



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



In the matter of:)
)
) ISCR Case No. 22-00909
)
Applicant for Security Clearance)

Appearances

For Government: Tara R. Karoian, Esq., Department Counsel
For Applicant: *Pro se*

March 30, 2023

Decision

TUIDER, Robert, Administrative Judge:

Applicant mitigated security concerns regarding Guideline B (foreign influence), but failed to mitigate security concerns regarding Guideline F (financial considerations). National security eligibility is denied.

Statement of the Case

On January 12, 2021, Applicant submitted a Questionnaire for National Security Positions (SF-86). On August 3, 2022, the Department of Defense Consolidated Adjudications Facility (CAF) issued a Statement of Reasons (SOR) to Applicant detailing security concerns under Guidelines F and B. The SOR detailed reasons why the CAF was unable to find that it is clearly consistent with the national interest to grant or continue a security clearance for Applicant. On August 11, 2022, Applicant submitted her Answer to the SOR. On October 14, 2022, Department Counsel was ready to proceed.

On October 24, 2022, the Defense Office of Hearings and Appeals (DOHA) assigned the case to me. On November 9, 2022, DOHA issued a notice of Microsoft

Teams Video Teleconference hearing for December 1, 2022. The hearing was held as scheduled. Department Counsel offered Government Exhibits (GE) 1 through 6, which were admitted. (Tr. 11-14) Applicant testified, did not call any witnesses, and did not offer any exhibits. I held the record open until January 23, 2023, to afford Applicant an opportunity to submit additional evidence. (Tr. 63-65) She timely submitted AE A through F, which were admitted. On December 19, 2022, DOHA received the hearing transcript. (Tr.).

Findings of Fact

Background Information

Applicant is a 58-year-old quality assurance inspector who has been employed by a defense contractor since November 2017. She seeks a security clearance to enhance her upward mobility within her company. (Tr. 14-16; GE 1)

Applicant graduated from high school in the Philippines in 1980. She attended community college in the United States from 1983 to 1984 but did not earn a degree. She attended computer school from 2006 to 2008 and was awarded a certificate of completion. (Tr. 16-18; GE 1)

Before marrying her first husband, she cohabitated with a domestic partner in the Philippines before moving to the United States, dates unknown. She married her husband in the Philippines in 1988 and divorced him in the United States in 2007. Since 2012, Applicant has been cohabitating with her fiancé, a U.S.-born citizen. (Tr. 18-20; GE 1) Applicant has two adult sons born in the United States during her marriage. (Tr. 20-21; GE 1)

Financial Considerations

The SOR lists 11 allegations under this concern. Summarized they are as follows: SOR ¶ 1.a alleges Applicant failed to timely file her 2016 through 2021 Federal income tax returns; SOR ¶ 1.b alleges Applicant failed to timely file her 2016 through 2021 state income tax returns; SOR ¶ 1.c alleges Applicant is indebted to the Federal Government for delinquent taxes in the amount of \$1,985 for tax year 2016; SOR ¶ 1.d alleges Applicant is indebted to the Federal Government for delinquent taxes in the amount of \$3,696 for tax year 2019; SOR ¶ 1.e alleges Applicant is indebted to the Federal Government for delinquent taxes in the amount of \$2,775 for tax year 2020; SOR ¶ 1.f alleges Applicant is indebted to her state government for delinquent taxes in the amount of \$2,016 for tax year 2019; and SOR ¶ 1.g alleges Applicant is indebted to the Federal Government for delinquent taxes in the amount of \$2,853 for tax year 2020.

SOR ¶ 1.h alleges Applicant is indebted to her state government for recoupment of unemployment benefits in the amount of \$10,000 for unemployment benefits that she collected without proper eligibility; SOR ¶ 1.i alleges Applicant is indebted to a creditor for a collection medical account in the amount of \$536; SOR ¶ 1.j alleges Applicant is indebted to a creditor for a collection medical account in the amount of \$148; and SOR

¶ 1.k alleges Applicant is indebted to a creditor for a collection medical account in the amount of \$67. Applicant admitted all of her SOR allegations except for SOR ¶ 1.k, which she left blank. (SOR Answer)

These allegations are established by Applicant's: (1) January 12, 2021 SF-86; (2) July 6, 2022 Response to DOHA Interrogatories, including tax documentation and adopting Office of Personnel Management (OPM) April 23 and May 5, 2021 Personal Subject Interview(s) (PSI); (3) February 27, 2021, August 13, 2021, and April 13, 2022 credit reports; (4) Lexis Nexis Public Records – Bankruptcy, Judgments and Liens search results; and (5) August 11, 2021 SOR Answer. (GE 1-6; SOR Answer)

SOR ¶¶ 1.a and 1.b - During her April 23, 2021 OPM PSI, Applicant stated that she did not file her Federal and state income tax returns because she thought that she would not owe any money because she did not work much. Sometime in 2018 or 2019, she retained the services of a tax preparer service (TPS) to file her Federal and state income tax returns for 2017, 2018, and 2019; however, she did file them until 2022. See below. The TPS determined that she owed approximately \$1,300 to the IRS. She did not pay any delinquent taxes owed at that time relying on her TPS to negotiate a reduced balance. She fired that TPS because they were not effective in negotiating any type of settlement or payment plan with the IRS or her state tax authority. As of the date of her OPM PSI, she had not paid any of her delinquent taxes because she was attempting to negotiate a payment plan with the IRS and her state tax authority. After Applicant fired her TPS, her fiancé has been helping her with her tax returns. (Tr. 68; GE 2)

SOR ¶¶ 1.a, 1.c – 1.e, 1.g - In her Response to DOHA Interrogatories and during her testimony, Applicant stated that she filed her Federal income tax return for tax year 2016 on November 1, 2018, and filed her Federal income tax returns for tax years 2017 through 2021 on March 6, 2022. However, copies of her Federal tax transcripts indicated that the IRS received her 2016 and 2017 Federal income tax returns on October 17, 2018, but did not receive her 2018 through 2021 Federal tax returns. Applicant insisted that she filed all of her Federal income tax returns. She noted in her Response to DOHA Interrogatories that she owed the IRS \$1,985 for tax year 2016, \$3,696 for tax year 2019, and \$2,775 for tax year 2020. (Tr. 26-33; GE 2) Also, in her July 6, 2022 Response to DOHA Interrogatories, she stated that her current outstanding Federal tax liability was \$1,985 for tax year 2016, \$3,696 for tax year 2019, and \$2,775 for tax year 2020. (GE 2)

SOR ¶¶ 1.a and 1.b - Post-hearing, Applicant submitted copies of her 2018 and 2019 Federal tax transcripts that the IRS processed on March 11, 2022, and April 18, 2022, respectively. (Tr. 37-41; AE B, AE C) Although Applicant did not provide documentation that the IRS received her 2020 and 2021 Federal income tax returns, given the staggered dates of IRS receipt, I accept her explanation that she did submit them; however, they were not timely filed as required. Applicant testified that she was disabled in 2018. Applicant did not have a “good reason” for not filing her tax returns as required other than she did not think she made enough money. She did not file her tax returns until getting a clearance became a priority. (Tr. 48-49)

SOR ¶¶ 1.b and 1.f - In her Response to DOHA Interrogatories, Applicant stated that she filed her state income tax returns for tax years 2016 and 2017 on October 15, 2018, filed her state income tax returns for tax years 2018, 2019, and 2020 on March 10, 2022, and filed her state income tax return for tax year 2021 on February 27, 2022. She noted in her Response to DOHA Interrogatories that she owed her state tax authority \$2,014 for tax year 2019 and \$2,171 for tax year 2020. (GE 2) Post-hearing she submitted documentation from her state tax authority that her state income tax returns were filed from 2016 through 2021, and that she owed her state tax authority \$2,017 for tax year 2019 and \$3,214 for tax year 2021. (AE A) She also submitted documentation from her state tax authority that they had issued a garnishment order to her employer to collect \$5,213 owed for tax years 2019 and 2020. (Tr. 32-37, 41-42; AE F)

SOR ¶ 1.h – With regard to the \$10,000 debt owed to Applicant’s state of residence for collecting unauthorized unemployment benefits, Applicant stated that she “was having problems with [her] marriage” and went back to the Philippines in the 2006 to 2008 timeframe. (Tr. 21-26) In her April 4, 2021 OPM PSI, Applicant stated that between 2005 and 2010, she would work between two and four months in her state of residence at temporary jobs and then to go to the Philippines for the remainder of the year. While in the Philippines, she collected unemployment from her state of residence. Applicant believed that she was permitted to do this because she was still looking for work in her state of residence despite being in the Philippines. During a routine interview with her state unemployment office, Applicant was informed that this practice was not permitted and that she would have to repay the money she received. (GE 2) Applicant did not have the money to repay the unemployment benefits received and in June 2017, her state of residence began garnishing her wages. (GE 2) Post-hearing, Applicant submitted documentation that as of October 10, 2022, the balance owed to her state of residence for receiving unauthorized unemployment benefits was \$1,464. (Tr. 49-53; AE D, AE E)

SOR ¶¶ 1.i, 1.j, 1.k – Applicant stated that she does not recognize these debts claiming that she never went to these medical facilities. She did not provide any documentation that she had contacted these creditors, disputed these debts, or otherwise resolved these debts with these creditors. (Tr. 42-43)

Applicant was alerted to the Government’s concerns regarding her failure to file her Federal and state income tax returns during her April 23, 2021 OPM PSI. She stated during that interview that she planned on contacting the IRS and her state tax authority to work out a payment plan by the end of May 2021. (GE 2) During that same interview, she was alerted to the Government’s concerns regarding her other delinquent accounts. (GE 2) Applicant was later advised of the Government’s concerns regarding her failure to file her Federal and state tax income tax returns and delinquent accounts when she received her August 3, 2022 SOR.

Foreign Influence

The SOR alleges one allegation under this concern. It states that Applicant owns a home and land in the Philippines with an approximate value of \$3,000 to \$6,000. (SOR ¶ 2.a) Applicant admitted this allegation. (SOR Answer)

Applicant testified that a cousin who raised her and that she viewed as a mother figure passed away in 2012 and left her that property. Applicant most recently visited the property in the Philippines in September 2022. Her niece lives in the house and serves as caretaker of the property and rice field. When Applicant retires in “maybe four to five years,” she plans to split her time between the United States and on her property in the Philippines. (Tr. 43-46)

As noted, Applicant was born in the Philippines and graduated from high school there. (Tr. 53; GE 1) She immigrated to the United States in April 1982 and became a naturalized U.S. citizen in January 1990. Her father was working in the United States at the time he petitioned to have her join him. Applicant was issued a U.S. passport in August 2021. Her two adult sons are U.S.-born citizens. (Tr. 53-55) Applicant gave her fiancé \$5,000 to assist him with the down payment of the house they live in, but her name is not on the title. As of the date of her hearing, she had \$69 in her bank savings account, \$96 in her credit union savings account, and \$149 in her bank checking account. She has three 401k retirement accounts with a combined value of approximately \$30,000. She owns free and clear a 2014 BMW. Her take home pay less garnishments is about \$400 weekly. She is registered to vote and exercises her right to vote. (Tr. 55-60)

Applicant stays in contact with both of her sons, but more so with her older son. She has three brothers and two sisters and all of them live in the United States. All of her siblings are naturalized U.S. citizens. She remains in contact with all of them using various platforms. (Tr. 61-63; GE 2)

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

The protection of the national security is the paramount consideration. AG ¶ 2(b) requires that "[a]ny doubt concerning personnel being considered for national security eligibility will be resolved in favor of the national security."

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 clearance 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

Financial Considerations

AG ¶ 18 articulates the security concern for financial problems:

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

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

The Appeal Board explained the scope and rationale for the financial considerations security concern in ISCR Case No. 11-05365 at 3 (App. Bd. May 1, 2012) (citation omitted) as follows:

This concern is broader than the possibility that an applicant might knowingly compromise classified information in order to raise money in satisfaction of his or her debts. Rather, it requires a Judge to examine the totality of an applicant's financial history and circumstances. The Judge must consider pertinent evidence regarding the applicant's self-control, judgment, and other qualities essential to protecting the national secrets as well as the vulnerabilities inherent in the circumstances. The Directive presumes a nexus between proven conduct under any of the Guidelines and an applicant's security eligibility.

AG ¶ 19 includes three disqualifying conditions that could raise a security concern and may be disqualifying in this case: "(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 record establishes the disqualifying conditions in AG ¶¶ 19(a), 19(c), and 19(f). Further inquiry is necessary about the potential application of any mitigation conditions.

The financial considerations mitigating conditions under AG ¶ 20 are as follows:

(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;

(f) the affluence resulted from a legal source of income; 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.

In ISCR Case No. 10-04641 at 4 (App. Bd. Sept. 24, 2013), the DOHA Appeal Board explained Applicant's responsibility for proving the applicability of mitigating conditions as follows:

Once a concern arises regarding an Applicant's security clearance eligibility, there is a strong presumption against the grant or maintenance of a security clearance. See *Dorfmont v. Brown*, 913 F. 2d 1399, 1401 (9th Cir. 1990), *cert. denied*, 499 U.S. 905 (1991). After the Government presents evidence raising security concerns, the burden shifts to the applicant to rebut or mitigate those concerns. See Directive ¶ E3.1.15. The standard applicable in security clearance decisions is that articulated in [full cite here] *Egan, supra*. "Any doubt concerning personnel being considered for access to classified information will be resolved in favor of the national security." Directive, Enclosure 2 ¶ 2(b).

Applicant's conduct does not warrant full application of AG ¶ 20(a) because there is more than one delinquent debt and her financial problems are not isolated. Her debt, particularly as it pertains to her delinquent taxes, remains a "continuing course of conduct" under the Appeal Board's jurisprudence. See ISCR Case No. 07-11814 at 3 (App. Bd. Aug. 29, 2008) (citing ISCR Case No. 01-03695 (App. Bd. Oct. 16, 2002)).

Applicant is able to receive partial credit under AG ¶¶ 20(d) and 20(g), but does not receive full credit under either of these two mitigating conditions because of her failure to act responsibly under the circumstances and the time elapsed before addressing these obligations. Applicant has made some progress towards her paying her delinquent taxes. Of concern is the fact that Applicant did not timely file her Federal and state income tax returns and pay her taxes owed as required. She did not offer a plausible explanation for failing to do so. Her motivation to address her taxes only became a priority after her clearance became an issue. The remaining mitigating conditions are not applicable.

Applicant was alerted to the fact that her failure to file these returns and her debts were a concern to the Government during her April 23, 2021 OPM PSI and later when she received her August 3, 2022 SOR. These events apparently did not prompt Applicant to recognize the seriousness of her situation and take immediate corrective action given Applicant's age, education, and experience. The evidence of record does

not mitigate such a lapse in judgment. The evidence demonstrates that Applicant did not act responsibly with regard to timely filing her Federal and state income tax returns and paying or making payment arrangements for taxes owed.

In regard to the failure to file timely Federal income tax returns when due, the DOHA Appeal Board has commented in ISCR Case No. 14-04437 at 3 (App. Bd. Apr. 15, 2016):

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

See ISCR Case No. 15-01031 at 4 (App. Bd. June 15, 2016) (citations omitted); ISCR Case No. 14-05476 at 5 (App. Bd. Mar. 25, 2016) (citing ISCR Case No. 01-05340 at 3 (App. Bd. Dec. 20, 2002)); ISCR Case No. 14-01894 at 4-5 (App. Bd. Aug. 18, 2015). Applying the Appeal Board's jurisprudence, SOR ¶¶ 1.a through 1.g are not mitigated.

Foreign Influence

The security concern for foreign influence is set out in AG ¶ 6:

Foreign contacts and interests, including, but not limited to, business, financial, and property interests, are a national security concern if they result in divided allegiance. They may also be a national security concern if they create circumstances in which the individual may be manipulated or induced to help a foreign person, group, organization, or government in a way inconsistent with U.S. interests or otherwise made vulnerable to pressure or coercion by any foreign interest. Assessment of foreign contacts and interests should consider the country in which the foreign contact or interest is located, including, but not limited to, considerations such as whether it is known to target U.S. citizens to obtain classified or sensitive information or is associated with a risk of terrorism.

The guideline notes several conditions that could raise security concerns under AG ¶ 7. The following are potentially applicable in this case:

(a) contact, regardless of method, with a foreign family member, business or professional associate, friend, or other person who is a citizen of or resident in a foreign country if that contact creates a heightened risk of foreign exploitation, inducement, manipulation, pressure, or coercion;

(b) connections to a foreign person, group, government, or country that create a potential conflict of interest between the individual's obligation to protect classified or sensitive information or technology and the individual's desire to help a foreign person, group, or country by providing that information or technology; and

(f) substantial business, financial, or property interests in a foreign country, or in any foreign owned or foreign-operated business that could subject the individual to a heightened risk of foreign influence or exploitation or personal conflict of interest.

The starting point for the analysis is the country of the Philippines. Department Counsel did not offer a country summary identifying country-specific concerns. Given the history of the positive relationship that exists between the United States and the Philippines, especially since World War II, the heightened-risk element is minimally satisfied. That said, the Government established its case under Guideline B as a result of Applicant's contact with her niece who manages her modest real property holdings in the Philippines. The above disqualifying conditions are raised by the evidence.

Conditions that could mitigate foreign influence security concerns are provided under AG ¶ 8. The following are potentially applicable:

(a) the nature of the relationships with foreign persons, the country in which these persons are located, or the positions or activities of those persons in that country are such that it is unlikely the individual will be placed in a position or having to choose between the interests of a foreign individual, group, organization, or government and the interests of the United States; and

(b) there is no conflict of interest, either because the individual's sense of loyalty or obligation to the foreign person, or allegiance to the group, government, or country is so minimal, or the individual has such deep and longstanding relationships and loyalties in the United States, that the individual can be expected to resolve any conflict of interest in favor of the U.S. interest.

The Philippines's relationship with the United States, and the minimum heightened risk it presents, place a less than heavy burden on Applicant to mitigate the security concern. Applicant self-reported her Philippine connections and discussed them freely. She appears to have cooperated fully and provided truthful information regarding those connections throughout the security clearance process.

I have considered the totality of Applicant's ties to the Philippines via her niece and the modest property she manages for Applicant in the Philippines. Applicant has spent the majority of her adult life in the United States. She became a U.S. citizen in a relatively short time after immigrating to the United States in 1982. She has spent the majority of her adult life in the United States. Her five siblings all reside in the United States and are naturalized U.S. citizens. More importantly, her two biological adult sons are U.S.-born citizens and reside in the United States. Applicant maintains contact with all of her siblings and sons in varying degrees. Her fiancé is a U.S.-born citizen with whom she cohabitates. Although the family ties to the Philippines continue to be relevant security considerations and cannot be dismissed out of hand, the strength of those ties are diminished given the facts and circumstances here. On balance, her ties to the United States are far stronger than the family ties to the Philippines.

Given the totality of the facts and circumstances, I conclude that it is unlikely Applicant will be placed in a position of having to choose between the interests of the United States and the interests of the Philippines. I further conclude there is no conflict of interest because Applicant has developed such deep and long-standing relationships and loyalties in the United States that she can be expected to resolve any potential conflict of interest in the favor of the United States. AG ¶¶ 8(a) and 8(b) are applicable.

Conclusion

Following the Supreme Court's ruling in *Department of the Navy v. Egan*, 484 U.S. 518, 528 (1988), and the clearly consistent standard, I have no doubts or concerns about Applicant's reliability, trustworthiness, good judgment, and ability to protect classified or sensitive information. In reaching this conclusion, I have weighted the evidence as a whole and considered if the favorable evidence outweighed the unfavorable evidence or *vice versa*. I also considered the whole-person concept. Accordingly, I conclude that Applicant has not met her ultimate burden of persuasion to show that it is clearly consistent with the national interest to grant her eligibility for access to classified information.

Formal Findings

The formal findings on the allegations set forth in the SOR are as follows:

Paragraph 1, Guideline F:	AGAINST APPLICANT
Subparagraphs 1.a – 1.k:	Against Applicant
Paragraph 2, Guideline B:	FOR APPLICANT
Subparagraph 2.a:	For Applicant

Conclusion

In light of the record as a whole, it is not clearly consistent with the national interest to grant Applicant's security clearance. National security eligibility is denied.

ROBERT TUIDER
Administrative Judge