



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



In the matter of:)
)
) ISCR Case No. 20-01225
)
Applicant for Security Clearance)

Appearances

For Government: Andrea Corrales, Esq., Department Counsel
For Applicant: *Pro se*

01/18/2022

Decision

RICCIARDELLO, Carol G., Administrative Judge:

Applicant failed to mitigate the security concerns under Guideline F, financial considerations and Guideline E, personal conduct. Eligibility for access to classified information is denied.

Statement of the Case

On April 20, 2021, the Defense Counterintelligence and Security Agency (DCSA) issued to Applicant a Statement of Reasons (SOR) detailing security concerns under Guidelines F, financial considerations and E, personal conduct. The action was taken under Executive Order (EO) 10865, *Safeguarding Classified Information within Industry* (February 20, 1960), as amended; DOD Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (January 2, 1992), as amended (Directive); and the adjudicative guidelines (AG) effective within the DOD on June 8, 2017.

On June 15, 2021, Applicant answered the SOR and requested a hearing before an administrative judge. The Defense Office of Hearings and Appeals (DOHA) issued a notice of hearing on November 9, 2021. I convened the hearing as scheduled on

December 15, 2021, on Microsoft Teams. The Government offered exhibits (GE) 1 through 8. Applicant offered Applicant Exhibits (AE) A through E. There were no objections and the exhibits were admitted into evidence. The record was held open until January 3, 2022, to allow Applicant and the Government to submit additional documents. The Government offered GE 9, which was admitted into evidence without objection. Applicant provided AE F through K that were admitted without objection, and the record closed. DOHA received the hearing transcript on December 30, 2021.

Findings of Fact

Applicant admitted all of the allegations in the SOR except ¶ 1.e, which he denied. After a thorough and careful review of the pleadings, testimony, and exhibits submitted, I make the following findings of fact.

Applicant is 52 years old. He earned a bachelor's degree in 1999 and a master's degree in 2006. He served in the military from 1992 to 1996 and was honorably discharged. He married in 1992 and divorced in 2017. He remarried his wife in 2018 and divorced in 2019. He has two children, daughters ages 22 and 20 years old. He has worked for the same employer since 1999 with a short period of employment with another contractor during this period. Since he was discharged from the military, he has had no periods of unemployment. Applicant's annual salary as of March 2021 is \$175,000. His income has increased incrementally from about \$150,000 in 2018 to his present salary. Applicant testified that he has held a security clearance since 1992. (Transcript (Tr.) 21-26, 56)

Applicant attributed his past financial issues to his wife's gambling problem. He became aware of it around 2007. She would gamble away her paycheck and then withdraw money from their joint account and gamble that money away. Her problem gradually became worse. She would seek help, attend counseling, but then eventually resume gambling again. Applicant supported her when she sought professional help for her gambling problem. He said that once her problem got out of control he took over the finances, but could not recall exactly when that occurred. He wanted to save his marriage. Each time she would be remorseful, and Applicant would accept her commitment to stop gambling, but she repeatedly resumed gambling. (Tr. 35, 38, 43-46)

After Applicant and his wife divorced in 2017, they reconciled and remarried in November 2018. They were living in different states at the time. His wife was getting professional help. They did not share a bank account. He learned she was gambling again, and they divorced. Applicant stated that his wife's gambling impacted his finances. His younger daughter was living with his wife and the older daughter moved out with him. Applicant provided financial support for his younger child. His wife has worked for the same federal contractor as Applicant for 20 years and has a security clearance. (Tr. 46-49)

Applicant provides his daughters financial support. Both are in college. He pays their tuition, room, board, and other expenses. His younger daughter gets some financial

aid and attends a private college at a campus in a foreign country. Applicant pays the amount not covered. His older daughter now also receives financial aid for her tuition, and Applicant pays her room, board, and incidental expenses. He was paying more for her expenses before she began receiving financial aid. He estimated that he now pays approximately \$5,300 a month for both daughters' expenses. Applicant is committed to ensuring his children are cared for and their school expenses are paid. (Tr. 50-54; AE F)

Applicant has no other income source except what he earns from his employer. He estimated he has about \$250-\$300 in his checking account and \$40 or \$50 in his savings account. He has about \$13,000 to \$14,000 in a 401k pension plan. He estimated that after he pays his daughters' expenses and his living expenses he has about \$1,000 to \$1,500 remaining in expendable income. He uses that for routine items or providing additional money for his daughters. (Tr. 43, 57-61)

Applicant purchased a 2017 BMW for \$43,000 in May 2020. He withdrew \$13,000 from his 401k pension plan for the down payment. He deferred payment of the taxes and penalty on the withdrawal for when he filed his 2020 annual tax return. (Tr. 26-27, 61-64)

The SOR alleges two delinquent medical debts in ¶¶ 1.a (\$383) and 1.b (643) that were incurred in 2015. In January 2019, Applicant was interviewed by a government investigator and was confronted with the debts. In June 2021, after receiving the SOR, Applicant began making payments. He has made seven payments and resolved the debt in SOR ¶ 1.a. He still owes the debt in SOR ¶ 1.b and said he is making payments on it. This debt is being resolved. He testified that he was aware of the debts and has no excuse for not paying them as required. (Tr. 37-38, 65-68; AE C, D)

Applicant incurred a third medical debt in 2018 that is alleged in SOR ¶ 1.c (\$141). He did not pay the debt until after he received the SOR. He stated he has no excuse for his failure to timely pay this debt. This debt is resolved. (Tr. 67-68; Answer to SOR)

Applicant purchased a new vehicle in 2015 for \$44,000 (SOR ¶ 1.d). His payments became delinquent in 2018 and the vehicle was repossessed. He was able to retrieve the vehicle after he paid the deficiency. It was repossessed again in 2020, when he did not make the payments. He stated the monthly payments were approximately \$1,078. In Applicant's SOR answer he said he would contact the creditor and begin making payments in June 2021. He did not. In December 2021, he contacted the creditor to resolve the debt, but it wanted larger payments than he can afford. He made one payment of \$100. Applicant does not have an accepted payment plan with the creditor. When asked why he delayed in contacting the creditor, he said he just did not do it, but intends to do so now. (Tr.68-74; GE 2; AE B).

Applicant and his wife purchased a home in 2006 for approximately \$400,000. They became delinquent on their mortgage payments and the last payment was in December 2016. Applicant and his eldest child moved from the house in February 2017 when Applicant separated from his wife. He testified that at some point, the creditor accepted a deed in lieu of foreclosure. Applicant testified that they had a "cash for keys"

agreement with the mortgage company. Applicant's documents do not reflect this agreement. Applicant believes he is not responsible for the deficiency owed for the mortgage. Credit reports from August 2017, August 2019, January 2021, and December 2021, all reflect a past-due amount of \$16,997. In May 2017, Applicant received an IRS Form 1099-C cancellation of debt from the mortgage company in the amount of \$133,503. When questioned, Applicant stated he did not file this form with his 2017 federal income return. Post-hearing, Applicant provided an email from the creditor with a portion of a document reflecting his mortgage. Although it shows the principal as zero, part of the page is missing so it is inconclusive to determine if a deficiency balance is owed. Applicant did not provide substantive evidence to conclude he does not owe a deficiency on the mortgage. However, the deficiency is likely included in the cancellation of debt issued by the mortgage company. The debt is resolved. (Tr. 35-37; 74-81; Answer to SOR; GE 2, 4, 5, 6, 7, 8; AE E, G)

Applicant testified that he and his wife would prepare their tax returns together. She would make payment plans when they were married. There were periods of time where there was a disconnect between Applicant and his wife on who was managing the taxes. Applicant filed his 2014 federal tax return in September 2015 (balance owed - \$4,142); 2015 tax return filed June 2017 (balance owed - \$2,339); 2016 filed April 2017 (balance owed - \$6,704); 2017 – extension request granted, filed past extension in May 2019 (balance owed - \$828); 2018 filed month late May 2019 (no balance owed). Applicant filed his 2019 federal income tax return in October 2020 (balance owed - \$1,850). Applicant testified that he probably filed his 2020 federal income tax return late. He noted that he believes he owes a total of about \$30,000 in past-due taxes to the IRS. (Tr. 33-35, 81-99; GE 2, 3)

Applicant testified that due to his wife's gambling problem, he would take withdrawals from his 401k pension plan to pay bills and would incur additional tax liabilities in certain years. This began in approximately 2011. He would defer paying the taxes on the withdrawals until the end of the year. He was then unable to pay the tax liabilities during those years. Applicant testified that he would make periodic payments to the IRS for his delinquent taxes, but did not have an approved installment agreement with the IRS. Applicant's 2014 tax transcript reflects an installment agreement was established in January 2016. Two payments of \$1,184 and \$777 were made in June 2019. Another installment agreement was established in September 2019. A payment of \$183 was made in May 2020. Post-hearing, Applicant provided a document from the IRS reflecting a history of tax payments. It shows he made three payments in 2017 for tax year 2011; one payment in 2020 and one payment in 2021 for tax year 2012; two payments in 2019 and two payments in 2020 for tax year 2014; one payment in 2020 for tax year 2015; three payments in 2020 and one payment in 2021 for tax year 2016; two payments in 2020 and one payment in 2021 for tax year 2017; and one payment in 2020 for tax year 2020. (Tr. 27-35, 41-43, 90-99; AE J; GE 2, 3)

In May 2020, Applicant completed government interrogatories. In them he said he owed the IRS approximately \$33,298 in delinquent taxes. In November 2020, he completed another set of government interrogatories. In his responses, he said his

payment plan covered tax years 2011-2017 and 2019. He further said that he asked an IRS agent to verify the status of his monthly payments, which were \$408 a month, and he said he was advised by the agent that his payment plan was current. (GE 2, 3)

Applicant provided a March 2021 letter from the IRS responding to his correspondence from October 2020. It confirmed that he had requested an installment agreement in October 2020, and the IRS declined because the amount he proposed was insufficient to create a full pay installment agreement based on the balance he owed for tax years 2011-2017, and 2019. The IRS would accept a monthly payment of \$297. This letter contradicts Applicant's statements in his interrogatories that he was making monthly payments of \$408 on an established payment plan. The history of payments document that Applicant provided from the IRS does not reflect consistent monthly payments as part of a plan. None of the payments made were for \$408. Applicant completed the installment agreement form provided by the IRS in May 2021, in which he indicated that he owed \$30,400 for the previously noted tax years. (Tr. 91-99; Answer to the SOR; AE J)

In Applicant's answer to the SOR, he attributed his delinquent taxes to his marital issues and the financial stress placed on his family due to his wife's gambling. He stated:

I've always intended to pay my taxes. Due to overwhelming financial issues we were on a payment plan. We were scheduled to pay \$408 a month; recently after this I made an inquiry about my taxes. The IRS sent me a new amount due which is \$294 dollars a month. I set up auto payments to pay every month. The auto pay will help me be consistent with my payments. Prior to this I have been making some of my half of the payments of around \$200 month. Adjusting to taking care of my daughters led to some inconsistencies with some payments being on time in the past. (Answer to SOR)

In Applicant's post-hearing email, he stated that he contacted the IRS after his hearing and was advised that his payment plan would not start until after his 2020 tax returns are processed. There is a delay due to the pandemic. Applicant provided a document to show he made a \$300 payment to the IRS in December 2021, and he intends to continue to make a monthly payment until the automatic withdrawal begins. He also stated that his 2020 tax liability is approximately \$35,000 because he received a relocation package and a bonus. (AE I, K)

In July 2017, Applicant completed an electronic Questionnaire for Investigation Processing (e-QIP). He testified that throughout the years he has completed e-QIPs and is familiar with the process. He confirmed he knew he was required to be truthful under penalty of law. Section 26 asks: "In the past seven (7) years have you failed to file or pay Federal, state, or other taxes when required by law of ordinance?" Applicant responded "no." (Tr. 100-113; GE 1)

In Applicant's answer to the SOR, he admitted ¶ 2.a that alleged he falsified his e-QIP when he responded "no" that he had not failed to timely file or pay his federal taxes. He stated:

This was an oversight (sic) while filling out the e-QIP. It was never my intention to falsify documents about my financial record - Taxes in the past seven (7) years. I have filled out a few e-QIP since 2017 and have answered yes to taxes owed. I fully understand even if I deliberately answer no to that question you can't hide this information. I made a mistake and didn't include my brother on a previous e-QIP. This is another example of an oversight and not intentionally hiding my brother who's mentioned on all of my e-QIP.
(Answer to SOR)

Applicant testified that his failure to disclose his delinquent tax filings and payments was a mistake and not intentional. A copy of his January 2020 e-QIP was produced by the Government and admitted into evidence (GE 9). It reflects he answered "no" that he did not fail to timely file or pay his taxes. I did not find Applicant's testimony credible. I find he deliberately failed to disclose that he owed delinquent federal taxes for tax years 2014, 2015, 2016, and 2017. (Tr. 27-33, 100-113; GE 1, 9)

Any derogatory information that was not alleged in the SOR including other delinquent tax years, will not be considered for disqualifying purposes. It may be considered when making a credibility determination, in the application of mitigating conditions, and in a whole person analysis.

Applicant testified that he has not been responsible in the past, but in the future he will do everything right. He will put things in order and prove he can be responsible. He intends to contact the IRS to determine the status of his agreement. He takes these matters seriously, and he is not a threat to national security. He believes he is trustworthy. (Tr. 114-115)

Policies

When evaluating an applicant's national security eligibility, the administrative judge must consider the AG. 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(c), 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 avoided drawing 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. Directive ¶ E3.1.15 states 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 as to obtaining 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 that an applicant may deliberately or inadvertently fail to safeguard classified information. Such decisions entail a certain degree of legally permissible extrapolation as to potential, rather than actual, risk of compromise of classified information.

Section 7 of EO 10865 provides that decisions shall be “in terms of the national interest and shall in no sense be a determination as to the loyalty of the applicant concerned.” See *also* EO 12968, Section 3.1(b) (listing multiple prerequisites for access to classified or sensitive information).

Analysis

Guideline F: Financial Considerations

The security concern relating to the guideline for financial considerations 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. Affluence that cannot be explained by known sources of income is also a security concern insofar as it may result from criminal activity, including espionage.

AG ¶ 19 provides conditions that could raise security concerns. The following are potentially applicable:

- (a) inability to satisfy debts;
- (b) unwillingness to satisfy debts regardless of ability to do so;
- (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.

Applicant failed to timely file his 2015 and 2017 federal income tax returns. I find Applicant's delay in filing his 2014 tax returns was de minimis. He failed to pay his federal income taxes for 2014 through 2017 as required. He accumulated other debts that became delinquent. Applicant had the resources to pay his taxes, but prioritized paying his daughters' college expenses. There is sufficient evidence to support the application of the above disqualifying conditions.

The guideline also includes conditions that could mitigate security concerns arising from financial difficulties. The following mitigating conditions under AG ¶ 20 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.

Applicant attributed his financial problems to his wife's gambling which he became aware of in 2007. He eventually divorced her due to her gambling problem, but remarried her. He did not make timely adjustments to ensure his accounts were no longer held jointly for many years after he was aware of her issues. Although the gambling issue was beyond his control, the fact that he did not take affirmative action to protect his finances were within his control. He did not act responsibly in this regard. Applicant said he and his wife prepared their tax returns together, and she would arrange payment plans. I did not find Applicant's testimony credible. Even after he and his wife divorced, he continued to fail to timely address his tax issues. His budget reflects that he is expending approximately \$5,300 a month on his daughters' tuition, room, board, and other expenses, but has made inconsistent payments to resolve his years of tax liabilities. He would withdraw money from his pension plan to pay expenses or purchase a vehicle, deferred paying the tax liability and then failed to do so. It may be commendable that he is financing his daughters' education, but he has done it while ignoring his responsibility to pay his other delinquent debts and his legal obligation to pay his taxes. AG ¶ 20(b) has minimal application.

Applicant's recent installment agreement application with the IRS was signed in May 2021. It includes tax years 2011 through 2017, and 2019. His post-hearing statements reflected the IRS was still processing his 2020 tax return. It is unknown if this agreement will be accepted once the return is processed, considering he stated he believed he had a \$35,000 tax debt for 2020 due to a bonus and relocation allowance. Applicant's recent payment of \$300 toward his tax debt and his sporadic payments made in the past do not constitute a good-faith effort to resolve his tax debt. Based on his years of inaction in addressing his medical debts and other debts, his conduct raises issues about his reliability, trustworthiness, and good judgment. Under the circumstances I cannot conclude it is unlikely to recur. AG ¶ 20(a) does not apply.

There is no evidence he has received financial counseling. There is evidence that Applicant has corresponded with the IRS and has applied for an installment agreement. He has made one payment of \$300 in anticipation that the agreement will be accepted. Applicant does not have a reliable track record of complying with paying his taxes. At this juncture, he does not yet have an approved agreement with the IRS or shown that he is in compliance with an approved agreement. AG ¶ 20(c) does not apply. AG ¶ 20(g) applies to the tax returns that have now been filed, but does not apply to Applicant's unpaid taxes. AG ¶ 20(d) applies to the debts Applicant has resolved. (Tr. 65)

Although it is likely that Applicant does not have any further legal obligation regarding his foreclosed mortgage, it is a concern, based on his testimony that he failed to file the IRS 1099-C cancellation of debt form with his 2017 tax return, which likely will result in an additional tax liability.

Guideline E: Personal Conduct

AG ¶ 15 expresses the security concerns for personal conduct:

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 information. Of special interest is any failure to provide truthful and candid answers during the security clearance process or any other failure to cooperate with the security clearance process. The following will normally result in an unfavorable national security eligibility determination, security clearance action, or cancellation of further processing for national security eligibility:

AG ¶ 16 describes conditions that could raise a security concern and may be disqualifying. I find the following potentially applicable:

(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.

I have considered all of the evidence and conclude that Applicant deliberately failed to disclose on his 2017 e-QIP that he did not timely file his federal income tax return for tax years 2015 and 2017, and he failed to pay his federal income taxes for 2014 through 2017. I did not find his explanations credible. The above disqualifying condition applies.

The following mitigating conditions under AG ¶ 17 are potentially applicable to the disqualifying security concerns based on the facts:

(a) the individual made prompt, good-faith efforts to correct the omission, concealment, or falsification before being confronted with the facts; and

(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 explanation that the government would be able to find out on its own that he had not timely filed or paid his taxes so why would he lie is unpersuasive. The government relies on those having access to sensitive and classified material to self-report information. Applicant's claim that he disclosed his tax issues in other e-QIPs was refuted when his 2020 e-QIP was produced showing he failed to disclose the information in it. Applicant's deliberate omission is not minor and based on his testimony, I cannot

find that it is unlikely to recur. His conduct casts doubt on his reliability, trustworthiness and good judgment. The above mitigating conditions do not apply.

Whole-Person Concept

Under the whole-person concept, the administrative judge must evaluate an applicant's eligibility for a security clearance by considering the totality of the applicant's conduct and all the circumstances. The administrative judge should consider the nine adjudicative process factors listed at AG ¶ 2(d):

(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.

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.

I considered the potentially disqualifying and mitigating conditions in light of all the facts and circumstances surrounding this case. I have incorporated my comments under Guidelines F and E in my whole-person analysis. Some of the factors in AG ¶ 2(d) were addressed under those guidelines, but some warrant additional comment.

Applicant failed to timely file his federal income tax returns and also failed to pay his federal income taxes for several years. The DOHA Appeal Board has held that:

Someone 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. August 18, 2015). *See Cafeteria & Restaurant Workers Union Local 473 v. McElroy*, 284 F.2d 173, 183 (D.C. Cir. 1960), *aff'd*, 367 U.S. 886 (1961).¹

Applicant's history of non-compliance with a fundamental legal obligation to timely file and pay his federal income taxes and pay his delinquent debts, along with his deliberate failure to disclose his tax issues on his e-QIP raise serious concerns. The record evidence leaves me with questions and doubts as to Applicant's eligibility and suitability for a security clearance. For all these reasons, I conclude Applicant failed to

¹ ISCR Case No. 12-10933 at 3 (App. Bd. June 29, 2016).

mitigate the security concerns arising under Guideline F, financial considerations and Guideline E, personal conduct.

Formal Findings

Formal findings for or against Applicant on the allegations set forth in the SOR, as required by section E3.1.25 of Enclosure 3 of the Directive, are:

Paragraph 1, Guideline F:	AGAINST APPLICANT
Subparagraphs 1.a-1.c:	For Applicant
Subparagraph 1.d:	Against Applicant
Subparagraph 1.e:	For Applicant
Subparagraphs 1.g-1.j:	Against Applicant
Paragraph 2, Guideline E:	AGAINST APPLICANT
Subparagraph 2.a:	Against Applicant

Conclusion

In light of all of the circumstances presented by the record in this case, it is not clearly consistent with the national security to grant Applicant's eligibility for a security clearance. Eligibility for access to classified information is denied.

Carol G. Ricciardello
Administrative Judge