SOR ¶¶ 1.c and 1.d allege delinquent federal income taxes for years 2011 and 2012 in amounts of \$69,849 and \$5,225, respectively. The documentary evidence established that Applicant has been under IRS payment plans regularly for those two tax years and for other years not alleged since May 31, 2013. She has rarely missed payments and currently makes monthly payments to the IRS of \$2,000, while she awaits the IRS approval of her latest payment plan request. She is doing so per IRS instructions. Applicant's efforts to defray her Federal income tax debt long preceded the issuance of the SOR in 2018, which shows her good faith. AG ¶ 20(g) applies, and I find in favor of Applicant on SOR ¶¶ 1.c and 1.d.

As noted above, AG ¶¶ 19(a) through (c) apply to Applicant's delinquent consumer debts. The next inquiry is whether any mitigating conditions apply.

In weighing Applicant's good-faith efforts I must consider the timing of her actions. The Appeal Board has consistently held that timing of an applicant's resolution of her financial filing is relevant in evaluating mitigation. An applicant who resolves financial problems only when her clearance might be imperiled raises questions about her willingness to follow the sometimes complex rules governing classified information when her personal interests are not at stake. ISCR Case No. 15-06440 at 4 (App. Bd. Dec. 26, 2017). In addition, an applicant must show "a meaningful track record" of repaying her debts. ISCR Case. No. 18-01762 at 2 (App. Bd. Jun. 26, 2019); ISCR Case No. 07-13041 at 4 (App. Bd. Sep. 19, 2008); ISCR Case No. 07-06482 at 2-3 (App. Bd. May 21, 2008).

SOR ¶¶ 1.e and 1.f are two loans from a credit union. The evidence shows that Applicant has been making monthly payments on these accounts (\$620) since October 2017, well before the SOR was issued. Those two accounts are being resolved and are mitigated under AG ¶¶ 20(d), and I find in favor of Applicant on those two accounts.

SOR ¶¶ 1.m and 1.o. may be duplicates. In any event, they are being resolved with monthly payment plans that began in July or October 2017, well before the SOR was issued. AG ¶¶ 20(d) applies, and I find in favor of Applicant on those two accounts.

Applicant did suffer two periods of unexpected business downturn and a sister who was impecunious and fatally ill. Those are circumstances largely beyond Applicant's control. The next question is whether Applicant acted responsibly under those adverse conditions. The payment plans in the below-listed accounts, however, began after the SOR was issued or after the SOR was issued *and* after the hearing: SOR ¶¶ 1.g, 1.h, 1.i, 1.j, 1.k, 1.l, 1.n, 1.p, 1.q, and 1.r. Therefore, Applicant's remedial efforts are of questionable good faith, and she has not established a meaningful track record in addressing those accounts. AG ¶¶ 20(b) does not fully apply. I find against Applicant on those accounts listed in this paragraph.

The record raises doubts about Applicant's reliability, trustworthiness, good judgment, and ability to protect classified information. In reaching this conclusion, I weighed the evidence as a whole and considered if the favorable evidence outweighed the unfavorable evidence or *vice versa*. I also gave due consideration to the whole-person concept. (AG ¶ 2(a)(1)-(9).)

Accordingly, I conclude that Applicant did not meet her ultimate burden of persuasion to show that it is clearly consistent with the national interest to grant her eligibility for access to classified information.

Formal Findings

A Formal finding for or against Applicant on the sole allegation set forth in the SOR, as required by section E3.1.25 of Enclosure 3 of the Directive, is:

Paragraph 1, Guideline F:	AGAINST APPLICANT
Subparagraphs 1.a-b:	Against Applicant
Subparagraphs 1.c-f:	For Applicant
Subparagraphs 1.g-l:	Against Applicant
Subparagraph 1.m:	For Applicant
Subparagraph 1.n:	Against Applicant
Subparagraph 1.o:	For Applicant
Subparagraphs 1.p-r:	Against Applicant

Conclusion

In light of all of the circumstances presented, it is not clearly consistent with the interests of national security to grant Applicant continued eligibility for access to classified information. Eligibility for access to classified information is denied

Philip J. Katauskas
Administrative Judge