



DEFENSE LEGAL SERVICES AGENCY
DEFENSE OFFICE OF HEARINGS AND APPEALS



In the matter of:

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) ISCR Case No. 24-01331
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Applicant for Security Clearance

Appearances

For Government: Carroll J. Connelley, Esq., Department Counsel

For Applicant: Grant Couch, Esq., The Edmunds Law Firm

06/16/2026

Decision

LOKEY ANDERSON, Darlene D., Administrative Judge:

Statement of Case

On October 2, 2019, and September 16, 2021, Applicant submitted security clearance applications (e-QIPs). (Government Exhibits 1 and 2.) On July 25, 2025, the Defense Counterintelligence and Security Agency Consolidated Adjudication Services (DCSA CAS) issued Applicant a Statement of Reasons (SOR), detailing security concerns under Guideline I, Psychological Conditions, and Guideline E, Personal Conduct. The action was taken under Executive Order 10865 (EO), *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 for Determining Eligibility for Access to Classified Information*, effective within the DoD after June 8, 2017.

Applicant answered the SOR on August 27, 2025, and requested a hearing before an administrative judge. The case was assigned to me on December 8, 2025. The Defense Office of Hearings and Appeals issued a notice of hearing on January 13, 2026, and the hearing was convened as scheduled on March 25, 2026. The Government offered fourteen exhibits, referred to as Government Exhibits 1 through 14, which were

admitted without objection. The Government called one witness. The Applicant offered twelve exhibits, referred to as Applicant's Exhibits A through L, which were admitted without objection. Applicant testified on his own behalf, and called no witnesses. DOHA received the transcript of the hearing (Tr.) on April 8, 2026.

Findings of Fact

Applicant is 55 years old. He is married and has one adult-aged daughter. He has a Bachelor's degree in Computer Studies. He is applying for a position as a Cyber Defense Analyst with a defense contractor. He is seeking to obtain a security clearance in connection with potential future employment. He has been unemployed since November 2025.

Applicant served honorably in the United States Air Force for twenty-one years, from 1989 until September 2010. He retired at the rank of Master Sergeant, E-7. During his military service, he earned a Bachelor's degree from the University of Maryland European Division in 2003. He held a security clearance throughout his military career without incident. After his military career, he has worked for a number of defense contractors requiring Top Secret and SCI access.

Guideline I – Psychological Conditions

The Government alleges in the SOR that Applicant has certain emotional, mental, and personality conditions that can impair judgment, reliability, or trustworthiness. A formal diagnosis of a disorder is not required for there to be a concern under this guideline. A duly qualified mental health professional (e.g., clinical psychologist or psychiatrist) employed by, or acceptable to and approved by the U.S. Government, should be consulted when evaluating potentially disqualifying and mitigating information under this guideline and an opinion, including prognosis, should be sought. No negative inference concerning the standards in this guideline may be raised solely on the basis of mental health counseling. Applicant denies with clarification allegation 1.a. under this guideline. (Applicant's Response to SOR.)

Guideline E – Personal Conduct

The Government alleged in the SOR that Applicant is ineligible for a clearance because he engaged in conduct involving questionable judgment, lack of candor, dishonesty, or unwillingness to comply with rules and regulations, all of which raise questions about his reliability, trustworthiness, and ability to protect classified or sensitive information. Applicant denies with clarification, allegations 2.a., 2.b., 2.c., 2.d., and admits with clarification, allegations 2.e., 2.f., 2.g., 2.h., 2.i., and 2.j. (Applicant's Response to SOR.)

History of Unsubstantiated Accusations by Applicant

From at least 2017 to the present, Applicant has continuously made unsubstantiated accusations against certain coworkers for harassment; cyberstalking; identity impersonation; malware computer attacks; and theft. Applicant believes that he has been the victim of harassment, and online impersonation that has wrongly implicated him in malware attacks at his various places of employment for several years, which he described as a “honeypot” scam. A honeypot is a security mechanism that creates a virtual trap to lure attackers. Applicant’s accusations of this cyberstalking and harassment have been disruptive to the work environment. So disruptive that the cyberstalking claims have been investigated by various entities including company management, security, and the Air Force Office of Special Investigations, and in each case were found to be unsubstantiated. None of the claims that Applicant has made against any of his coworkers were substantiated in any form or fashion. As a result, Applicant has been terminated by four of his past employers. Applicant contends that the ongoing harassment against him was being done to intentionally compromise his unclassified government computer system and his personal computer systems.

1.a. On November 2, 2023, Applicant was evaluated by a licensed psychologist. Based on background information, clinical interview and observations, and objective personality assessment, Applicant was diagnosed with, “Other Specified Personality Disorder with Paranoid Features.” The evaluator noted that Applicant presents with a condition that could pose a significant risk to his judgment, reliability, or trustworthiness concerning classified information. The evaluator also noted that paranoid ideation, by definition involves impaired judgment. The risk to judgment and reliability related to any future mental health problems is high, given Applicant’s longstanding history of occupational problems, including multiple terminations, and interpersonal conflicts related to Applicant’s persistent paranoia spanning the course of many years. (Government Exhibit 7.)

Applicant denied a history of mental health difficulties. He also denied any current or prior mental health treatments. (Government Exhibit 7, Tr. p. 115, and Response to the SOR.)

Summary of Applicant’s Testimony

The renditions of Applicant’s accusations have changed over the course of his reporting, but the following testimony provides essential facts upon which this case is based.

Applicant testified that in 2015/2016, a coworker, woman A, accused him of harassment. He explained that woman A would repeat a phrase to him every day for five months. The phrase was, “A person that cannot apologize shows arrogance.” Applicant noted that she seemed to expect to receive an apology from him, but he did not know what to apologize for. At some point, Applicant saw the statement on a television show. He told the woman that the statement came from a television show, and she did not care. He stated that the woman continued to repeat the phrase to him. Applicant told the woman, “It never occurred to you what you’ve been saying to me is being used to control

and manipulate you?” Applicant testified that during this whole time he has been talking to the police and the FBI because he wanted to solve this. Applicant asked the woman, “where is the stuff she is getting this from? Please tell me so I can turn it in.” Applicant testified that the woman just walked off “in a huff” like what he said to her did not matter. In January 2016, Applicant was terminated from this employment. (Tr. pp. 40-43, and Government Exhibit 4.) In reflection, Applicant believes that woman A is being led to believe that Applicant owes an apology to woman C for something. He also later found out that woman A’s purpose was to drive him crazy, and to rob the crowd. (Tr. pp. 84-85.)

Applicant stated that when he found out that this was about money, he hired private cyber investigators, which cost \$16,000. The investigator worked for the Applicant for about two weeks. Applicant does not remember when the investigator was hired, but knows that it was a long time ago. Applicant did not receive a report from the investigator. (Tr. p. 86.) Applicant believes that at some point he had four investigators looking into the matter, but two of them may have been the same investigator. (Tr. p. 87.) Applicant stated that he reported the cyberstalking to the San Antonio Police Department, the FBI, and the Air Force Office of Special Investigations. Nothing was ever substantiated. (Tr. 88 and Government Exhibit 4.)

Applicant testified that he has experienced other incidents where coworkers would repeat crazy statements to him. He explained that on those occasions, he did not know what they were talking about. Applicant does not believe that he is doing anything wrong. He believes that he is the person who is being harassed. (Tr. p. 43.)

Applicant stated that in 2016, he became aware that malware in the form of a “honeypot” was being used at his job to rob employees of their money. Applicant reported the suspected infected computer to authorities, and this initiated an AF OSI investigation that continued until 2019. Applicant explained that he believed that a coworker, woman B, was possibly to blame for this incident and that she possibly attempted to set him up online for the blame. The results of the DoD investigation into this matter did not prove any online impersonations or scams.

Applicant stated that in 2017, he was being impersonated online. He explained that a coworker, woman C, started to be flirtatious with him because someone, possibly woman B, impersonated him online as flirting with her. He overheard woman C say on the phone that someone stole \$70,000, and then he started to hear other employees state that they were missing money too. He reported this information to his management. These claims of cyberstalking became disruptive to the work place, and as a result, Applicant was terminated from this employment. (Tr. pp. 44.)

Applicant believes that the cyber stalker is a past military female coworker, woman B, that was assigned to the same duty station as him in 2000, while stationed in Japan. He did not have a personal relationship with her and they were only coworkers. They worked together with no issues. Applicant left Japan at some point. While Applicant was stationed in England from 2003 through 2007, he adopted an infant female in August

2006. Applicant was later reassigned to a duty station in the U.S. where woman B was already assigned, and they became coworkers again. When he arrived back in the United States, he learned that woman B had spread a rumor that he was forced to adopt a baby because he was medically incapable of having a child on his own due to a hernia. He ignored the rumors and had no issues with her. When he was retiring in May 2010, woman B approached him and asked if he was going to adopt another child, which to him confirmed that she was the one who started the rumors. After relocating, he noticed that his on-line media presence had been compromised. He believes woman B has been creating fake on-line pages impersonating him and making people believe that he was the one saying or trying to manipulate people to do what she wanted. Applicant stated that since that time, woman B has continued to stalk him online for reasons he does not understand. Applicant asked AFOSI to monitor his work computer to ensure that woman B was not infiltrating his computer and causing trouble. Applicant was told by AFOSI that nothing was found. (Government Exhibits 3, 4, and 5.)

Although Applicant's assertions are technically possible, he was never able to show that he has experienced any personal consequences from his alleged cyber stalking, such as loss of personal money, his work computer being infected with malware, or online impersonations and scams. (Government Exhibit 7.)

Applicant stated in response to interrogatories, "I don't have any proof of cyber stalking because I cannot get to any of it online and no one will show it to me." (Government Exhibit 3, page 12.)

Applicant was counseled by his supervisor on several occasions and was told to stop discussing the alleged cyberstalking issues he believes have occurred in his life. His behavior had caused several co-workers and his supervisor to question his mental state. (Government Exhibits 9 and 11.) The counseling seemed to have no effect on Applicant's behavior.

Applicant testified that from working in Cybersecurity, he was always told that any kind of Government Computer breach must always be reported. He believes that he was only trying to follow those rules. (Tr. p. 45.) He believes that the cyberstalking still persists. (Tr. p. 103.)

Applicant has been unemployed since November 2025. He stated that although he is no longer employed, the cyberstalking still continues to this day, now directed to his phone. He explained that his phone often receives spam messages. These spam messages are usually about selling his house because he is heading for financial ruin. He believes that woman B is manipulating these spam messages to come to his phone. (Tr. pp. 105-106.) He has not seen woman B since he retired in 2010. (Tr. p. 107.)

Applicant's History of Four Employment Terminations

2.a. On February 7, 2025, Applicant was terminated by his employer, Company 4 for failure to perform the duties and responsibilities of the position. Applicant explained that

he did not receive SCI access and was unable to work. (Government Exhibits 3, 8, and 9, and Tr. p. 50-51.)

2.b. On or about February 2019, Applicant's supervisor removed Applicant's access to the secured workplace for being disruptive to the work environment by continuing to make unsubstantiated allegations with regards to persistent cyberstalking. Applicant was asked to check himself into a mental health facility for 90 days to prove to the company that he was trying to improve himself before he returned to work. Applicant did not comply with the request. As a result, Applicant was terminated by his employer, Company 3. (Tr. pp. 69-70, and Government Exhibits 4, 5, and 10.)

2.c. In about September 2017, Applicant made unsubstantiated allegations with regards to persistent cyberstalking that became disruptive to the workplace. As a result, Applicant was terminated by his employer, Company 2. (Government Exhibit 6.)

2.d. In about January 2016, Applicant was accused of harassment and as a result, Applicant was terminated by his employer, Company 1. (Government Exhibit 6.)

Applicant believes that the likelihood of him being terminated in the future is high because of the ongoing alleged cyber stalking. He stated that he has and will continue to report the alleged ongoing cyber stalking to possibly prevent future employment issues or terminations. (Government Exhibit 3.)

Witness Testimony

The Personnel Security Program Manager, (for the Cyber Space Wing,) who also serves as the Deputy Director of Information Protection testified on behalf of the Government. She stated that she has 22 years of experience in Department of Defense Personnel Security, and 15 years in her current position. She explained that a pre-screening and orientation process is required for every individual seeking SCI level access for the units and contractors that come under the Cyberspace Wing. The pre-screening ensures that there have been no changes in a member's background that would raise any security concerns in accordance with the adjudicative guidelines. She noted that if any issues are identified, they must be properly reported, reviewed, and adjudicated by the adjudicating authority prior to proceeding with an indoctrination. (Tr. pp. 18-22.)

The witness explained that Applicant first came in the office for a prescreening seeking SCI access in April 2022. Applicant reported that he had been terminated from his previous employment. Based upon that, the matter was investigated. An inquiry to the past employer disclosed that Applicant believed that there was someone impersonating him and cyberstalking him, which led to the harassment claim being filed against him, and ultimately his termination. This information had not been disclosed earlier. At that point, the unmitigated security concerns prevented the indoctrination process from proceeding. The concerns were then reported to Applicant's employer, and

to the CAF or DCSA. Applicant was determined not to be eligible for SCI access at that point. (Tr. p. 21-22.)

The witness further stated that three years later, in February 2025, Applicant was again attempting to work on the base, for another defense contractor, and again came to the office seeking SCI level access. When the request to indoctrinate was received, the system was checked to see if there was any information showing that the security concerns reported in 2022 had been favorably mitigated. There was no evidence of mitigation in the system. At that point, the unmitigated security concerns prevented the indoctrination process from proceeding. Again, Applicant was determined not to be eligible for SCI access. The DoD CAF was notified, and it was determined that Applicant's case was pending adjudication at DOHA. (Tr. pp. 23-24.)

Applicant's Deliberate Falsifications of SF-86 and Subject Interviews

2.e. Applicant completed a Questionnaire for National Security Positions (Standard Form 86) also known as a security clearance application, dated October 2, 2019. In response to Section 13A, Employment Activities: Reason for Leaving for this employment, "the question asked him if any of the following happened to him in the last seven years?" Fired, Quit after being told you would be fired; Left by mutual agreement following charges or allegations of misconduct; Left by mutual agreement following notice of unsatisfactory performance. Applicant answered, "NO," to the question. Applicant was not truthful with this response. He failed to list his termination from Company 3. (Government Exhibit 1.)

2.f. During Applicant's personal subject interview dated October 30, 2019, with an authorized investigator from the Office of Personnel Management, Applicant stated that his employment ended with Company 2 due to the fact that the company did not have enough work to warrant keeping him on board and therefore they laid him off. Applicant was not truthful with this response. Applicant failed to disclose that he was terminated from Company 3 for continuing to make unsubstantiated allegations with regards to persistent cyberstalking. (Government Exhibit 5.)

2.g. In the same security clearance application dated October 2, 2019, referenced above; in response to Section 13A, Employment Activities: Reason for Leaving for this employment, "the question asked him if any of the following happened to him in the last seven years?" Fired, Quit after being told you would be fired; Left by mutual agreement following charges or allegations of misconduct; Left by mutual agreement following notice of unsatisfactory performance. The Applicant answered, "NO," to the question. Applicant was not truthful with this response. Applicant failed to list his termination from Company 2. (Government Exhibit 1.)

2.h. During Applicant's subject interview dated December 11, 2019, with an authorized investigator from OPM, Applicant stated that his employment ended with Company 2 consistent with your security clearance application dated October 2, 2019. When Applicant was confronted by the investigator with whether he was terminated from the employment, Applicant agreed that he was. Applicant stated that he did not list this

termination on the security clearance application for fear the termination would affect his future employment. (Government Exhibit 5.)

2.i. In the same security clearance application, dated October 2, 2019; referenced above, in response to Section 13A, Employment Activities: Reason for Leaving for this employment, “the question asked him if any of the following happened to him in the last seven years?” Fired, Quit after being told you would be fired; Left by mutual agreement following charges or allegations of misconduct; Left by mutual agreement following notice of unsatisfactory performance. Applicant answered, “NO,” to the question for his employment with Company 1. Applicant failed to list his termination from Company 1. (Government Exhibit 1.)

2.j. During Applicant’s personal subject interview dated February 20, 2020, with an authorized investigator from OPM, Applicant stated that his employment ended with Company 1 consistent with his security clearance application dated October 2, 2019. When he was confronted by the investigator with whether he was terminated from the employment, Applicant agreed that he was. He stated that he did not list this termination because he wanted to protect himself from any cyberstalking issue. (Government Exhibit 5.)

Applicant was asked by his attorney if he deliberately intended to maliciously omit his terminations from the Government on the security clearance application dated October 2, 2019, and Applicant said, “No.” But then, he was asked if he were to fill out another security clearance application today, would he list his “three” employment terminations, he stated, “I’m not sure, sir. I just don’t feel like it was right. I’m not being treated right. This doesn’t coincide with being a Cyber Operator. This job I have printing now, it just doesn’t make any sense to me.” (Tr. pp. 51-52.)

Applicant’s Psychological Evaluations

On July 28, 2020, Applicant met briefly with a psychiatrist who specifically notes in his report that he is a general psychiatrist who prescribes medications and is not qualified, nor does he make it part of his practice to make fitness for duty evaluations. This psychiatrist recommended that Applicant see a psychiatrist who makes fitness for duty evaluations. (Government Exhibit 12.)

On August 28, 2020, Applicant was evaluated by a licensed psychologist, and was not diagnosed with a mental health condition. (Applicant Exhibit L.)

On November 2, 2023, Applicant underwent a thorough psychological evaluation by a duly qualified and authorized psychologist who is specifically qualified to make “fitness for duty” evaluations. (Government Exhibit 14.) The evaluation was requested by the Government in connection with the Applicant’s application for access to classified and/or sensitive information. Based on background information, clinical interview and observations, and objective personality assessment, Applicant was diagnosed with, “Other Specified Personality Disorder with Paranoid Features.” This condition could pose

a significant risk to his judgment, reliability, or trustworthiness concerning classified information. The evaluator also noted that paranoid ideation, by definition, involves impaired judgment. The risk to judgment and reliability related to any future mental health problems is high, given his longstanding history of occupational problems, including multiple terminations, and interpersonal conflicts related to his persistent paranoia spanning the course of many years. (Government Exhibit 7.) This psychiatric report is referenced above in allegation 1.a., of the SOR. Applicant does not agree with the diagnosis. (Tr. p. 55.)

Mitigation

Seven favorable letters of recommendation, from both military and civilian colleagues of the Applicant were submitted on his behalf. A past supervisor, coworkers, and friends, some who have known the Applicant for over 20 years, all consider him to be reliable, honest, diligent, and hardworking. Applicant is described as having a high level of integrity, dependability, and a strong work ethic. He has technical and tactical proficiency and is mission-focused. His work performance was at the highest level. He was considered a team player who demonstrated strong leadership skills. His character and professionalism exhibited a deep commitment to the United States. Overall, he had proven himself to be a valued member of the team. Collectively, they strongly recommend Applicant for a security clearance. (Applicant's Exhibits E, F, G, H, I, J, and K.)

Applicant was nominated for three military awards: the Air Force Communications and Information Annual Individual Award, from the period of January 1 through December 31, 2015; the Operational Professional of the Year (Combat Crew Communications), from the period of January 1 through December 31, 2016; and the NCO of the Quarter, from the period of January 1, through March 31, 2016. (Applicant's Exhibit B.)

Applicant received corporate recognition for his outstanding knowledge, skills, and abilities on a project, and for going above and beyond expectations despite the new leadership and the challenging environment at work, in November 2023. Applicant was awarded the "CEO Award for Staff Excellence" on November 17, 2023, for exceptional performance and dedication to the Air Force Security Forces Center and their Government customer. (Applicant's Exhibit C.)

Policies

When evaluating an applicant's suitability for a security clearance, the administrative judge must consider the adjudicative guidelines (AG). 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. 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. 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 as to 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 I: Psychological Conditions

The security concern relating to the guideline for Psychological Conditions is set out in AG ¶ 27:

Certain emotional, mental, and personality conditions can impair judgment, reliability, or trustworthiness. A formal diagnosis of a disorder is not required for there to be a concern under this guideline. A duly qualified mental health professional (e.g., clinical psychologist or psychiatrist) employed by, or acceptable to and approved by the U.S. Government, should be consulted when evaluating potentially disqualifying and mitigating information under this guideline and an opinion, including prognosis, should be sought. No

negative inference concerning the standards in this guideline may be raised solely on the basis of mental health counseling.

The guideline at AG ¶ 28 contains five conditions that could raise a security concern and may be disqualifying. Two conditions are strongly established in this case:

- (a) behavior that casts doubt on an individual's judgment, stability, reliability, or trustworthiness, not covered under any other guideline and that may indicate an emotional, mental, or personality condition, including, but not limited to, irresponsible, violent, self-harm, suicidal, paranoid, manipulative, impulsive, chronic lying, deceitful, exploitative, or bizarre behaviors; and
- (b) an opinion by a duly qualified mental health professional that the individual has a condition that may impair judgment, stability, reliability or trustworthiness.

Applicant's history of interpersonal conflicts, multiple employment terminations, and deliberate falsifications, are enough by themselves to raise serious security concerns. Applicant's recent mental health diagnosis that impairs his judgment, reliability, and trustworthiness raises the above disqualifying conditions under AG ¶ 28.a., and 28.b.

The guideline at AG ¶ 29 contains five conditions that could mitigate security concerns:

- (a) the identified condition is readily controllable with treatment, and the individual has demonstrated ongoing and consistent compliance with the treatment plan;
- (b) the individual has voluntarily entered a counseling or treatment program for a condition that is amenable to treatment, and the individual is currently receiving counseling or treatment with a favorable prognosis by a duly qualified mental health professional;
- (c) recent opinion by a duly qualified mental health professional employed by, or acceptable to and approved by the U.S. Government that an individual's previous condition is under control or in remission, and has a low probability of recurrence or exacerbation;
- (d) the past psychological/psychiatric condition was temporary, the situation has been resolved, and the individual no longer shows indications of emotional instability; and
- (e) there is no indication of a current problem.

None of the mitigating conditions apply. Applicant has recently been diagnosed by a duly qualified mental health professional with a mental-health condition that has and

continues to impair his judgment and reliability. Applicant does not agree with the diagnosis, and is not being treated for his diagnosed condition or for any mental-health condition. There is no indication that Applicant's mental-health condition is improving, or that it is under control or is in remission to any extent. The psychological evaluation recommends that Appellant not have access to classified information at this time. It states that Applicant's psychological condition at this time could pose a significant risk to his judgment, reliability, or trustworthiness concerning classified information; paranoid ideation, by definition involves impaired judgement. Additionally, the risk to judgment and reliability related to any future mental health problems is high given his longstanding history of occupational problems, including multiple terminations, and interpersonal conflicts related to his persistent paranoia spanning the course of many years. The Psychological Conditions guideline is found against Applicant.

Guideline E – Personal Conduct

The security concern relating to the guideline for Personal Conduct is set out in AG ¶ 15:

Conduct involving questionable judgment, lack of candor, dishonesty, or unwillingness to comply with rules and regulations can raise questions about an individual's reliability, trustworthiness, and ability to protect classified or sensitive information.

The guideline notes several conditions that could raise security concerns under AG ¶ 16. Two are potentially applicable in this case:

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

(b) deliberately providing false or misleading information; or concealing or omitting information, concerning relevant facts to an employer, investigator, security official, competent medical or mental health professional involved in making a recommendation relevant to a national security eligibility determination, or other official government representative.

Applicant deliberately provided false information to the Government, attempting to conceal his employment terminations, when he answered the questions on his security clearance application and during his subject interview with the investigator. The evidence is sufficient to raise these disqualifying conditions.

AG ¶ 17 provides conditions that could mitigate security concerns. I considered all of the mitigating conditions under AG ¶ 17 including:

(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

None of the mitigating conditions apply. Applicant was not candid, truthful, or honest when he answered the questions on his security clearance application and during his subject interviews with the investigators about his employment terminations. During his interview when he was confronted by the investigator about the terminations, he gave various excuses as to why he did not disclose them. One time he stated that he was afraid it would affect future employment. Another time he stated that he wanted to protect himself from cyberstalking. Most telling here though is the fact that when Applicant was asked if he would disclose his terminations in the future on another security clearance application, he was not sure that he would because he feels that he is not being treated right. In addition, Applicant's recent mental health diagnosis recommends that he not have access to classified information at this time. It states that Applicant's psychological condition at this time could pose a significant risk to his judgment, reliability, or trustworthiness that makes him ineligible for access to classified information.

A security clearance is a privilege and not a right. To be found eligible, it must be determined to be clearly consistent with the national interests to grant or continue a security clearance. This decision must be made in accordance with the DoD Directive and its guidelines. Based upon the information presented, Applicant's history of employment terminations, lack of credibility, and recent mental health diagnosis, which goes directly to his judgment and reliability, prevents him from being eligible for access to classified information. The Personal Conduct guideline is found against Applicant.

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.

Applicant's history of delusional behavior; multiple employment terminations; deliberate falsifications; and a recent mental health diagnosis, make him ineligible for access to classified information.

I considered the potentially disqualifying and mitigating conditions in light of all relevant facts and circumstances surrounding this case. I conclude Applicant has not mitigated the Psychological Conditions and Personal Conduct security concerns.

Formal Findings

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

Paragraph 1 Guideline I:	AGAINST APPLICANT
Subparagraph 1.a.	Against Applicant
Paragraph 2, Guideline E:	AGAINST APPLICANT
Subparagraphs 2.a. through 2.j.	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 interest to grant or continue Applicant's national security eligibility for a security clearance. Eligibility for access to classified information is denied.

Darlene Lokey Anderson
Administrative Judge