



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



In the matter of:)
)
) ISCR Case No. 20-01424
)
)
Applicant for Security Clearance)

Appearances

For Government: Aubrey M. De Angelis, Esq., Department Counsel
For Applicant: *Pro se*

April 23, 2021

Decision

GLENDON, John Bayard, Administrative Judge:

Applicant failed to mitigate security concerns regarding financial considerations and personal conduct. Based upon a review of the pleadings, the documentary evidence, and Applicant’s testimony, national security eligibility for access to classified information is denied.

Statement of the Case

On July 12, 2019, Applicant filed a security clearance application (SCA). The Defense Counterintelligence and Security Agency Consolidated Adjudications Facility (CAF) issued a Statement of Reasons (SOR) to Applicant on September 24, 2020, detailing security concerns under Guidelines F (Financial Considerations) and E (Personal Conduct). The CAF acted under Executive Order 10865, *Safeguarding Classified Information within Industry* (Feb. 20, 1960), as amended; Department of Defense (DoD) Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (Jan. 2, 1992), as amended (Directive); and the adjudicative guidelines

(AG) promulgated in Security Executive Agent Directive 4, *National Security Adjudicative Guidelines* (Dec. 10, 2016), effective within the DoD on June 8, 2017.

Applicant answered the SOR in an undated document (Answer). He requested a hearing before an administrative judge of the Defense Office of Hearings and Appeals (DOHA). On January 21, 2021, the case was assigned to me. DOHA issued a notice of hearing on February 16, 2021, scheduling the hearing for March 8, 2021.

I convened the hearing as scheduled. Department Counsel presented four proposed exhibits, marked as Government Exhibits (GE) 1 through 4. The exhibits were admitted without objection. I marked Department Counsel's exhibit list as Hearing Exhibit I. During the hearing, Department Counsel offered an additional credit report, dated May 5, 2020, which supports the SOR allegation in subparagraph 1.p. This debt only appears in this credit report, which was not previously provided to Applicant along with the Government's four other exhibits. I marked this credit report as GE 5 for identification purposes and gave Applicant time to review it. He objected to its admission into the record because he had never heard of the collection agency or the original creditor listed in the credit report and alleged in subparagraph 1.p of the SOR. Subject to Applicant's denial of this debt and claim that the credit report is inaccurate, I admitted GE 5 into the record. Applicant offered no exhibits. (Tr. 10-13, 46-50, 64-65.)

At the conclusion of the evidence, Department Counsel moved to amend SOR allegations 1.a and 1.b to add two tax years (TY) in which Applicant testified he had not yet filed his Federal or state tax returns, specifically TY 2018 and 2019. I granted the Government's motion and noted the amendment on the file copy of the SOR. (Tr. at 25-26, 67-68.)

I granted Applicant time to give him the opportunity to submit any documentation he believed would support his case. The initial deadline was March 22, 2021, but upon Applicant's request, I kept the record open until April 14, 2021. On April 13, 2021, he submitted two documents, which were duplicates of the same document. I extended Applicant's time to April 15 to make a further submission in the event that he made a mistake attaching two copies of the same document to his email submission and had intended to submit a second document. He submitted nothing further and the record closed on April 15, 2021. I marked his two documents as Applicant Exhibits (AE) A and A2. DOHA received the hearing transcript (Tr.) on March 15, 2021. Copies of the relevant email correspondence regarding the post-hearing submission deadline have been marked as Hearing Exhibit II. (Tr. at 67-68, 71-72.)

Findings of Fact

Applicant's personal information is extracted from his SCA unless otherwise indicated by a parenthetical citation to the record. After a thorough and careful review of the pleadings, Applicant's testimony, and the documentary evidence in the record, I make the following findings of fact.

Applicant is 42 years old, divorced, and has two children, ages 14 and 21. He and his former wife were together since 1997, and they married in 2006. She left him suddenly in about 2017 and they divorced in August 2017. He provides monthly child support to his former wife. (Tr. at 8-9, 14-23.)

Applicant graduated from high school in 1996 and earned an associate's degree in June 2004. He began working for a DoD contractor in January 2021 after being laid off by a different employer due to the Covid-19 pandemic in August 2020. He works as an aircraft structures mechanic and has worked in the aviation industry for over 15 years. He has experienced short periods of unemployment in 2010-2011, 2014, 2016, 2017, and 2019, in addition to his unemployment in 2020. He submitted his SCA in July 2019 in connection with a position as a machine mechanic. His current position requires a security clearance as did his immediate past employer, his original clearance sponsor. He has not held a clearance in the past. (Tr. at 8-9, 14-24.)

Due to his divorce and several recent periods of unemployment, Applicant has incurred a number of debts he could not pay. He also experienced difficulties filing his Federal and state tax returns. The SOR identifies Applicant's tax filing deficiencies and delinquent debts and also alleges that he failed to disclose 13 of his debts in his SCA. (Tr. at 18-19, 30.)

SOR Allegations

1. Under Guideline F, the SOR, as amended, sets forth 19 allegations. In his Answer, Applicant denied or disputed most of the debts, while admitting he had unfiled tax returns. The details surrounding each allegation are the following.

a. Unfiled Federal tax returns TYs 2016 and 2017. Applicant admitted this allegation in his Answer, blaming the unavailability of necessary paperwork to file his returns. As noted, the SOR was amended to add TYs 2018 and 2019 to this allegation to conform to Applicant's testimony. He testified that after his marriage ended, he put his tax returns on the "back burner" and tried to focus on the welfare of his two children. He candidly admitted that he was depressed over the loss of his 20-year relationship with his wife. He has recently been in contact with the IRS and once he has the necessary information from the government, he plans to work with a tax preparer and file his delinquent tax returns. His former wife has told him that she filed returns for 2016 for both of them. Applicant needs to confirm this information. At another point in his testimony, he said that he knows he has to file the 2016 and 2017 returns. He does not believe that he owes any taxes for the years in question, though he does not know that for sure until he files. (Tr. at 24-30, 60-62.)

b. Unfiled state tax returns for TYs 2016-2017. Applicant admitted this allegation in his Answer, blaming the unavailability of necessary paperwork to file his returns. As noted, the SOR was amended to add TY 2018 and 2019 to this allegation to conform to Applicant's testimony. He testified that his state tax returns for the tax years in question are unfiled. He has talked with someone at the state tax office and was instructed to file

his TY 2017 state return by April 3, 2021. The record is silent as to whether he complied. (Tr. at 29-30.)

c. Collection Account Owed to Municipality A - \$304. This bill is for a utility account that Applicant's landlord kept in his name after he vacated an apartment. He has disputed this bill with the landlord. He testified that the landlord agreed with his dispute and promised to provide a letter correcting its error. He never received the letter. He provided no documentation in support of his claims in this dispute. (Tr. at 31-32, 37.)

d. Collection Account Owed to Former Landlord- \$1,939. This account is with the same landlord as the one discussed in 1.c above. The landlord kept Applicant's deposit and charged him this additional fee. The landlord claimed that Applicant dumped a sofa in front of his apartment when he vacated. Applicant denies that the sofa belonged to him or that he left any furniture behind. He testified that he did not break the lease prior to its termination date. He disputed the debt verbally after receiving a letter from the landlord's law firm. He advised the law firm that he would not pay this charge. He also testified that he disputed the debt online with the three major credit bureaus. GE 3 and the two other credit reports in the record reflect Applicant's dispute of this debt. He never heard further about the dispute. He provided no documentation in support of his claims in this dispute. (Tr. at 32-39; GE 3 at 4; GE 4 at 1; GE 5 at 2.)

e. Medical Collection Account - \$572. Applicant had medical insurance to pay this bill. He also paid his co-pay. He denies he owes anything further because of his insurance. He believes this is a matter between the insurance company and the medical provider. He has disputed this debt with the credit bureaus. He was unaware of this debt prior to receiving the SOR. He does not know the status of this debt. (Tr. at 39-40.)

Other Medical Collection Accounts – f. (\$570); g. (\$203); h. (\$995); i. (\$679); j. (\$65); and k. (\$116). Same as 1.e, above.

l. Collection Account Owed to Fitness Facility - \$324. Applicant advised his fitness facility that he was moving out of the area and he wanted to cancel his contract with the facility. The manager responded that Applicant could only terminate the contract if the area to which he was moving had no facility owned by the same company. He testified that he showed the manager his new location on a map and that there was no company facility near that location for him to use in the future. He said that the manager agreed with him and said he would terminate the contract. After Applicant received the SOR, he contacted the company and disputed the bill. He was advised that the company would investigate the matter, but he never heard further. He has not followed up with the creditor and has no documentation to support his dispute. (Tr. at 38, 40-41.)

m. Collection Account Owed to Retail Business - \$93. This debt arose out of Applicant's subscription for a water cooler. According to the Government's credit reports in the record, this debt dates back to 2014 or 2015. He claims he cancelled the subscription when he moved. The July 2019 SCA reflects that Applicant only moved once between January 2007 and July 2019, and that was in October 2018. He never clarified

that inconsistency. Applicant testified that the company picked up the equipment, but then charged him for it claiming they never received the equipment. He provided no documentation to support his dispute. (Tr. at 41-42; GE 1 at 8-9; GE 2 at 1.)

n. Charged-Off Account on an Auto Loan - \$18,988. In June 2013, Applicant purchased a vehicle and financed it with the creditor identified in the SOR. That car was repossessed in late 2014 or early 2015 during a period Applicant was unemployed. His SCA reflects that he was laid off from a job in July 2014, and he started a new job in December 2014. He claims that the amount due as alleged in the SOR is the full value of the vehicle, and not the balance due after the car was resold. GE 4 reflects that the original charge off was in the amount of \$27,019 and the present amount owed is \$18,988. Applicant testified that he was never provided with notice of a deficiency due after the car was resold by the creditor. His testimony that he is unaware of the amount of the debt he owes on the defaulted loan is not credible. Moreover, his testimony reflects that he never inquired about any further obligations he had under the car loan following his default. He disputes the amount of the debt, but provided no documentation to support his dispute. This debt arose before the date of the SCA and Applicant was obviously aware that the creditor repossessed the vehicle due to his extended default in his monthly payments in 2014 when he was unemployed. (Tr. at 42-45; GE 1 at 15-17; GE 4 at 4; GE 5 at 3.)

o. Collection Account Owed to Communications Business - \$593. This debt arises out of a contract Applicant had with a cellphone provider. He testified that he cancelled the contract due to overcharges and poor service and then the company sent him a bill for the balance due under the contract. He disputes that the creditor had the right to charge him anything further. He provided no documentation to support his dispute. This delinquency arose after the date of the SCA. (Tr. at 45-46.)

p. Collection Account - \$757. Applicant does not recognize this collection agency or the name of the original creditor listed in GE 5. He disputes this debt without any supportive documentation. (Tr. at 46-50; GE 5 at 2-3.)

q. Collection Account - \$614. The record reflects that this debt was originally owed to a bank. Applicant did not initially recognize the names of the bank or its collection agency. He then recalled that this bank gave him a payday loan that he never repaid. He does not dispute this debt and testified that he is willing to repay it. This debt became delinquent after the date of the SCA. (Tr. at 50; GE 3 at 2; GE 4 at 2; GE 5 at 3-4.)

r. Charged-Off Account Owed to Bank - \$514. Applicant agrees he owes this debt. He has recently made a payment arrangement with the bank, with the first payment due on March 19, 2021 and a final payment due in April 2021. Applicant provided no documentation to show that he paid this debt in March 2021 and that it has been resolved. This debt became delinquent after the date of the SCA. (Tr. at 50-52; GE 3 at 3; GE 4 at 3; GE 5 at 3.)

s. Charged-Off Debt Owed to Bank - \$542. Applicant agrees that he owes this debt. The bank contacted him to set up a virtual meeting to discuss a resolution of the

debt. That meeting has not yet occurred. This debt became seriously delinquent after the date of the SCA. (Tr. at 52; GE 3 at 3; GE 4 at 3; GE 5 at 3.)

At the time he received the January 2020 SOR, Applicant was employed, though he lost his job in August 2020. Since starting new employment in January 2021, Applicant has begun to address his past-due debts, as shown by his efforts to resolve debt 1.r, discussed above. He testified that he is doing his best to make sure that his past financial problems are not repeated. Applicant is current on his rent, car loan, utilities, and child-support. He earns a significant hourly wage in his new position. He met with a credit-repair counselor earlier this year. In his post-hearing submission, AE A, he provided a copy of her engagement contract, dated March 23, 2021. Applicant provided no additional documentation evidencing steps he has taken with the assistance of his counselor. Also AE A makes no mention of the counselor helping Applicant prepare and file his past-due tax returns. (Tr. at 17, 21, 62-66; AE A.)

2. Under Guideline E, the SOR sets forth one allegation. The details of this allegation, the underlying facts, and Applicant's response are set forth below.

a. The SOR alleges that Applicant failed to disclose in his response to Section 26 of the SCA that he had defaulted on any loans in the last seven years; that he had bills turned over to collection agencies during the same period; that he had any accounts or credit cards suspended, charged off, or cancelled during that period; or that he had been over 120 days delinquent on any debts. The SOR references the allegations in subparagraphs 1.c through 1.n.

This allegation requires the Government to establish that Applicant was aware of each of these debts in July 2019 when he signed the SCA. With that as a predicate, the Government must establish by substantial evidence its allegation that the omission of the information about the debts was deliberate. The Government presented no evidence that Applicant was aware of the debts alleged in 1.e through 1.k, prior to his receipt of the SOR. Applicant also testified that he disputes the debts alleged in 1.c, 1.d, 1.l, and 1.m. The question cited in the SOR does not require the disclosure of debts that an applicant considers to be erroneous.

The Government has established, however, that prior to the date of the SCA Applicant was aware of his delinquent car loan alleged in subparagraph 1.n. Applicant testified that he only disputes the amount owed. He said he did not think he had to disclose the repossession because it was not recent. The repossession occurred in about the end of 2014, less than five years before his SCA. (Tr. at 42-45, 56-58.)

Applicant testified that as a first-time applicant for a security clearance, he did not realize that his credit was under review. He just was trying "to get [his] paperwork processed." He also believed that his debts were not a current concern because he was about to start working again and could clear up his past debts. He said that he has worked in highly sensitive areas like airports and his credit was never a consideration. (Tr. at 30-31; 52-58.)

Policies

“[N]o one has a ‘right’ to a security clearance.” *Department of the Navy v. Egan*, 484 U.S. 518, 528 (1988). As Commander in Chief, the President has the authority to “control access to information bearing on national security and to determine whether an individual is sufficiently trustworthy to have access to such information.” *Id.* at 527. The President has authorized the Secretary of Defense or his designee to grant applicants eligibility for access to classified information “only upon a finding that it is clearly consistent with the national interest to do so.” Exec. Or. 10865 § 2.

Eligibility for a security clearance is predicated upon the applicant meeting the criteria contained in the adjudicative guidelines. These guidelines are not inflexible rules of law. Instead, recognizing the complexities of human behavior, an administrative judge applies these guidelines in conjunction with an evaluation of the whole person. An administrative judge’s overarching adjudicative goal is a fair, impartial, and commonsense decision. An administrative judge must consider all available and reliable information about the person, past and present, favorable and unfavorable.

The Government reposes a high degree of trust and confidence in persons with access to classified information. This relationship transcends normal duty hours and endures throughout off-duty hours. Decisions include, by necessity, consideration of the possible risk that the applicant may deliberately or inadvertently fail to safeguard classified information. Such decisions entail a certain degree of legally permissible extrapolation about potential, rather than actual, risk of compromise of classified information.

Clearance decisions must be made “in terms of the national interest and shall in no sense be a determination as to the loyalty of the applicant concerned.” Exec. Or. 10865 § 7. Thus, a decision to deny a security clearance is merely an indication the applicant has not met the strict guidelines the President and the Secretary of Defense have established for issuing a clearance.

Initially, the Government must establish, by substantial evidence, conditions in the personal or professional history of the applicant that may disqualify the applicant from being eligible for access to classified information. The Government has the burden of establishing controverted facts alleged in the SOR. See *Egan*, 484 U.S. at 531. “Substantial evidence” is “more than a scintilla but less than a preponderance.” See *v. Washington Metro. Area Transit Auth.*, 36 F.3d 375, 380 (4th Cir. 1994). The guidelines presume a nexus or rational connection between proven conduct under any of the criteria listed therein and an applicant’s security suitability. See ISCR Case No. 15-01253 at 3 (App. Bd. Apr. 20, 2016).

Once the Government establishes a disqualifying condition by substantial evidence, the burden shifts to the applicant to rebut, explain, extenuate, or mitigate the facts. Directive ¶ E3.1.15. An applicant has the burden of proving a mitigating condition,

and the burden of disproving it never shifts to the Government. See ISCR Case No. 02-31154 at 5 (App. Bd. Sep. 22, 2005).

An applicant “has the ultimate burden of demonstrating that it is clearly consistent with the national interest to grant or continue his security clearance.” ISCR Case No. 01-20700 at 3 (App. Bd. Dec. 19, 2002). “[S]ecurity clearance determinations should err, if they must, on the side of denials.” *Egan*, 484 U.S. at 531.

Analysis

Guideline F, Financial Considerations

The security concern under this guideline is set out in AG ¶ 18 as follows:

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. . . . An individual who is financially overextended is at greater risk of having to engage in illegal or otherwise questionable acts to generate funds. . . .

This concern is broader than the possibility that a person might knowingly compromise classified information to raise money. It encompasses concerns about a person’s self-control, judgment, and other qualities essential to protecting classified information. A person who is financially irresponsible may also be irresponsible, unconcerned, or negligent in handling and safeguarding classified information.

The Government’s credit reports and Applicant’s admissions regarding his unfiled tax returns establish the following potentially disqualifying conditions under AG ¶ 19:

- (a): inability to satisfy debts;
- (c): a history of not meeting financial obligations; and
- (f): failure to file or fraudulently filing annual Federal, state, or local income tax returns or failure to pay annual Federal, state, or local income tax as required.

The guideline in AG ¶ 20 contains seven conditions that could mitigate security concerns arising from financial difficulties. Six of these mitigating conditions have possible applicability to the facts of this case:

- (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; 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.

AG ¶ 20(a) is not established. Under the circumstances, it cannot be concluded that future delinquent debts are unlikely to recur. Applicant's ongoing tax filing delinquencies and his other indebtedness cast doubt on his current reliability, trustworthiness, and good judgment.

AG ¶ 20(b) is only partially established. Applicant asserts that his debts arose out of his divorce and unemployment, which were circumstances beyond his control. With the exception of his delinquent tax returns, he failed to provide evidence linking either adverse situation to any specific debts. Moreover, once Applicant recovered from his divorce in 2017 or regained employment, he has not acted responsibly by working with his creditors to resolve his debts, most of which he disputes.

AG ¶ 20(c) is only partially established. He has sought counseling prior to the hearing and again after the hearing. He has not provided, however, clear evidence that his debts are being resolved or are under control.

AG ¶ 20(d) is partially established with respect to the debt alleged in SOR ¶ 1.r, except that Applicant has provided no evidence to show that he has honored the payment arrangements. This mitigating condition is not otherwise established as to his other outstanding debts and unresolved tax issues.

AG ¶ 20(e) is only partially established. He testified that he disputed the debts alleged in SOR ¶¶ 1.c through 1.m and 1.o and 1.p. He has not provided, however, any documentation to support his claims.

AG ¶ 20(g) is not established. Applicant provided no evidence that he has filed any of his Federal or state tax returns for the TYs 2016 through 2019, or that he has made arrangements to do so.

Applicant's failure to file four years of tax returns is significant evidence of financial irresponsibility. The large number of disputed and unresolved delinquent debts provides further indications that Applicant's financial affairs are not under control. Moreover, his failure to address these debts with the creditors and seek resolutions reflect a significant lack of financial responsibility. His current intentions to do better with his finances does not make up for his inaction in the past and particularly not since he submitted his SCA.

Guideline E, Personal Conduct

The security concern under this guideline is set out in AG ¶ 18 as follows:

Conduct involving questionable judgment, lack of candor, dishonesty, or unwillingness to comply with rules and regulations can raise questions about an individual's reliability, trustworthiness, and ability to protect classified or sensitive information. Of special interest is any failure to cooperate or provide truthful and candid answers during national security investigative or adjudicative processes.

The guideline in AG ¶ 19 contains seven conditions that are potentially disqualifying under circumstances involving personal misconduct. One of the conditions has possible applicability to the facts of this case:

(a): deliberate omission, concealment, or falsification of relevant facts from any personnel security questionnaire, personal history statement, or similar form used to conduct investigations, determine employment qualifications, award benefits or status, determine national security eligibility or trustworthiness, or award fiduciary responsibilities.

The government has met its burden of proof to establish the above potentially disqualifying condition with respect to Applicant's failure to disclose in his 2019 SCA his delinquent 2014 car-loan debt set forth in 1.n. Applicant knew at the time his car was repossessed that he would owe a deficiency on the loan following the resale of the car by the creditor, yet he did not disclose this debt in his SCA. This debt was by far his largest debt and was the most important debt requiring disclosure. The government has not met its burden to prove that Applicant deliberately falsified his responses in the SCA with respect to the other debts alleged in paragraph 2 of the SOR. He was either unaware of the debts at the time he signed the SCA or he did not believe he owed the debt claimed by the creditor.

The guideline in AG ¶ 20 contains seven conditions that could mitigate security concerns arising from financial difficulties. One of these mitigating conditions has possible applicability to the facts of this case:

(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.

Applicant's omission from his 2019 SCA was not minor. Insufficient time has passed since his omission to make it less relevant to an analysis of Applicant's national security eligibility. It is recent evidence of his unreliability, untrustworthiness, and poor judgment. In signing his SCA, he had an obligation to ensure that all of the information provided was accurate. His claim that he did not understand that disclosing his credit history was important is not credible and is an insufficient excuse for failing to disclose his largest, most security-significant debt.

Whole-Person Analysis

Under AG ¶ 2(c), the ultimate determination of whether to grant eligibility for a security clearance must be an overall commonsense judgment based upon careful consideration of the guidelines and the whole-person concept. In applying the whole-person concept, an administrative judge must evaluate an applicant's eligibility for a security clearance by considering the totality of the applicant's conduct and all relevant circumstances and applying the adjudicative factors in AG ¶ 2(d), specifically:

(1) the nature, extent, and seriousness of the conduct; (2) the circumstances surrounding the conduct, to include knowledgeable participation; (3) the frequency and recency of the conduct; (4) the individual's age and maturity at the time of the conduct; (5) the extent to which participation is voluntary; (6) the presence or absence of rehabilitation and other permanent behavioral changes; (7) the motivation for the conduct; (8) the potential for pressure, coercion, exploitation, or duress; and (9) the likelihood of continuation or recurrence.

I have incorporated my comments under Guidelines F and E in my whole-person analysis and applied the adjudicative factors in AG ¶ 2(d). Overall, the record evidence as described above leaves me with questions and doubts as to Applicant's eligibility and suitability for a security clearance. After weighing the applicable disqualifying and mitigating conditions and evaluating all of the evidence in the context of the whole person, I conclude Applicant has not mitigated the security concerns raised by his financial considerations and personal conduct.

Formal Findings

Paragraph 1, Guideline F:	AGAINST APPLICANT
Subparagraphs 1.a through 1.s:	Against Applicant
Paragraph 2, Guideline E:	AGAINST APPLICANT
Subparagraph 2.a:	Against Applicant

Conclusion

I conclude that it is not clearly consistent with the national interests of the United States to grant Applicant national security eligibility for a security clearance. Eligibility for access to classified information is denied.

John Bayard Glendon
Administrative Judge