



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



In the matter of:

Applicant for Security Clearance

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ISCR Case No. 12-07672

Appearances

For Government: Candace Le'i Garcia, Esq., Department Counsel
For Applicant: *Pro se*

01/30/2013

Decision

HARVEY, Mark, Administrative Judge:

Applicant's statement of reasons (SOR) indicates Applicant incorrectly answered questions on three security-related documents about his 1992 drug-related conviction. He disclosed his arrest on two contemporaneous security-related documents and during his Office of Personnel Management (OPM) personal subject interview (PSI). He misunderstood the questions about drug-related offenses, and personal conduct concerns are mitigated. The SOR alleges ten delinquent debts, totaling \$15,098. He did not provide correspondence to or from SOR creditors or credit reporting companies, disputing any debts or showing any payments. He did not disclose his current income. He failed to make sufficient progress in resolving eight of his SOR debts, and financial considerations concerns are not mitigated at this time. Eligibility for access to classified information is denied.

Statement of the Case

On October 12, 2011, Applicant submitted his Electronic Questionnaires for Investigations Processing (e-QIP) or security clearance application (SF 86) (Item 7). On August 20, 2012, the Department of Defense (DOD) issued an SOR to Applicant, pursuant to Executive Order 10865, *Safeguarding Classified Information Within Industry*, dated February 20, 1960, as amended; DOD Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (Directive), dated January 2,

1992, as amended; and the adjudicative guidelines (AG) promulgated by the President on December 29, 2005.

The SOR alleged security concerns under Guidelines F (financial considerations), B (foreign influence), and E (personal conduct). (Item 1) The SOR detailed reasons why DOD could not make the preliminary affirmative finding under the Directive that it is clearly consistent with the national interest to grant or continue a security clearance for Applicant, and recommended referral to an administrative judge to determine whether Applicant's clearance should be granted, continued, denied, or revoked.

On September 13, 2012, Applicant provided a response to the SOR allegations and requested a decision without a hearing. (Item 3) A complete copy of the file of relevant material (FORM), dated December 10, 2012, was provided to Applicant. The FORM amended the SOR by deleting the allegations in paragraph 2 concerning Guideline B (foreign influence). (FORM at 3) SOR ¶ 3 and subparagraphs 3.a to 3.c are renumbered to SOR ¶ 2 and 2.a to 2.c. He was afforded an opportunity to file objections and to submit material in refutation, extenuation, or mitigation.¹ On January 7, 2013, Applicant responded to the FORM. The case was assigned to me on January 24, 2013.

Findings of Fact²

In Applicant's response to the SOR, he admitted all of the debts in the SOR, and he provided some extenuating information.³ (Item 3) He said the debts in SOR ¶¶ 1.b (\$90), 1.g (\$970), and possibly 1.h (\$300) were paid. (Item 3) He said he was "working on" the debts in SOR ¶¶ 1.a (\$6,344), 1.d (\$783), 1.e (\$1,009), 1.f (\$4,921), 1.i (\$98), 1.j (\$527) and possibly 1.h (\$300). He admitted the allegations in SOR ¶¶ 2.a to 2.c. His admissions are accepted as factual findings.

Applicant is a 38-year-old linguist, who has been employed in Afghanistan by a Government contractor since October 2011.⁴ From May 2009 to October 2011, he was a role player for two different companies. (Item 4) He attended high school from 1991 to 1994, and he did not receive a diploma. (Item 4) He did not describe any college attendance. (Item 4) He has never served in the U.S. military. He was naturalized as a U.S. citizen in August 2004. (Item 4) He married in August 2007, and his son was born in 2009.

¹The DOHA transmittal letter is dated December 10, 2012, and Applicant's receipt is dated January 6, 2013. The DOHA transmittal letter informed Applicant that he had 30 days after his receipt to submit information.

²Some details have not been included in order to protect Applicant's right to privacy. Specific information is available in the cited exhibits.

³Applicant's response to the SOR is the basis for the facts in this paragraph. (Item 3)

⁴Unless stated otherwise, the information in this paragraph is from Applicant's SF 86. (Item 4)

Financial Considerations

Applicant's credit reports, his October 27, 2011 OPM PSI, and his SOR response establish ten delinquent debts, totaling \$15,098. In his October 12, 2011 SF 86, he disclosed the four debts that are alleged in SOR ¶¶ 1.a (\$6,344), 1.e (\$1,009), 1.f (\$4,921), and 1.h (\$300). (Item 4) On his January 30, 2010, he disclosed the debt in SOR ¶ 1.a (\$6,344). (Item 5) His OPM PSI described lengthy periods of unemployment in 2004 and 2005. (Item 9 at 3) He has been continuously employed since March 2005, except for six weeks of unemployment from November 15, 2009 to January 29, 2010. (Item 8 at 4; Item 9 at 3) He provided a January 29, 2010 personal financial statement (PFS) and indicated his monthly finances are as follows: gross salary is \$1,900; net salary is \$1,900; expenses are \$1,575; no payments were made to any SOR creditors; and his net remainder is \$325. (Item 7 at 2) There is no information about his salary since he was hired as a linguist in October 2011.

On September 13, 2012, Applicant was deployed to Afghanistan when he responded to the SOR. (Item 3) He said that he is focused on his work, has been paying some of his debts, and when he returns to the United States, he will pay the remainder. (Item 3) His spouse takes care of bills while he is deployed. (Item 8 at 11)

Applicant's October 27, 2011 OPM PSI indicated in 2009, he defaulted on his vehicle loan, and his vehicle was repossessed, resulting in the debt in SOR ¶ 1.f (\$4,921); and in 2008, he defaulted on a credit card, resulting in the debt in SOR ¶ 1.a (\$6,344). (Item 9 at 6-7) He explained he did not have sufficient income at that time to pay his debts. (Item 9 at 6-8)

Applicant said he tried to pay his debts on line; however, his email "got hacked." (FORM response) He promised to endeavor to pay his debts when he returned to the United States from Afghanistan. He did not provide any documentary evidence of any correspondence from or to SOR creditors or of any payments to any SOR creditors.

Personal Conduct

Applicant's file contains seven statements (not including his SOR response and FORM response) about his 1992 related conviction for possession and importation of steroids. Three statements deny drug-related offenses, and the other four admit being arrested or the 1992 drug-related conviction.

Applicant said that he picked up a friend who had steroids in Mexico.⁵ Applicant was driving. He was charged with possession and importation of an illegal substance. He was found guilty and sentenced to time served and three years of probation.

Question 8 of Applicant's January 29, 2010 Prenomination Personal Interview Form, asked, "Have you ever been involved in illegal use, possession or distribution of

⁵The sources for the information in this paragraph are Item 8 at 1, 5-6 and Item 9 at 6.

narcotics or other controlled substances (including prescription drugs)?” Applicant responded, “No” to this question. (SOR ¶ 2.b; Items 3, 7) However, he responded, “Yes” to question 11, which asked, “Have you ever been arrested (Even if no charges were filed)?” (Item 7)

Section 24 of Applicant’s January 30, 2010 SF 86, Your **Police Record—Alcohol/Drug Offenses**, asked, “Have you ever been charged with or convicted of any offense(s) related to alcohol or drugs?” Applicant responded, “No” to this question. (SOR ¶ 2.b; Items 3, 5) Section 22e of Applicant’s October 12, 2011 SF 86, Police Record, asked, “Have you EVER been charged with any offense(s) related to alcohol or drugs?” Applicant responded, “No” to this question. (SOR ¶ 2.a; Item 3, 4)

Applicant did not disclose on Section 22e of his October 12, 2011 SF 86, Section 24 of his January 30, 2010 SF 86, and Question 8 of his January 29, 2010 Prenomination Personal Interview Form his 1992 drug-related charges and conviction. (Items 3, 4, 5, 7, 8)

In regard to his October 12, 2011 SF 86, Applicant said that when he was doing his paperwork, “my worker” asked him whether he had been arrested in the past 10 years. (Item 3) When he completed the October 12, 2011 SF 86, he was thinking that the Government wanted to know about the offenses in the previous 10 years. (Item 3) He said he was not trying to be deceptive; however, he thought the question was limited to the previous 10 years. (Item 9 at 6)

Between March 9, 2010 and October 27, 2011, Applicant admitted some involvement with drug-related charges and conviction four times: (1) on his January 29, 2010 Prenomination Personal Interview Form; (2) on his March 9, 2010 questionnaire; (3) on his October 27, 2011 OPM PSI; and (4) on his unsigned, draft SF 86. (Items 3, 6, 7, 8, 9 at 6, 10) The block is checked, “Yes” in response to section 23d of his unsigned, draft SF 86, “Have you ever been charged with or convicted of any offense(s) related to alcohol or drugs?” (Item 6) The date or connection of the unsigned, draft SF 86 to his other security clearance documents is not described in the file.

Applicant’s SOR response and FORM response are hand written and contain numerous grammatical and spelling errors. He emphasized that he did not understand the questions about arrests, charges, and convictions and believed that it was necessary to disclose offenses within the last ten years. He denied that he lied to the Government.

Applicant has great enthusiasm for his linguist duties on behalf of an Army intelligence unit in Afghanistan.⁶ (Item 3) He participated in numerous combat patrols, and hundreds of meetings with local nationals. (Item 3) He is dedicated, diligent, and responsible. He makes significant contributions to mission accomplishment.

⁶A June 15, 2012 letter from Applicant’s Army intelligence unit is the source for the information in this paragraph. (Item 3)

Policies

The U.S. Supreme Court has recognized the substantial discretion of the Executive Branch in regulating access to information pertaining to national security emphasizing, “no 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 applicant’s 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, *Safeguarding Classified Information within Industry* § 2 (Feb. 20, 1960), as amended.

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, these guidelines are applied 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, 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 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 “in terms of the national interest and shall in no sense be a determination as to the loyalty of the applicant concerned.” See Exec. Or. 10865 § 7. See also Executive Order 12968 (Aug. 2, 1995), § 3.1. Thus, nothing in this Decision should be construed to suggest that I have based this decision, in whole or in part, on any express or implied determination about applicant’s allegiance, loyalty, or patriotism. It 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. 95-0611 at 2 (App. Bd. May 2, 1996).

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 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). The burden of disproving a mitigating condition never shifts to the Government. See ISCR Case No. 02-31154 at 5 (App. Bd. Sep. 22, 2005). “[S]ecurity clearance determinations should err, if they must, on the side of denials.” *Egan*, 484 U.S. at 531; see AG ¶ 2(b).

Analysis

Financial Considerations

AG ¶ 18 articulates the security concern relating to financial problems:

Failure or inability 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 information. An individual who is financially overextended is at risk of having to engage in illegal acts to generate funds.

AG ¶ 19 provides two disqualifying conditions that could raise a security concern and may be disqualifying in this case: “(a) inability or unwillingness to satisfy debts;” and “(c) a history of not meeting financial obligations.” In ISCR Case No. 08-12184 at 7 (App. Bd. Jan. 7, 2010), the Appeal Board explained:

It is well-settled that adverse information from a credit report can normally meet the substantial evidence standard and the government’s obligations under [Directive] ¶ E3.1.14 for pertinent allegations. At that point, the burden shifts to applicant to establish either that [he or] she is not responsible for the debt or that matters in mitigation apply.

(internal citation omitted). Applicant’s history of delinquent debt is documented in his credit reports, his OPM PSI, his SF 86, and his SOR response. Applicant’s SOR lists ten debts, totaling \$15,098. Some of his SOR debts have been delinquent for more than four years. The Government established the disqualifying conditions in AG ¶¶ 19(a) and 19(c), requiring additional inquiry about the possible applicability of mitigating conditions.

Five 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, or a death, divorce or separation), and the individual acted responsibly under the circumstances;

(c) the person has received or is receiving counseling for the problem and/or there are clear indications that the problem is being resolved or is under control;

(d) the individual initiated a good-faith effort to repay overdue creditors or otherwise resolve debts; and

(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.

Applicant's conduct in resolving his debts warrants limited application of AG ¶¶ 20(b), 20(c), and 20(d).⁷ He did not describe receipt of any financial counseling. He showed some good faith when he admitted responsibility for his SOR debts. Applicant's financial situation was damaged by insufficient income and some periods of unemployment. However, Applicant's financial circumstances have been relatively stable since he obtained his current employment, and he has not provided sufficient information about variations in his income and his expenses over the most recent two years to fully establish any mitigating conditions. AG ¶ 20(e) does not apply because he failed to provide documented proof to substantiate the basis of any disputed debts or evidence of actions to resolve disputed debts. He said the debts in SOR ¶¶ 1.b (\$90), 1.g (\$970), and possibly 1.h (\$300) were paid. (Item 3) I am going to credit him with paying the two debts he said he paid, that is, the debts described in SOR ¶¶ 1.b and 1.g. He is not credited with mitigating any other debts because he did contend he paid them, and he did not provide proof of any payments or payment plans addressing those eight SOR debts.

⁷The Appeal Board has previously explained what constitutes a "good faith" effort to repay overdue creditors or otherwise resolve debts:

In order to qualify for application of [the "good faith" mitigating condition], an applicant must present evidence showing either a good-faith effort to repay overdue creditors or some other good-faith action aimed at resolving the applicant's debts. The Directive does not define the term "good-faith." However, the Board has indicated that the concept of good-faith "requires a showing that a person acts in a way that shows reasonableness, prudence, honesty, and adherence to duty or obligation." Accordingly, an applicant must do more than merely show that he or she relied on a legally available option (such as bankruptcy) in order to claim the benefit of [the "good faith" mitigating condition].

(internal citation and footnote omitted) ISCR Case No. 02-30304 at 3 (App. Bd. Apr. 20, 2004) (quoting ISCR Case No. 99-9020 at 5-6 (App. Bd. June 4, 2001)).

Applicant did not establish that he acted responsibly under the circumstances. He did not provide a credible plan for resolving his delinquent SOR debts. He did not provide proof that he continuously maintained contact with his creditors.⁸ There are no receipts, account statements from creditors, or bank statements establishing any payments that he made to his SOR creditors. There is insufficient evidence that his financial problems are being resolved and are under control. The file lacks evidence that he has acted responsibly on eight SOR debts.

Personal Conduct

AG ¶ 15 expresses the security concern pertaining to personal conduct:

Conduct involving questionable judgment, lack of candor, dishonesty, or unwillingness to comply with rules and regulations can raise questions about an individual's reliability, trustworthiness and ability to protect classified information. Of special interest is any failure to provide truthful and candid answers during the security clearance process or any other failure to cooperate with the security clearance process.

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

AG ¶ 16(a) applies. On January 29, 2010; January 30, 2010; and October 12, 2011, Applicant made incorrect statements in three different security-related documents about his arrest, charges, and conviction for illegal possession and importation of steroids when he crossed the Mexican border in 1992.

AG ¶ 17 provides seven conditions that could mitigate security concerns:

(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 improper or inadequate advice of

⁸"Even if Applicant's financial difficulties initially arose, in whole or in part, due to circumstances outside his [or her] control, the Judge could still consider whether Applicant has since acted in a reasonable manner when dealing with those financial difficulties." ISCR Case No. 05-11366 at 4 n. 9 (App. Bd. Jan. 12, 2007) (citing ISCR Case No. 99-0462 at 4 (App. Bd. May 25, 2000); ISCR Case No. 99-0012 at 4 (App. Bd. Dec. 1, 1999); ISCR Case No. 03-13096 at 4 (App. Bd. Nov. 29, 2005)). A component is whether he or she maintained contact with creditors and attempted to negotiate partial payments to keep debts current.

authorized personnel or legal counsel advising or instructing the individual specifically concerning the security clearance process. 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 caused untrustworthy, unreliable, or other inappropriate behavior, and such behavior is unlikely to recur;

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

(f) the information was unsubstantiated or from a source of questionable reliability; and

(g) association with persons involved in criminal activity has ceased or occurs under circumstances that do not cast doubt upon the individual's reliability, trustworthiness, judgment, or willingness to comply with rules and regulations.

AG ¶¶ 17(a) and 17(f) apply. On Applicant's January 29, 2010 Prenomination Personal Interview Form, he admitted that he had been arrested. The form does not ask for details about the arrest. On March 9, 2010, Applicant admitted that in 1992, he picked up a friend who had steroids in Mexico. He was driving. He was charged with possession and importation of an illegal substance. He was found guilty and sentenced to time served (two or three days in jail) and three years of probation.

Applicant said that when he was doing his October 12, 2011 SF 86, he believed he was being asked whether he had been arrested in the past 10 years. When the OPM investigator questioned him on October 27, 2011, about his October 12, 2011 SF 86, he admitted the 1992 conviction and sentence and indicated he misunderstood the question.

Applicant emphasized he was not trying to be deceptive; however, he thought the question about drug-related convictions was limited to the previous 10 years. His SOR response and FORM response are hand written and contain numerous grammatical and spelling errors. He is not a high school graduate, and he has not attended college. He did not understand the questions about arrests, charges, and convictions, and he believed that it was necessary to disclose offenses within the last ten years.

Applicant did not intend to deceive the Government about his arrest in 1992. He acknowledged that the omission of the derogatory drug-related information was a mistake, and he regretted his decision. The allegations of intentional falsification of security-related documentation are unsubstantiated. I do not believe he intended to deceive the Government.

Whole-Person Concept

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

(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.

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. AG ¶ 2(c). I have incorporated my comments under Guidelines F and E in my whole-person analysis. Some of the factors in AG ¶ 2(a) were addressed under those guidelines, but some warrant additional comment.

Although the rationale for reinstating Applicant's clearance is insufficient to support a security clearance at this time, there are several factors tending to support approval of his access to classified information. Applicant is a 38-year-old linguist, who has been employed by a government contractor since October 2011 in Afghanistan. He participated in numerous combat patrols, and hundreds of meetings with Afghan local nationals. He demonstrated great enthusiasm, dedication, diligence, and responsibility for his linguist duties on behalf of an Army intelligence unit in Afghanistan. He made significant contributions to mission accomplishment. He has never served in the U.S. military. He married in August 2007, and his son was born in 2009. His finances were damaged by his unemployment and underemployment. He is sufficiently mature to understand and comply with his security responsibilities. He deserves some credit for volunteering to support the U.S. Government as an employee of a contractor. I give Applicant substantial credit for admitting his delinquent SOR debts. He established that he misunderstood the questions on three security documents about his drug-related arrests, charges, and convictions. He did not intend to deceive the Government about his history of criminal offenses or drug involvement. These factors show some responsibility, rehabilitation, and mitigation.

The whole-person factors against reinstatement of Applicant's clearance are more substantial at this time. He did not provide any evidence of payments to address eight SOR delinquent debts, totaling \$14,038. Some of his SOR debts have been delinquent for several years. He did not provide correspondence to or from SOR creditors or credit reporting companies, disputing any debts or showing any payments. He did not disclose his current income or adequately explain why he was unable to make any progress resolving the eight SOR debts. There is no documentary evidence of sufficient variations in his income to cause him to fail to make more progress resolving his delinquent debt. He did not provide his pay statements or his income tax returns. He failed to make sufficient progress in resolving eight of his SOR debts to establish his financial responsibility.

I have carefully applied the law, as set forth in *Department of Navy v. Egan*, 484 U.S. 518 (1988), Exec. Or. 10865, the Directive, and the AGs, to the facts and circumstances in the context of the whole person. I conclude personal conduct concerns are mitigated; however, financial considerations concerns are not mitigated. Eligibility for access to classified information is denied.

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 to 1.f:	Against Applicant
Subparagraph 1.g:	For Applicant
Subparagraphs 1.h to 1.j:	Against Applicant
Paragraph 2, Guideline E:	FOR APPLICANT
Subparagraphs 2.a to 2.c:	For Applicant

Conclusion

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

MARK HARVEY
Administrative Judge