



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



In the matter of: )  
)  
) ISCR Case No. 22-01797  
)  
Applicant for Security Clearance )

**Appearances**

For Government: Andre M. Gregorian, Esq., Department Counsel  
Cassie L. Ford, Esq., Department Counsel  
For Applicant: *Pro se*

06/24/2024

**Decision**

PRICE, Eric C., Administrative Judge:

Applicant failed to mitigate the security concerns under Guideline F (financial considerations). Eligibility for access to classified information is denied.

**Statement of the Case**

Applicant submitted a security clearance application (SCA) in March 2021. On November 8, 2022, the Department of Defense issued to Applicant a Statement of Reasons (SOR) detailing security concerns under Guideline F. The action was taken under Department of Defense (DOD) Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (January 2, 1992), as amended (Directive); and the adjudicative guidelines (AG) promulgated in Security Executive Agent Directive 4 (SEAD 4), *National Security Adjudicative Guidelines* (December 10, 2016), for all adjudicative decisions on or after June 8, 2017.

Applicant answered the SOR on November 15, 2022, and requested a hearing before an administrative judge. (Answer) The case was assigned to me on October 16,

2023. On October 26, 2023, the Defense Office of Hearings and Appeals (DOHA) issued a notice of hearing scheduling the hearing for November 16, 2023, via video teleconference. The hearing was then rescheduled at Applicant's request. On December 11, 2023, DOHA issued an amended notice of hearing scheduling the hearing for January 23, 2024, and I convened the hearing on that date. The Government's exhibit list and department counsel's disclosure letter dated February 28, 2023, are marked as Hearing Exhibits (HE) I and II. Department Counsel offered Government Exhibits (GE) 1 through 6. Applicant testified but offered no documentary evidence. The record was held open until February 23, 2024, to permit Applicant to submit documentary evidence. He timely submitted Applicant's Exhibit (AE) A. GE 1 through 6 and AE A were admitted into evidence without objection. DOHA received the hearing transcript (Tr.) on February 1, 2024.

### **Findings of Fact**

The SOR alleges Applicant failed to timely file, as required, federal and state income tax returns for tax years (TY) 2012, 2015 through 2019, and 2021 (SOR ¶¶ 1.a, 1.c), owed past-due federal and state income taxes (SOR ¶¶ 1.b, 1.d), and had other delinquent debts totaling about \$28,140 (SOR ¶¶ 1.e-1.m). In Applicant's Answer to the SOR, he admitted all SOR allegations, with explanations. His admissions are incorporated in my findings of fact.

Applicant is a 56-year-old engineering logistics specialist employed by a defense contractor since November 2013. He was employed by federal contractors from October 2004 to November 2010 and from May 2012 to July 2012. He was unemployed from November 2010 to May 2012. He worked as a shipping and receiving clerk from July 2012 to August 2012, and as a warehouse supervisor from September 2012 to November 2013. He served in the Army from 1985 to 1997 and was honorably discharged. He earned an associate degree in May 2015 and a bachelor's degree in May 2019. He has never married and has one adult child, age 20. He has held a security clearance since at least 2008. (GE 1-2; Tr. 25-27)

Applicant attributes his financial problems to child support costs, financial support for his disabled mother and siblings, and his failure to manage his financial responsibilities. He attributes his failure to timely file federal and state income tax returns and to pay taxes to miscalculation, his belief he could not afford to pay taxes due, failing to follow up after an electronically filed return was rejected, and to being overwhelmed. (GE 1-2; Tr. 15-40, 113-118)

The evidence concerning the specific SOR allegations is summarized below.

**SOR ¶ 1.a: failed to timely file federal income tax returns for TY 2012, 2015 through 2019 and TY 2021, and that tax returns for TY 2012, 2016, 2018, 2019 and 2021 remained unfiled as of November 8, 2022.** Applicant admitted the allegation and claimed he had filed all delinquent federal income tax returns. (Answer; GE 2 at 2-3)

During the hearing he said he did not remember if he filed a TY 2012 return, and did not submit documentary evidence showing it was filed. (Tr. 35-36) His TY 2015 federal return was received by the IRS in November 2017, and he received a refund. (GE 2 at 12; AE A at 1,17) His federal returns for TY 2016 and 2017 were received by the IRS in July 2021, and his claims for refunds were disallowed because the returns were filed more than three years past their due dates. (AE A at 1,9, 18; GE 2 at 13-14) He submitted a copy of a TY 2018 return signed May 24, 2021, but the IRS reported no record the return had been processed as of October 12, 2022. (AE A at 1, 6; GE 2 at 15) He provided a copy of a TY 2019 return signed May 24, 2021, and noted he resubmitted TY 2019 documents because the IRS had not received them and requested that he do so. (AE A at 1, 7, 13-14; GE 2 at 16) He provided a copy of a TY 2021 return he claimed was filed in 2022 and resubmitted in response to an IRS request, which was stamped "Received" by the IRS on December 14, 2022, and "Returned for Signature" on January 26, 2023. (AE A at 1, 5, 21; GE 2 at 19) He did not submit documentary proof he prepared or filed a federal income tax return for TY 2012, or that returns for TY 2018 and TY 2019 were received by the IRS.

Applicant testified as follows. He filed some returns electronically and some returns through the mail. He tried to electronically file his TY 2017 return but it was rejected. In about May 2021, he paid a tax preparer to assist in filing delinquent returns. Some returns have been processed by the IRS and others have not. He contacted the IRS and was informed his TY 2019 return had been received, but not others, and that he should not immediately refile the other returns. He was told to periodically check with the IRS to see if the returns had been received or processed. He regularly checked online status and called the IRS about four times. (Tr. 15-18, 27-46) Applicant submitted a signed undated letter from a tax preparer indicating she prepared his "Tax Return for [TY 2016 through 2020]." (AE A at 31) The TY 2018 federal income tax return he provided identifies his tax preparer and her business but does not show his tax preparer's signature. (AE A at 6) The TY 2019 return reflects it was "self-prepared." (AE A at 14)

**SOR ¶ 1.b: owed past due federal income taxes of about \$2,785 for TY 2020.**

Applicant admitted the allegation and claimed he had been in a payment plan since September 2021. (Answer) He submitted evidence the IRS accepted a proposed payment plan that required automatic withdrawal of \$50 a month from his bank account in July 2021. (AE A at 1, 8) His tax account transcript dated October 6, 2022, shows monthly payments from September 2021 to September 2022, and a balance of \$2,785 including interest and penalties of \$198. (GE 2 at 17-18) His tax account transcript dated February 16, 2024, shows a balance of \$2,590 including interest and penalties of \$479. (AE A at 1,11-12 20) This debt is being resolved.

**SOR ¶ 1.c: failed to timely file state income tax returns for TY 2012, 2015 through 2019 and TY 2021, tax returns for TY 2012, 2016, 2018, 2019 and 2021 remained unfiled as of November 8, 2022.** Applicant admitted the allegation and claimed he had filed all delinquent income tax returns. (Answer) He testified he filed his state and federal income tax returns at the same time. (Tr. 34) He did not remember if he

filed a TY 2012 state income tax return, and did not submit documentary evidence it was filed. (Tr. 35-36; GE 2 at 4-5) He claimed he filed a TY 2015 state return in November 2017, and submitted a signed undated copy. (AE A at 2, 32-33; GE 2 at 4) He claimed he filed a TY 2016 state return in June 2021, and submitted a signed undated copy. (AE A at 2, 34-35; GE 2 at 4) He claimed he filed a TY 2017 state return in June 2021, and provided a signed undated copy, and evidence that corroborated his claim. (AE A at 2, 38-39; GE 2 at 4, 20) He claimed he filed his TY 2018 and 2019 state income tax returns in June 2021, noted he resubmitted the 2019 return, and provided signed copies dated February 16, 2024. (GE 2 at 4; AE A at 1-4, 15-16, 38-39) On October 9, 2022, he reported he had not yet filed a TY 2021 return and that he soon would. (GE 2 at 4) On February 15, 2024, he made a payment of \$523 for TY 2021 state income taxes. (AE A at 29) He did not submit documentary proof he prepared or filed a state income tax return for TY 2012, or that returns for TYs 2015, 2016, 2018, 2019 and 2021 were filed and received by the state tax authority. (Tr. 15-18, 27-46, 107-109)

Applicant submitted a signed undated letter from his tax preparer indicating she prepared his "Tax Return for [TY 2016 through 2020]." (AE A at 31) The TY 2015 through 2019 state income tax returns he provided all state "self-prepared", and the TY 2019 return does not identify his tax preparer. (AE A at 4, 16, 33, 35, 37, 39)

**SOR ¶ 1.d: owed past due state income taxes of about \$362 for TY 2015 through 2017, and those past due taxes were unpaid as of November 8, 2022.** Applicant admitted the allegation. (Answer) He submitted signed and undated copies of state income tax returns for TY 2015 through 2017, which reflected he owed \$109, \$25, and \$193, respectively. (AE A at 32-35, 38-39) His claim for an unspecified overpayment or refund for TY 2017 was denied because his income tax return was not filed within two years of the due date of the return. (GE 2 at 20) He received a letter in about 2023 stating how much he owed in state taxes, but he did not recall the amount. He said he would submit a copy of the letter if he could find it but did not do so. (Tr. 41-44) This debt is unresolved.

**SOR ¶¶ 1.e, 1.k: telecommunications accounts placed for collection of \$609 and \$145, respectively.** Applicant admitted both allegations and annotated his response to 1.k with "Paid and cleared as of [November 7, 2022]." (Answer at 2) Credit reports from June 2020, July 2021 and July 2022 show the account alleged in SOR ¶ 1.e was opened in February 2020, assigned for collection in May 2021, and disputed by Applicant. (GE 3 at 3, GE 4 at 2, GE 5 at 2) A July 2022 credit report shows the account alleged in SOR ¶ 1.k was opened or assigned for collection in August 2021. (GE 5 at 4)

Applicant testified the debt alleged in SOR ¶ 1.e was for an early termination fee and an erroneous charge for equipment he had returned, he disputed the charges and took the creditor to court, and had no plan to pay the debt because he turned the equipment in. (Tr. 47-48) He did not recall paying the debt alleged in SOR ¶ 1.k, but said if he said he did in his SOR response, then he had paid it and should have a receipt. (Tr. 66-67) He did not submit documentary evidence relevant to these two allegations.

**SOR ¶ 1.f: credit account charged off for \$600.** Applicant admitted the allegation. (Answer) Credit reports from May 2022 and November 2023 show the account was opened or assigned in July 2019, a last payment in September 2019, and charged off for \$600. Applicant testified he did not recognize the account or loan, he paid off a previous loan from this creditor, and he would have to look through his documents because he usually kept copies of his debts. After the hearing, he noted he was unable to obtain documents and provided no evidence of payment on this account. (GE 3 at 1, GE 4 at 2, GE 5 at 3, GE 6 at 12; Tr. 48-50; AE A at 2) This debt is not resolved.

**SOR ¶ 1.g: credit card charged off for \$418.** Applicant admitted the allegation. (Answer) Credit reports from May 2022 and November 2023 show this secured credit-card account was opened or assigned in September 2016, a last payment in March 2019, and was charged off for \$418. Applicant testified the account was secured by funds he deposited, the creditor sent him refunds of \$1.10 in September 2019 and \$4.15 in June 2021, when the account was closed, and he provided copies of those two checks. (AE A at 24-25) He said the creditor sent him settlement offers for the \$418 balance, but he did not think he owed the balance because the account was secured by his deposited funds, and he did not have sufficient additional funds at that time to pay the balance. (GE 3 at 1, GE 4 at 3, GE 5 at 3, GE 6 at 12; Tr. 50-55, 91, 110-111) The evidence Applicant provided is insufficient to support a finding this debt is resolved.

**SOR ¶ 1.h: credit account placed for collection of \$364.** Applicant admitted the allegation. (Answer) He testified he was billed for vehicle towing services, and then negotiated and paid a settlement. He submitted evidence the debt was resolved in about November 2022. (Answer; Tr. 56-60; AE A at 23; GE 6 at 14) This debt is resolved.

**SOR ¶ 1.i: credit account placed for collection of \$358.** Applicant admitted the allegation. (Answer) Credit reports from July 2021 and July 2022 show the account was opened or assigned in January 2019, placed for collection of \$358, and disputed by Applicant. (GE 4 at 3, GE 5 at 3) Applicant testified the account was for internet service, he was required to pay a certain amount to get his service restored at least a year before the hearing, he paid that amount and currently receives services from the original creditor, and he could get copies of bills showing what he owed and paid. He did not submit any documentary evidence relevant to this debt. (Tr. 60-62) This debt is not resolved.

**SOR ¶ 1.j: credit account charged off for \$236.** Applicant admitted the allegation. (Answer) Credit reports from July 2022 and December 2023 show this loan account was opened in January 2019, a last payment in July 2019, and was charged off with balances of \$236 and \$0, respectively. (GE 5 at 3-4, GE 6 at 14) Applicant testified he had paid off an account with this creditor but believed it “more than likely” he still owed this debt. After the hearing, he noted he was unable to obtain documents and provided no evidence of payment on this account. (Tr. 62-65; AE A at 2) This debt is not resolved.

**SOR ¶ 1.l: credit account charged off for \$1,657.** Applicant admitted the allegation. (Answer) He testified he negotiated and paid a settlement, and submitted

documentary evidence the debt was resolved in about December 2022. (Tr. 85-86; AE A at 23) Credit reports show the account was opened in October 2018, charged off for \$1,657, and that Applicant paid the charge off in about November 2022. (GE 3 at 1, GE 4 at 4, GE 6 at 14; Tr. 85-86) This debt is resolved.

**SOR ¶ 1.m: credit account placed for collection of \$23,753.** Applicant admitted the allegation. (Answer) He submitted evidence the creditor offered to settle the debt for \$5,950 in September 2022. (Answer; AE A at 30) A June 2020 credit report shows this account was opened in January 2019, and placed for collection of \$23,753. (GE 3 at 4) In September 2021, Applicant told a background investigator this debt was for fees from the university he attended, and that he could not afford to pay a bill for \$17,000 but would attempt to settle the debt. (GE 2 at 28) He testified this debt was for private loans from the university he attended, the loans became delinquent in about 2019, he had not initiated actions to resolve the debt, and he could not afford to pay the settlement offered to him in 2022. (Tr. 73-77, 111-120; GE 2 at 28) This debt is not resolved.

Applicant earns about \$83,000 a year and about \$323 monthly from the Department of Veterans Affairs for a 20% disability rating. He has about \$2,000 in the bank. He has a 401K account but did not know the balance. He owes about \$70,000 for federal student loans. He applied for a student loan forgiveness program but did not qualify. Instead, he has been negotiating with the student loan creditors for reduced monthly payments. His financial circumstances have improved, and he is current on his mortgage. He benefited from credit counseling while in the Army, but he has not sought credit counseling since at least 1997. He timely filed a TY 2022 federal income tax return; however, as of February 16, 2024, he owed \$711 for TY 2022 federal income taxes, including penalties and interest of \$66. (Tr. 73-100; GE 4-6; AE A at 1, 22)

During the hearing, Applicant was informed of the importance of providing documentary evidence regarding income tax filings and payments, debt payments, contact with creditors, and efforts to address or resolve his financial problems. (Tr. 24, 68-71, 100-113)

### **Policies**

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

Eligibility for a security clearance is predicated upon the applicant meeting the criteria contained in the adjudicative guidelines. These guidelines are not inflexible rules of law. Instead, recognizing the complexities of human behavior, an administrative judge

applies these guidelines in conjunction with an evaluation of the whole person. An administrative judge's overarching adjudicative goal is a fair, impartial, and commonsense decision. An administrative judge must consider all available and reliable information about the person, past and present, favorable and unfavorable.

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

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

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

Once the Government establishes a disqualifying condition by substantial evidence, the burden shifts to the applicant to rebut, explain, extenuate, or mitigate the facts. Directive ¶ E3.1.15. An applicant has the burden of proving a mitigating condition, and the burden of disproving it never shifts to the Government. See ISCR Case No. 02-31154 at 5 (App. Bd. Sep. 22, 2005).

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

## **Analysis**

### **Guideline F, Financial Considerations**

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

Failure to live within one's means, satisfy debts, and meet financial obligations may indicate poor self-control, lack of judgment, or unwillingness to abide by rules and regulations, all of which can raise questions about an individual's reliability, trustworthiness, and ability to protect classified or sensitive information. . . . An individual who is financially overextended is at greater risk of having to engage in illegal or otherwise questionable acts to generate funds. . . .

This concern is broader than the possibility that a person might knowingly compromise classified information to raise money. It encompasses concerns about a person's self-control, judgment, and other qualities essential to protecting classified information. A person who is financially irresponsible may also be irresponsible, unconcerned, or negligent in handling and safeguarding classified information. See ISCR Case No. 11-05365 at 3 (App. Bd. May 1, 2012).

Applicant's admissions and the documentary evidence reflecting his failures to timely file federal and state income tax returns or pay taxes due, and other delinquent debts establish the following disqualifying conditions under AG ¶ 19:

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

The 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;

(e) the individual has a reasonable basis to dispute the legitimacy of the past-due debt which is the cause of the problem and provides documented proof to substantiate the basis of the dispute or provides evidence of actions to resolve the issue; and

(g) the individual has made arrangements with the appropriate tax authority to file or pay the amount owed and is in compliance with those arrangements.

AG ¶ 20(a) is not established. Applicant's income tax and other financial problems are long-standing, ongoing, and were not incurred under circumstances making recurrence unlikely. His behavior casts doubt on his current reliability, trustworthiness, and good judgment.

AG ¶ 20(b) is not established. Applicant's family's health and financial problems were conditions largely beyond his control, but his failure to file or to timely file his income tax returns was not. Additionally, he has not provided sufficient evidence he acted responsibly under the circumstances.

AG ¶ 20(c) is not established. Applicant sought and received some assistance from a tax preparer to file some of his delinquent returns. He has not sought or received financial counseling for his current indebtedness. His financial problems are not under control.

AG ¶ 20(d) is established for delinquent federal income taxes alleged in SOR ¶ 1.b, and delinquent debts alleged in SOR ¶¶ 1.h and 1.i. It is not established for delinquent state income taxes alleged in SOR ¶ 1.d, and delinquent debts alleged in SOR ¶¶ 1.e through 1.g, 1.i through 1.k, and 1.m.

AG ¶ 20(e) is not established. Applicant has not provided sufficient documentary evidence of a reasonable basis to dispute the legitimacy of debts alleged in SOR ¶¶ 1.e, 1.g, and 1.i, or provided evidence of actions to resolve them.

AG ¶ 20(g) is established for delinquent federal income taxes alleged in SOR ¶ 1.b. It is not fully established for Applicant's failure to timely file federal and state income tax returns alleged in SOR ¶¶ 1.a and 1.c, or for delinquent state income taxes alleged in SOR ¶ 1.d. He has not filed federal or state income tax returns for TY 2012, and with the exception of TY 2020 and 2022, has not timely filed a federal or state income tax return since at least TY 2015. He has also failed to pay overdue state taxes for TY 2015 through 2017, and as of February 16, 2024, was overdue \$711 for TY 2022 federal income taxes.

Applicant's eventual compliance with some of his tax filing obligations does not end the inquiry. A security clearance adjudication is not a tax-enforcement procedure. It is an evaluation of an individual's judgment, reliability, and trustworthiness. His failure to file some federal and state income tax returns, long-term procrastination filing other income tax returns, and addressing delinquent debts, including \$23,753 in student loan debt, indicate he lacks the good judgment and reliability required of persons who are granted access to classified information. ISCR Case No. 14-04159 (App. Bd. Aug. 1, 2016).

### **Whole-Person Concept**

Under the whole-person concept, the administrative judge must evaluate an applicant's eligibility for a public trust position 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.

I have incorporated my comments under Guideline F in my whole-person analysis and applied the adjudicative factors in AG ¶ 2(d). I considered Applicant's age, education, employment history, military service, and honorable efforts to provide financial support to his family members, and that his financial problems were caused, in part, by circumstances beyond his control. However, he has not demonstrated a reliable financial track record of timely filing federal and state income tax returns, paying taxes when due, or addressing other delinquent debts including his student loans. The record evidence leaves me with questions and doubts as to Applicant's eligibility and suitability for a security clearance.

This decision should not be construed as a determination that Applicant cannot or will not attain the state of reform necessary for award of a security clearance in the future. With more effort towards establishment of a track record of timely filing his income tax returns and resolving his delinquent debts, he may well be able in the future to demonstrate persuasive evidence of his security clearance worthiness.

After weighing the disqualifying and mitigating conditions under Guideline F and evaluating all the evidence in the context of the whole person, I conclude Applicant has not mitigated the financial considerations security concerns.

## 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
Subparagraph 1.a:	Against Applicant
Subparagraph 1.b:	For Applicant
Subparagraphs 1.c.-1.g:	Against Applicant
Subparagraph 1.h:	For Applicant
Subparagraphs 1.i-1.k:	Against Applicant
Subparagraph 1.l:	For Applicant
Subparagraph 1.m:	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 eligibility for a security clearance. Eligibility for access to classified information is denied.

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Eric C. Price  
Administrative Judge