



DEPARTMENT OF DEFENSE
DEFENSE OFFICE OF HEARINGS AND APPEALS



In the matter of:)
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Applicant for Security Clearance)

ISCR Case No. 14-00454

Appearances

For Government: Philip J. Katauskas, Esq., Department Counsel
For Applicant: Sarah Louise Mueller, Personal Representative

06/18/2015

Decision

CREAN, Thomas M., Administrative Judge:

Based on a review of the pleadings, exhibits, and testimony, eligibility for access to classified information is denied. Applicant failed to provide sufficient information to mitigate security concerns based on her finances and criminal conduct. She presented sufficient information to mitigate security concerns for personal conduct.

Statement of the Case

On July 9, 2013, Applicant submitted an Electronic Questionnaire for Investigations Processing (e-QIP) to obtain a security clearance required for a position with a defense contractor. A security investigator from the Office of Personnel Management (OPM) interviewed Applicant on August 6, 2013. The Department of Defense (DOD) issued interrogatories to Applicant, which she answered on March 15, 2014. After reviewing the OPM investigation and Applicant's responses to the interrogatories, DOD could not make the affirmative findings required to issue a security clearance. DOD issued Applicant a Statement of Reasons (SOR), dated August 7, 2014, detailing security concerns for criminal conduct under Guideline J, financial considerations under Guideline F, and personal conduct under Guideline E. The action was taken under Executive Order 10865, *Safeguarding Classified Information within Industry* (February 20, 1960), as amended; DOD Directive 5220.6, *Defense Industrial*

Personnel Security Clearance Review Program (January 2, 1992), as amended (Directive); and the adjudicative guidelines (AG).

Applicant answered the SOR on September 3, 2014. She admitted three and denied five allegations of criminal conduct under Guideline J. She admitted all 18 allegations of delinquent debt under Guideline F. She admitted three and denied three allegations of personal conduct under Guideline E. Department Counsel was prepared to proceed on March 19, 2015, and the case was assigned to me on March 25, 2015. DOD issued a Notice of Hearing on March 27, 2015, scheduling a hearing for April 16, 2015. I convened the hearing as scheduled. The Government offered six exhibits that I marked and admitted into the record without objection as Government Exhibits (GX) 1 through 6. Applicant and one witness testified. Applicant offered six exhibits that I marked and admitted into the record as Applicant Exhibits (AX) A through F. I kept the record open for Applicant to submit documents. Applicant did not submit additional documents. DOHA received the transcript of the hearing (Tr.) on April 24, 2015.

Findings of Fact

After a thorough review of the pleadings, transcript, and exhibits, I make the following essential findings of fact.

Applicant is a 39-year-old single mother with three children ages 22, 15, and 9. She has never been married. She does not receive child support for the children. She received her GED in 1994, and attended both the local community college and technical school from 1998 until 2000 but did not receive a degree. Applicant worked for a defense contractor in food service from July 2013 until recently when she was terminated because she did not have eligibility for access to classified information. She will be re-employed by the defense contractor if she is granted a security clearance. In the meantime, she started working for another employer in personal services. Applicant received a certificate for outstanding work performance from her defense contractor employer (Tr. 12-14; GX 1, e-QIP dated, July 9, 2013; GX 2, Response to Interrogatories and Testimonies, dated March 15, 2014; AX E, Letter, undated; AX F, Certificated dated March 2014)

The SOR alleges eight criminal conduct concerns including a conviction and sentence for felonious assault and malicious wounding in February 2003 (SOR 1.a); a charge for assault and battery on a family member in April 2004 (SOR 1.b); a conviction and sentence for assault and battery on a family member and contempt of court in October 2005 (SOR 1.c); a conviction and sentence for violation of probation in December 2005 (SOR 1.d); felony revocation of suspended sentence and probation in February 2006 (SOR 1.e); a charge of assault and battery on a family member was nolle prossed in September 2006 (SOR 1.f); a conviction and sentence for assault and battery on a family member in March 2007 (SOR 1.g); and a conviction and sentence for contempt of court in August 2007 (SOR 1.h).

Applicant contested the SOR allegations that she has been arrested eight times. She contends that she has only been arrested twice. Department Counsel withdrew the

criminal allegation under SOR 1.d. (Tr. 52) At the hearing when confronted with criminal history information, Applicant admitted to the felonious assault allegation in 2003 at SOR 1.a, a 2007 arrest for assault and battery on a family members at SOR 1.g, and a charge for contempt of court in 2007 listed at SOR 1.h. Applicant's own exhibit of court records shows the 2003 felonious assault at SOR 1.a, the assault and battery in April 2004 at SOR 1.b, and a probation violation in February 2006 at SOR 1.e. The 2005 assault and battery on a family member and contempt of court charge at SOR 1.c, and the September 2006 assault and battery on a family member charge that was nolle prossed at SOR 1.f are confirmed by a Government exhibit. The evidence establishes all of the SOR criminal conduct allegations except the allegation at SOR 1.d. (Tr. 18-24; GX 5, Criminal Records Report dated July 25, 2013; AX A, Criminal Court Document, dated, December 18, 2014)

In addition, Applicant admitted to a petty larceny offense in 2014 that is not listed on the SOR. She is making payments to the court on this charge. The balance owed is now \$474. (Tr. 24-29, 35-37; AX B and AX C, Court Documents; AX D, Receipts, dated April 4, 2015)

Applicant provided no additional information on the criminal allegations. In her interview with the OPM investigator, she stated that she could not provide any details on any of the offenses, except the assault and battery on a family member in June 2003. She was in an argument with women in the neighborhood and her son was accidentally stabbed. She disputed all other charges. Since she does not recall the charges, she stated she could not provide any information. (Tr. 21-24)

The SOR also alleges 18 financial allegations including four unpaid judgments (SOR 2.a – 2.d); ten unpaid medical accounts SOR 2.e – 2.n); and four student loan accounts (2.o – 2.r). The delinquent debts total about \$23,904.

Applicant is a single mother providing for three children. She attended the local community college from 1998 until 2002, but did not receive a degree. She used student loans for her tuition and living expenses. In 2002, she enrolled in a technical college, and used student loans to pay her tuition. The funds went directly to the school. She did not receive a degree. She received payment notices for the student loans, but initially ignored them since she did not have the funds to pay the debts. When she had funds available, she made some monthly payments of \$47 each on the loans as late as December 2014, but stopped when she lost a job. She recently contacted the student loan creditor and expects to soon receive an approved payment plan reestablishing her \$47 monthly payments. The other student loans were deferred for lack of income. Since Applicant is working again, she contacted the creditor to make arrangements to pay the loans at \$25 per month. She has not made any payments since December 2014. (Tr. 24-26, 30-35, 47-50; GX 2, Testimonies, dated August 6, 2013)

Applicant was able to stay current with her bills when employed by a company that closed in August 2011. Since then she had various minimum-wage jobs in fast food

until starting work with the defense contractor in July 2013. During this time, she did not make sufficient income to maintain her family and pay her past-due debts.

Applicant had some medical bills for her children and herself. She did not have health insurance for her or the children at times. She told the OPM investigator that she was not familiar with many of the debts, to include judgments and collection accounts. But she has been making \$10 monthly payments to the local hospital system to cover payments for some emergency room visits. She could not identify which SOR allegations pertained to these debts. She admitted receiving collection notices but disregarded them unless the amount she owed was small, usually less than \$100. She is making some payments on medical debts but cannot identify the debts in the SOR that she is paying. She stated that she paid some small collection accounts, but she was unable to provide receipts for these payments. She also stated she recently started paying some of the medical debts, and would provide receipts after the hearing. She did not provide any documents showing payment of her debts either at the hearing or after the hearing. (Tr. 26-29, 41-45)

Applicant identified the judgment at SOR 2.a is for a catalog company. She let a cousin make purchases from an on-line shopping company on her account. The cousin who incurred the bill has not paid it. Applicant has not made any payments on this debt. She is not familiar with the creditor for the judgment at SOR 2.b. (Tr. 45-48)

The judgment at SOR 2.c is for the student loan she incurred to attend the technical school. She has not paid this debt. She identified the judgment at SOR 2.d as a debt from a dishonored check. She paid the judgment with cash, but she cannot locate her receipt. She does not recognize the debt at SOR 2.e. It has not been paid.(Tr. 52-54)

The SOR also alleges six falsification allegations under personal conduct. The falsification allegations concern information provided by Applicant on her e-QIP (SOR 3.a, 3.b, and 3.f), her responses to question from an Office of Personnel Management investigator on two occasions (SOR 3.c and 3.d), and her response to criminal conduct questions on an interrogatory (SOR 3.e).

Applicant answered “no” to a question on the e-QIP asking if in the last seven years she received a summons, citation, or notice to appear in court, been arrested, or charged, convicted, or sentenced in any court (SOR 3.a). She answered “no” to a question asking if she ever was convicted of an offense involving domestic violence, crime of violence against a child or other family members (SOR 3.b). The criminal offenses admitted by Applicant involved domestic violence and violence against a child for which she was arrested, charged, and convicted.

Applicant was assisted by her manager in completing her e-QIP. The manager asked her questions from the form and she provided responses. The manager then completed the form for her on-line. Applicant did not see the completed form but just signed the signature page. She specifically remembers telling the manager about the

2003 domestic assault and battery. This should have triggered a “yes” answer to the questions on the e-QIP referred to at SOR 3.a and SOR 3.b. (Tr. 37-40, 55-57)

The SOR alleges that she denied all knowledge of her criminal record to the OPM security investigator, except for the 2003 arrest and conviction for felonious assault. (SOR 3.c) Applicant recalls telling the OPM investigator about the 2003 domestic assault and battery offense. She stated that she always tells job interviewers about the offense because it was a felony and she realizes its impact on her employment prospects. She specifically remembers telling the security investigator that she did not include the other offense on her e-QIP because she was not aware of them. She consistently stated she has no knowledge of the offenses except the 2003 felonious assault.

Applicant was sent interrogatories by DOHA in March 2014 to verify the accuracy of the OPM interview testimonies. She was not asked about her arrest record for assault on a family member in October 2005 and September 2006. Applicant reported that the August 6, 2013 interview report was not accurate, but the November 7, 2013 interview report was accurate. Applicant was never asked in the interrogatory about arrests for assault on a family member in October 2005, and in September 2006. Since she was not asked the question, she could not falsify the answer.

In response to financial questions on the e-QIP, Applicant included some, but not all of her delinquent debts. She only listed the delinquent debts that she knew (SOR 3.f). Department Counsel withdrew this allegation. (Tr. 40-41, 48-50, 59-60)

Applicant’s testimony at the hearing was disjointed, ambiguous, and confusing. Applicant did not appear to be focused on the facts of her testimony. She admitted that she could only remember one criminal offense and then presented a document that established two other criminal offenses. She denied knowledge of delinquent debts but acknowledged that she was a single mother working at minimum-wage positions which affected her ability to pay her debts. Her testimony was not credible.

Applicant’s friend and co-worker testified that she has known Applicant for over a year. They started working for the defense contractor employer together. Applicant is a hardworking and trustworthy person. She is reliable and dependable. The witness trusts Applicant with the care of her children. (Tr. 60-65)

Policies

When evaluating an applicant’s suitability for a security clearance, the administrative judge must consider the adjudicative guidelines. In addition to brief introductory explanations for each guideline, the adjudicative guidelines list potentially disqualifying conditions and mitigating conditions, which must be considered 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, these guidelines are applied in conjunction with the factors listed in the adjudicative process. The administrative judge's overarching adjudicative goal is a fair, impartial, and commonsense decision. According to AG ¶ 2(c), the entire process is a conscientious scrutiny of a number of variables known as the "whole-person concept." The administrative judge must consider all available, reliable information about the person, past and present, favorable and unfavorable, in making a decision.

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

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 applicant or proven by Department Counsel. . . ." The applicant has the ultimate burden of persuasion in seeking a favorable security decision.

A person who seeks access to classified information enters into a fiduciary relationship with the Government predicated upon trust and confidence. This relationship transcends normal duty hours and endures throughout off-duty hours. The Government reposes a high degree of trust and confidence in individuals to whom it grants access to classified information. Decisions include, by necessity, consideration of the possible risk that 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.

Analysis

Criminal Conduct

Criminal activity creates doubt about a person's judgment, reliability, and trustworthiness. By its very nature it calls into question a person's ability or willingness to comply with laws, rules, and regulations (AG ¶ 30). Reliable evidence shows that Applicant has been arrested, convicted, or sentenced seven times from 2003 until 2007. Applicant admitted three offenses (SOR 1.a, 1.g, and 1.h); her own exhibit establishes two offenses (SOR 1.b and 1.e); and a government exhibit confirm two offenses (SOR 1.c and 1.f). Applicant's criminal actions call into question her judgment, reliability, trustworthiness, and ability and willingness to comply with laws, rules, and regulations. Her actions raise the following Criminal Conduct Disqualifying Conditions under AG ¶ 31:

(a) a single serious crime or multiple lesser offenses; and

(c) allegation or admission of criminal conduct, regardless of whether the person was formally charged, formally prosecuted or convicted.

I considered all of the mitigating conditions under criminal conduct, especially the following Mitigating Conditions under AG ¶ 32:

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

(c) evidence that the person did not commit the offense; and

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

These mitigating conditions do not apply. The alleged criminal conduct occurred from 2003 until 2007, with a 2014 larceny charge for which Applicant was convicted and sentenced. Applicant has a continuous course of criminal conduct, so sufficient time has not passed without evidence of no criminal behavior. There is sufficient evidence to establish all alleged criminal offenses except one which Department Counsel withdrew. Applicant provided an explanation for only one of the offenses, which was a mutual fight that caused injury. With such limited explanation for the offenses, it cannot be determined if the criminal conduct happened under unusual circumstances. There has been enough continuous criminal conduct that it cannot be found that criminal activity is unlikely to recur. The established criminal activity reflects adversely on Applicant's ability or willingness to comply with laws, rules, and regulations. There is no evidence that Applicant has expressed remorse for her criminal conduct. There is no evidence of other factors, and sufficient time has not passed, particularly with a recent offense, to indicate Applicant is rehabilitated. Her conduct continues to cast doubt on her reliability, trustworthiness, and good judgment. Appellant failed to mitigate security concerns for criminal conduct.

Financial Considerations

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, thereby raising 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 ¶ 18) Similarly, an individual who is financially irresponsible may also be irresponsible, unconcerned, or careless in her obligations to protect classified

information. Behaving responsibly or irresponsibly in one aspect of life provides an indication of how a person may behave in other aspects of life.

A person's relationship with her creditors is a private matter until evidence is uncovered demonstrating an inability or unwillingness to repay debts under agreed terms. Absent evidence of strong extenuating or mitigating circumstances, an applicant with a history of serious or recurring financial difficulties is in a situation of risk inconsistent with the holding of a security clearance. An applicant is not required to be debt free, but is required to manage finances in such a way as to meet financial obligations.

It is well-settled that adverse information in credit reports can normally meet the substantial evidence standard to establish financial delinquency. Applicant's history of delinquent debts is documented in her credit reports, her responses to a security investigator, her interrogatory responses, and her SOR responses. Applicant's delinquent debts are a security concern. The evidence is sufficient to raise security concerns under Financial Considerations Disqualifying Conditions AG ¶ 19(a) (inability or unwillingness to satisfy debts), and AG ¶ 19(c) (a history of not meeting financial obligations). The information raises both an inability and an unwillingness to pay delinquent debt.

I considered the following Financial Consideration Mitigating Conditions:

(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 problems 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 has initiated a good-faith effort to repay the 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.

AG ¶¶ 20(a) and (b) have limited application. Applicant was a single mother providing for three children while working minimum-wage jobs and without the help of

child support. She willingly incurred student loans to go to school and pay living expenses. But she did not complete her schooling and earn a degree to help her improve her employment prospects. There are many medical debts, some small, that have not been paid or resolved. There are many debts from various sources some delinquent since as early as 2009. The circumstances of being a single mother without child support working minimum-wage jobs are beyond her control, but these circumstances are likely to recur. Applicant did not provide any information on payments made on her debts. She claims to have taken action on some of the debts but was unable to provide documented proof of such actions.

Applicant did not present any information that she sought or received financial counseling. AG ¶20(c) does not apply. AG ¶ 20(d) does not apply because Applicant has not established a plan to pay the delinquent debts.

Applicant has not presented any information to show she acted reasonably and responsibly toward her debts. She has not presented any information to verify payments made on her debts. Applicant has not presented a systematic plan to resolve debts. With evidence of delinquent debt and no documentation to support responsible management of her finances, it is obvious that her financial problems are not under control. She has not established a meaningful track record of debt payments. Her promise to pay in the future is not sufficient to show an adherence to her financial obligations. Applicant has not established that her delinquent debts have been resolved or are being resolved. Her lack of financial action does not show that she acted in good faith with adherence to her financial obligations, or that she has or will act responsibly and reasonably to resolve her financial issues. Applicant's lack of documented action is significant and disqualifying. Her failure to act reasonably and responsibly towards her finances is an indication that she may not act reasonably and responsibly to protect and safeguard classified information. Applicant has not presented sufficient information to mitigate security concerns for financial considerations.

Personal Conduct

Personal conduct is a security concern because conduct involving questionable judgment, untrustworthiness, unreliability, or unwillingness to comply with rules and regulations can raise questions about an individual's reliability, trustworthiness, and ability to protect classified and sensitive information. Of special interest is any failure to provide truthful and candid answers during the process to determine eligibility for access to classified information or any other failure to cooperate with this process (AG ¶ 15). Personal conduct is always a security concern because it asks whether the person's past conduct justifies confidence the person can be trusted to properly safeguard classified or sensitive information. Authorization for a security clearance depends on the individual providing correct and accurate information. If a person conceals or provides false information, the security clearance process cannot function properly to ensure that granting access to classified or sensitive information is in the best interest of the United States Government.

The SOR alleges that Applicant did not provide full, complete, and accurate information concerning her criminal history on her e-QIP, in response to questions from a security investigator, and in response to interrogatory questions. Applicant was never asked in the interrogatory the question that she allegedly falsely answered (SOR 3.e). Department Counsel withdrew the allegation concerning Applicant's failure to provide accurate financial information on her e-QIP (SOR 3.f). However, there is evidence to show that Applicant did not provide full, complete, and accurate information on her e-QIP and to the security investigator. (SOR 3.a – 3.d) These failures potentially raise the following security concerns under Personal Conduct Disqualifying Condition AG ¶ 16:

- (a) the 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 eligibility or trustworthiness, or award fiduciary responsibilities; and
- (b) deliberately providing false and misleading information concerning relevant facts to an employer, investigator, security official, competent medical authority, or other official government representative.

Applicant denied intentionally not providing full, complete, and accurate information on her e-QIP and to a security investigator. Applicant's manager assisted her in completing the e-QIP. He asked her the questions from the form and she provided the answers. Her employer then entered the answers on the computer-generated electronic form. He entered "no" to question 22 concerning her police record. Applicant remembers specifically telling her employer about at least one of her criminal offense. This would have required a "yes" answer on the police record questions. Applicant did not verify the data on the form before signing the acknowledgement page.

Applicant also stated that she informed the security investigator that she had at least one criminal offense. In response to an interrogatory request to verify the accuracy of the interview testimonies, Applicant stated that at least one of the transcripts of the interview was not accurate. Applicant stated that she did not deliberately fail to provide her accurate police record since she knew that her police record was publically available.

While there is a security concern for a deliberate omission, concealment, or falsification of a material fact in any written document or oral statement to the Government when applying for a security clearance, not every omission, concealment, or inaccurate statement is a falsification. A falsification must be deliberate and material. It is deliberate if it is done knowingly and willfully with intent to deceive. Applicant did not complete the e-QIP on her own, but had assistance from her supervisor. Applicant provided her supervisor with the correct information but there was an error in communications and the correct information was not entered on the form. Applicant also told the security investigator of at least one of her criminal offenses. She noted that the transcript of one of her interviews with the security investigator was not accurate.

Applicant always told prospective employers of some of her convictions because she knew they may affect her qualifications for the position. It was better to be forthcoming with adverse information rather than letting it be discovered later in the employment process. I find Applicant did not deliberately fail to provide correct and accurate criminal conduct information on the security clearance application and to the security investigator.

Whole-Person Analysis

Under the whole-person concept, the administrative judge must evaluate an applicant's security eligibility by considering the totality of the applicant's conduct and all relevant circumstances. An 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.

Under AG ¶ 2(c), the ultimate determination of whether to grant a security clearance must be an overall commonsense judgment based upon careful consideration of the guidelines and the whole-person concept.

I considered the potentially disqualifying and mitigating conditions in light of all the facts and circumstances surrounding this case. I considered that Applicant is a single mother raising three children. Criminal records show that Applicant has a steady history of criminal offenses starting in 2005 and ending in 2014. She incurred delinquent debts that she has not addressed or paid. Applicant has not presented sufficient information to establish that she acted reasonably and responsibly towards her finances. These actions indicate she may not be concerned or act responsibly in regard to classified information. Her actions indicate she may not follow rules and regulations concerning the safeguarding of classified information. Overall, the record evidence leaves me with questions and doubts as to Applicant's judgment, reliability, trustworthiness, eligibility, and suitability for a security clearance. For all these reasons, I conclude that Applicant has not mitigated security concerns arising under the financial considerations and criminal conduct guidelines. Applicant mitigated the security concerns for personal conduct. 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 J:	AGAINST APPLICANT
Subparagraphs 1.a – 1.c:	Against Applicant
Subparagraph 1.d:	Withdrawn
Subparagraph 1.e:	For Applicant
Subparagraphs 1.f – 1.h:	Against Applicant
Paragraph 2, Guideline F:	AGAINST APPLICANT
Subparagraphs 2.a – 2.r:	Against Applicant
Paragraph 3; Guideline E:	FOR APPLICANT
Subparagraph 3. a – 3.e:	For Applicant
Subparagraph 3.f:	Withdrawn

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 Applicant eligibility for a security clearance. Eligibility for access to classified information is denied.

THOMAS M. CREAN
Administrative Judge