



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



In the matter of:)
)
) ISCR Case No. 20-02995
)
Applicant for Security Clearance)

Appearances

For Government: Tara R. Karoian, Esq., Department Counsel
For Applicant: Carl Anthony Marrone, Esq.

06/21/2022

Decision

LOUGHRAN, Edward W., Administrative Judge:

Applicant did not mitigate the security concerns under Guidelines E (personal conduct), G (alcohol consumption), H (drug involvement and substance misuse), and J (criminal conduct). Eligibility for access to classified information is denied.

Statement of the Case

On April 13, 2021, the Department of Defense (DOD) issued a Statement of Reasons (SOR) to Applicant detailing security concerns under Guidelines E, G, H, and J. Applicant responded to the SOR on July 1, 2021, and requested a hearing before an administrative judge. The case was assigned to me on February 9, 2022.

The hearing was convened as scheduled on April 20, 2022. Government Exhibits (GE) 1 through 5 were admitted in evidence without objection. Applicant testified, called three witnesses, and submitted Applicant's Exhibits (AE) A and B, which were admitted without objection.

Findings of Fact

Applicant is a 38-year-old employee of a defense contractor. He has worked for his current employer since about June 2018. He is applying for a security clearance for the first time. He is either a college graduate or just a few credits short of a degree. He is divorced with three children. (Transcript (Tr.) at 50, 72; GE 1)

Applicant has a history of substance abuse and criminal offenses related to his substance abuse. He became addicted to prescription opioid painkillers after he injured his back sometime between about 2008 and 2011, resulting in significant pain. The physician's assistant who prescribed the medication was later sanctioned for overprescribing "oxycodone, hydrocodone, and other controlled substances" to patients he was treating for pain management. Applicant's addiction led to doctor shopping for prescriptions, alcohol abuse, employment issues, marital difficulties, and financial problems. In addition to the opioid painkillers, he would sometimes drink between a pint and a fifth of vodka a day (SOR ¶¶ 2.a, 3.a). (Tr. at 18-38, 82-96, 126; Applicant's response to SOR, attachments A, F, P, S; GE 1, 2)

Applicant was arrested in May 2013 and charged with two felony counts of falsely obtaining a prescription in December 2012 (SOR ¶¶ 1.a, 2.c). The essence of the offense is that he obtained a prescription for a controlled substance from one provider without informing the provider that he also received the controlled substance from another source. He pleaded guilty on June 11, 2013, to falsely obtaining a prescription. The second count was dismissed. He was sentenced to up to five years in prison, which was suspended upon his completion of probation for 36 months, and included conditions that he complete substance abuse treatment, and not possess or use controlled substances or alcohol. The felony was reduced by the court to a misdemeanor in December 2017. (Tr. at 38-41; Applicant's response to SOR, attachments A, G, H, N, P; GE 1-3)

Applicant was arrested in August 2013 and charged with six felony counts of falsely obtaining a prescription between April 1, 2013, and June 10, 2013 (SOR ¶¶ 1.b, 2.c). He pleaded guilty in October 2013 to three felony counts of falsely obtaining a prescription. The three remaining counts were dismissed. In January 2014, he was sentenced to up to five years in prison and \$15,000 in fines. The prison term and \$14,397 of the fine were suspended upon his completion of probation for 36 months. Conditions of his probation included a drug and alcohol evaluation and completion of any recommended substance abuse treatment, and to not possess or use controlled substances or alcohol. The felonies were reduced by the court to misdemeanors in February 2018. (Tr. at 38-41, 98; Applicant's response to SOR, attachments A, H, N, P; GE 1-3)

Applicant continued to abuse opioid painkillers and alcohol notwithstanding the two convictions and probation. He completed a 36-day inpatient substance abuse treatment program from about February 2014 to April 2014. He reported that he was drinking between a pint and a fifth of vodka a day with the opioids. He was diagnosed with alcohol dependence and opioid dependence (SOR ¶¶ 2.d, 3.a, 3.b). He was

advised to remain abstinent from alcohol and recommended upon discharge for aftercare and outpatient treatment. (Tr. at 40-43, 96; Applicant's response to SOR, attachments I, P, R, S; GE 2, 5)

Applicant did not follow through on aftercare or outpatient treatment, and he relapsed after leaving the treatment facility. He found that alcohol enhanced the effects of the opioids. He was driving under the influence of opioids and alcohol when he was arrested in May 2014. His blood alcohol concentration (BAC) was about two and a half times the legal limit. He was charged with driving under the influence of alcohol/drugs (DUI). He pleaded guilty to the lesser offense of impaired driving in May 2014. He was sentenced to 90 days in jail, with the 90 days suspended, and a fine (SOR ¶¶ 1.c, 3.b, 3.c). (Tr. at 42-46, 102-103; Applicant's response to SOR, attachment J; GE 1-3, 5)

In June 2014, Applicant was found in violation of his probation for the 2013 convictions, and his probation was revoked and restarted. He was sentenced to 150 days in jail for the June 2013 conviction, with all but three weeks served at a work release facility (SOR ¶ 1.d). He was sentenced to 365 days in jail for the August 2013 conviction, with all but three weeks served at a work release facility (SOR ¶ 1.e). (Tr. at 47-48; Applicant's response to SOR; GE 2)

After he completed the work-release program, Applicant resumed abusing alcohol and opioids, including oxycodone, morphine, and fentanyl (SOR ¶¶ 2.a, 2.b). From about April 2015 to June 2015, he used heroin during a period that he could not obtain the prescription opioids. Heroin was also cheaper than the prescription opioids. (SOR ¶ 2.e). In June 2015, he checked into the same substance abuse treatment facility for inpatient treatment for 45 days. He was diagnosed with alcohol dependence and opioid dependence (SOR ¶¶ 2.f, 3.d). The facility certified that he successfully completed the inpatient program in July 2015. He was then provided a 45-day aftercare program. He was advised to remain abstinent from alcohol and opioids. In August 2015, he successfully completed a workout-based life coaching program. (Tr. at 49-50, 51-57, 59, 97-99; Applicant's response to SOR, attachments K, L, P, R, S; GE 2, 5)

Applicant did not use heroin after his discharge from the facility, but he returned to abusing alcohol and opioids, including fentanyl (SOR ¶ 2.b). He was again driving under the influence of opioids and alcohol when he was arrested in December 2015. His BAC was about two times the legal limit. He was charged with DUI and alcohol-restricted driver. In March 2016, he pleaded guilty to DUI, and the alcohol-restricted driver charge was dismissed. He was sentenced to four days in jail and a fine (SOR ¶ 1.c). (Tr. at 51-55, 102-103; Applicant's response to SOR, attachment M; GE 4)

There is no evidence that Applicant has used any illegal controlled substances after 2016. His parents, who could always tell when he was using, have not observed any indication of use in years. He returned to the workout-based program in 2016. He enrolled in a 90-day workout and addiction-recovery program in March 2019. The program "requires at least 90 days of commitment to strenuous activity, dedication to sobriety, and active involvement in [their] fitness, nutritional, spiritual, and life coaching curriculum." He continues to be actively involved in the program, and he sees a

therapist unrelated to that program. He has learned to deal with his back pain with ibuprofen and an active lifestyle. He is motivated by his children and his faith to stay clean. He has disassociated himself from drug-using associates and contacts, and he passed numerous drug tests. He signed a statement of intent to abstain from all drug involvement and substance misuse, acknowledging that any future involvement or misuse is grounds for revocation of national security eligibility. (Tr. at 59-65, 70-82, 100-102, 107-121, 125-126, 135; Applicant's response to SOR, attachments O, P, Q, T, U; GE 2; AE A, B)

In 2020, Applicant was prescribed a prescription opioid to deal with pain in a tooth before a root canal (SOR ¶ 4.a). He did not enjoy the experience and did not use the drugs again after the procedure was completed. He stated that he has not had cravings for opioids in four or five years, and the short use of a prescription medication in 2020 did not change that. (Tr. at 67-70, 94-96; Applicant's response to SOR)

Applicant stated that he does not believe that alcohol was ever his real problem, and that he never really enjoyed large amounts of alcohol. As such, he does not feel that he has to completely abstain. He describes his drinking as occasional and responsible. He stated that his last drink was in November 2021 (SOR ¶ 3.f). (Tr. at 45, 50, 65-67; Applicant's response to SOR; GE 2)

Applicant submitted a Questionnaire for National Security Positions (SF 86) in August 2018. He reported most of his substance abuse and criminal history, but he intentionally failed to report his heroin use (SOR ¶ 4.b). He admitted that he felt, and continues to feel, shame about his heroin use. (Tr. at 56-58, 103; Applicant's response to SOR; GE 1)

Applicant was interviewed for his background investigation in June 2019. He discussed his addiction to opioid painkillers, including oxycodone, but he did not mention heroin use. He admitted heroin use in interrogatories in January 2020 after he was specifically asked about heroin use as documented in records obtained by the DOD from the substance abuse treatment facility where Applicant was treated in 2014 and 2015. He admitted at his hearing that if the DOD did not know about his heroin use, he would be conflicted and it would be very hard to discuss it, even at his hearing. He clarified that if he was directly asked about his heroin use, he would be honest. (Tr. at 104-106; GE 2)

Applicant called three witnesses, and he submitted documents and letters attesting to his excellent job performance and strong moral character. He is praised for his dedication, reliability, competence, enthusiasm, attention to detail, leadership, work ethic, trustworthiness, and integrity. (Tr. at 19-61; Applicant's response to SOR, attachments V, W, Y)

Policies

This case is adjudicated 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), which became effective on June 8, 2017.

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 to be 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, administrative judges apply the guidelines 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."

Under Directive ¶ E3.1.14, the Government must present evidence to establish controverted facts alleged in the SOR. Under Directive ¶ E3.1.15, the applicant is responsible for presenting "witnesses and other evidence to rebut, explain, extenuate, or mitigate facts admitted by the applicant or proven by Department Counsel." The applicant 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.

Section 7 of EO 10865 provides that adverse 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 E, Personal Conduct

The security concern for personal conduct is set out in AG ¶ 15, 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 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.

AG ¶ 16 describes conditions that could raise a security concern and may be disqualifying. The following disqualifying condition is 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 security clearance eligibility or trustworthiness, or award fiduciary responsibilities;

(d) credible adverse information that is not explicitly covered under any other guideline and may not be sufficient by itself for an adverse determination, but which, when combined with all available information, supports a whole-person assessment of questionable judgment, untrustworthiness, unreliability, lack of candor, unwillingness to comply with rules and regulations, or other characteristics indicating that the individual may not properly safeguard classified or sensitive information. This includes, but is not limited to, consideration of:

(1) untrustworthy or unreliable behavior to include breach of client confidentiality, release of proprietary information, unauthorized release of sensitive corporate or government protected information;

(3) a pattern of dishonesty or rule violations;

(4) evidence of significant misuse of Government or other employer's time or resources; and

(e) personal conduct, or concealment of information about one's conduct, that creates a vulnerability to exploitation, manipulation, or duress by a foreign intelligence entity or other individual or group. Such conduct includes:

(1) engaging in activities which, if known, could affect the person's personal, professional, or community standing.

Applicant intentionally failed to report his heroin use on his August 2018 SF 86. AG ¶ 16(a) is applicable.

SOR ¶ 4.a alleges Applicant's use of a lawfully prescribed controlled substance for his pain in 2020, knowing that he was an addict. Applicant's conduct was lawful. It does not rise to the level of a personal conduct security concern. SOR ¶ 4.a is concluded for Applicant.

AG ¶ 17 provides conditions that could mitigate security concerns. The following are potentially applicable:

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

(b) the refusal or failure to cooperate, omission, or concealment was caused or significantly contributed to by advice of legal counsel or of a person with professional responsibilities for advising or instructing the individual specifically concerning security processes. Upon being made aware of the requirement to cooperate or provide the information, the individual cooperated fully and truthfully;

(c) the offense is so minor, or so much time has passed, or the behavior is so infrequent, or it happened under such unique circumstances that it is unlikely to recur and does not cast doubt on the individual's reliability, trustworthiness, or good judgment;

(d) the individual has acknowledged the behavior and obtained counseling to change the behavior or taken other positive steps to alleviate the stressors, circumstances, or factors that contributed to untrustworthy, unreliable, or other inappropriate behavior, and such behavior is unlikely to recur; and

(e) the individual has taken positive steps to reduce or eliminate vulnerability to exploitation, manipulation, or duress.

Applicant intentionally omitted information about his heroin use from the August 2018 SF 86. He admitted that he felt, and continues to feel, shame about his heroin use. He did not correct the omission when he was interviewed for his background investigation in June 2019. At his hearing, he admitted that if the DOD did not know about his heroin use, he would be conflicted and it would be very hard to discuss it. Even with the clarification that if he was directly asked about his heroin use, he would be honest, that admission causes concern. Personal conduct concerns raised by Applicant's false SF 86 are not mitigated.

Guideline J, Criminal Conduct

The security concern for criminal conduct is set out in AG ¶ 30:

Criminal activity creates doubt about an Applicant's judgment, reliability, and trustworthiness. By its very nature, it calls into question a person's ability or willingness to comply with laws, rules and regulations.

AG ¶ 31 describes conditions that could raise a security concern and may be disqualifying. The following is potentially applicable:

(b) evidence (including, but not limited to, a credible allegation, an admission, and matters of official record) of criminal conduct, regardless of whether the individual was formally charged, prosecuted, or convicted; and

(d) violation or revocation of parole or probation, or failure to complete a court-mandated rehabilitation program.

Applicant has numerous arrests, convictions, and probation violations. The above disqualifying conditions are applicable.

Conditions that could mitigate criminal conduct security concerns are provided under AG ¶ 32. The following are potentially applicable:

(a) so much time has elapsed since the criminal behavior happened, or it happened under such unusual circumstances, that it is unlikely to recur and does not cast doubt on the individual's reliability, trustworthiness, or good judgment; and

(d) there is evidence of successful rehabilitation; including, but not limited to, the passage of time without recurrence of criminal activity, restitution, compliance with the terms of parole or probation, job training or higher education, good employment record, or constructive community involvement.

The last alleged criminal offense occurred in June 2016, six years ago. He appears to have turned his life around. However, he was willing to be untruthful on his 2018 SF 86, and he did not correct the lie until he was specifically confronted. It is a criminal offense to knowingly and willfully make any materially false, fictitious, or fraudulent statement or representation in any matter within the executive branch of the Government of the United States. 18 U.S.C. § 1001. Security clearances are within the jurisdiction of the executive branch of the Government of the United States. Applicant's criminal conduct continues to cast doubt on his reliability, trustworthiness, and good judgment. It is not mitigated.

Guideline H, Drug Involvement and Substance Misuse

The security concern for drug involvement and substance misuse is set out in AG ¶ 24:

The illegal use of controlled substances, to include the misuse of prescription and non-prescription drugs, and the use of other substances that cause physical or mental impairment or are used in a manner inconsistent with their intended purpose can raise questions about an individual's reliability and trustworthiness, both because such behavior may lead to physical or psychological impairment and because it raises questions about a person's ability or willingness to comply with laws, rules, and regulations. Controlled substance means any "controlled substance" as defined in 21 U.S.C. 802. Substance misuse is the generic term adopted in this guideline to describe any of the behaviors listed above.

The guideline notes several conditions that could raise security concerns under AG ¶ 25. The following are potentially applicable in this case:

- (a) any substance misuse (see above definition);
- (c) illegal possession of a controlled substance, including cultivation, processing, manufacture, purchase, sale, or distribution; or possession of drug paraphernalia;
- (d) diagnosis by a duly qualified medical or mental health professional (e.g., physician, clinical psychologist, psychiatrist, or licensed clinical social worker) of substance use disorder; and
- (e) failure to successfully complete a drug treatment program prescribed by a duly qualified medical or mental health professional;

Applicant possessed and abused prescription opioids, fentanyl, and heroin. He was arrested and convicted for multiple counts of falsely obtaining a prescription. He was diagnosed with opioid dependence. AG ¶¶ 25(a), 25(c), and 25(d) are applicable.

SOR ¶ 2.d alleges Applicant's opioid dependence diagnosis. That part of the allegation is established. It also alleges that "[f]rom February 2014 through May 2014 [Applicant] "received inpatient and substance abuse and alcohol abuse treatment. . . . [He] did not follow through with aftercare or outpatient treatment and relapsed after leaving the facility." It should be obvious that Applicant's treatment does not raise a disqualifying condition. He completed inpatient treatment. The question is whether his relapse and failure to follow through on aftercare and outpatient treatment are sufficient to establish AG ¶ 25(e) as a disqualifying condition. I am not convinced that the recommendations that he attend aftercare and remain abstinent are enough to qualify as a failure to complete a prescribed drug treatment program. AG ¶ 25(e) is not applicable, and that part of the allegation is concluded for Applicant. Additionally, the

drug abuse that constitutes the relapse is already alleged under SOR ¶¶ 2.a, 2.b, and 2.e. The opioid dependence diagnosis is also alleged under SOR ¶ 2.f. As such, SOR ¶ 2.d is superfluous, and it is concluded for Applicant.

AG ¶ 26 provides conditions that could mitigate security concerns. The following are potentially applicable:

(a) the behavior happened so long ago, was so infrequent, or happened under such circumstances that it is unlikely to recur or does not cast doubt on the individual's current reliability, trustworthiness, or good judgment; and

(b) the individual acknowledges his or her drug involvement and substance misuse, provides evidence of actions taken to overcome this problem, and has established a pattern of abstinence, including, but not limited to:

(1) disassociation from drug-using associates and contacts;

(2) changing or avoiding the environment where drugs were used; and

(3) providing a signed statement of intent to abstain from all drug involvement and substance misuse, acknowledging that any future involvement or misuse is grounds for revocation of national security eligibility.

There is no evidence of any illegal drug use after 2016. I believe Applicant's parents that they knew when he was using. He appears to be on the right path. However, I have concerns that Applicant legally used prescription opioids in 2020, knowing that he is an addict; he continues to drink, albeit not in several months; and he was willing to lie about his past use of heroin.

Applicant's extensive criminal drug abuse continues to cast doubt on his current reliability, trustworthiness, good judgment, and willingness to comply with laws, rules, and regulations. The above mitigating conditions, individually or collectively, are insufficient to alleviate those concerns.

Guideline G, Alcohol Consumption

The security concern for alcohol consumption is set out in AG ¶ 21:

Excessive alcohol consumption often leads to the exercise of questionable judgment or the failure to control impulses, and can raise questions about an individual's reliability and trustworthiness.

The guideline notes several conditions that could raise security concerns under AG ¶ 22. The following are potentially applicable in this case:

- (a) alcohol-related incidents away from work, such as driving while under the influence, fighting, child or spouse abuse, disturbing the peace, or other incidents of concern, regardless of the frequency of the individual's alcohol use or whether the individual has been diagnosed with alcohol use disorder;
- (c) habitual or binge consumption of alcohol to the point of impaired judgment, regardless of whether the individual is diagnosed with alcohol use disorder;
- (d) diagnosis by a duly qualified medical or mental health professional (e.g., physician, clinical psychologist, psychiatrist, or licensed clinical social worker) of alcohol use disorder;
- (e) the failure to follow treatment advice once diagnosed; and
- (f) alcohol consumption, which is not in accordance with treatment recommendations, after a diagnosis of alcohol use disorder.

In addition to Applicant's opioid abuse, he would sometimes drink between a pint and a fifth of vodka a day. He was drinking and using opioids during his two DUIs, and his BAC was about two and a half times the legal limit on one arrest and two times the legal limit on another. He was diagnosed with alcohol dependence, and continues to drink despite the recommendation that he remain abstinent. The above disqualifying conditions are applicable.

Conditions that could mitigate alcohol consumption security concerns are provided under AG ¶ 23. The following are potentially applicable:

- (a) so much time has passed, or the behavior was so infrequent, or it happened under such unusual circumstances that it is unlikely to recur or does not cast doubt on the individual's current reliability, trustworthiness, or judgment;
- (b) the individual acknowledges his or her pattern of maladaptive alcohol use, provides evidence of actions taken to overcome this problem, and has demonstrated a clear and established pattern of modified consumption or abstinence in accordance with treatment recommendations; and
- (d) the individual has successfully completed a treatment program along with any required aftercare, and has demonstrated a clear and established pattern of modified consumption or abstinence in accordance with treatment recommendations.

Applicant downplayed his drinking, essentially stating that it was incidental to his opioid abuse. Based on the amount he was drinking, his BAC levels on his two DUIs, and his alcohol dependence diagnoses, I cannot find it merely incidental. I believe his continued drinking puts everything at risk, including his recovery from opioids. None of the mitigating conditions are sufficient to overcome concerns about his alcohol abuse, reliability, trustworthiness, and judgment.

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 relevant 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 have incorporated my comments under Guidelines E, G, H, and J in my whole-person analysis. I also considered Applicant's favorable character evidence.

Overall, the record evidence leaves me with questions and doubts about Applicant's eligibility and suitability for a security clearance. I conclude Applicant did not mitigate the personal conduct, alcohol consumption, drug involvement and substance misuse, and criminal conduct security concerns. The adjudicative guidelines give me the authority to grant conditional eligibility "despite the presence of issue information that can be partially but not completely mitigated, with the provision that additional security measures shall be required to mitigate the issue(s)." I have not done so as I have concluded the issues are not partially mitigated.

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 J:	Against Applicant
Subparagraphs 1.a-1.h:	Against Applicant

Paragraph 2, Guideline H:	Against Applicant
Subparagraphs 2.a-2.c:	Against Applicant
Subparagraph 2.d:	For Applicant
Subparagraphs 2.e-2.f:	Against Applicant
Paragraph 3, Guideline G:	Against Applicant
Subparagraphs 3.a-3.f:	Against Applicant
Paragraph 4, Guideline E:	Against Applicant
Subparagraph 4.a:	For Applicant
Subparagraph 4.b:	Against Applicant

Conclusion

It is not clearly consistent with the national interest to grant Applicant eligibility for a security clearance. Eligibility for access to classified information is denied.

Edward W. Loughran
Administrative Judge