



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



In the matter of:

Applicant for Security Clearance

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ISCR Case No. 15-05315

Appearances

For Government: Tara Karoian, Esq., Department Counsel

For Applicant: *Pro se*

05/10/2016

Decision

DUFFY, James F., Administrative Judge:

Applicant failed to mitigate the security concerns under Guidelines F (financial considerations) and E (personal conduct). Eligibility for access to classified information is denied.

Statement of the Case

On August 11, 2015, the Department of Defense Consolidated Adjudications Facility (DOD CAF) issued Applicant a Statement of Reasons (SOR) detailing security concerns under Guidelines F and E. DOD CAF took that action under Executive Order 10865, *Safeguarding Classified Information Within Industry*, dated February 20, 1960, as amended; Department of Defense Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program*, dated January 2, 1992, as amended (Directive); and the adjudicative guidelines (AG) implemented on September 1, 2006.

The SOR detailed reasons why DOD CAF could not make the preliminary affirmative finding under the Directive that it is clearly consistent with the national

interest to continue Applicant's security clearance. On September 8, 2015, Applicant answered the SOR and requested a hearing. Attached to his Answer were Applicant's Exhibits (AE) 1 through 50. On January 7, 2016, the case was assigned to me. On February 2, 2016, the Defense Office of Hearings and Appeals (DOHA) issued a Notice of Hearing scheduling the hearing for February 25, 2016. The hearing was held as scheduled.

At the hearing, Department Counsel offered Government's Exhibits (GE) 1 through 6. Applicant testified and offered AE 51 through 64. The record of the proceeding was left open until March 10, 2016, to provide Applicant an opportunity to present additional matters. Applicant timely submitted documents that were marked as AE 65 through 76. All exhibits were admitted into evidence without objection. The transcript (Tr.) of the hearing was received on March 4, 2016.

Procedural Matters

Department Counsel moved to amend SOR ¶¶ 1.h and 1.i. Applicant had no objections. The motions were granted, and the allegations were amended.¹

Findings of Fact

Applicant is a 32-year-old prospective employee of a defense contractor. He completed a security clearance application in July 2012. He graduated from high school in 2001. He earned a bachelor's degree in 2006 and a master's degree in 2012. He is currently pursuing another master's degree. He served in the U.S. Air Force Reserve (USAFR) from May 2008 to June 2011 and received a general discharge. He has never been married and has no children. He was granted an interim security clearance in the USAFR.²

Under Guideline F, the SOR alleged that Applicant had eight delinquent debts totaling about \$13,543 (SOR ¶¶ 1.a-1.g and 1.i); and that he failed to timely file his federal income tax returns for 2010 and 2011 (SOR ¶ 1.h). Under Guideline E, the SOR alleged that he was charged with seven bad check offenses between 2003 and 2004 (SOR ¶¶ 2a-2g); that he was counseled three times in 2009 for misuse of a Government travel credit card (GTCC) and nonpayment of its balance (SOR ¶ 2.h); that he received a letter of reprimand in 2009 for making false statements related to the GTCC (SOR ¶ 2.i); that he received a letter of reprimand in 2009 for issuing a bad check for \$2,623 (SOR 2.j); and that he received a general discharge from the USAFR in 2011 because of his financial misconduct (SOR 2.k). The allegations involving the bad check charges and misuse of the GTCC were cross-alleged under Guideline F (SOR 1.j and 1.k). In his

¹ Tr. 13-17, 78-79; AE 55-57.

² Tr. 6-7, 40-41; GE 1.

Answer to the SOR, Applicant denied the allegations in SOR ¶ 1.f through 1.h, 1.k, and 2.h, and admitted the remaining allegations.³

SOR ¶¶ 1.j and 2.a through 2.g – bad check charges. Applicant attended college on a basketball scholarship. After injuring his knee, he lost his scholarship. He stated that his family did not have money. His parents gave him a checkbook, but never taught him how to balance it. At ages 19 and 20 while attending college in 2003 and 2004, he wrote several bad checks to purchase food. Each check was for about \$40 or less. This conduct resulted in him being charged on seven occasions with one or more fraudulent check offense. At the hearing, he testified that he was arrested twice on those charges, all the charges were joined together, and he served 30 days in jail for those offenses. Court records revealed he was convicted of some of the charges on October 30, 2003; some of the charges were dismissed in about January 2004; and he was convicted of some of them on November 18, 2004. The records do not reflect the specific sentences awarded for the convictions.⁴

SOR ¶¶ 1.k and 2.h through 2.k – misuse of GTCC and resulting consequences. In May 2008, Applicant enlisted in the USAFR. His recruiter informed him that he would receive a \$7,500 enlistment bonus. In January 2009, he was issued a GTCC. He testified that he did not receive training on the authorized uses of the GTCC. He began using the GTCC to purchase food and items for his apartment. At that time, he was serving on active duty for six months in a city away from his home. He thought he was authorized to use the card under those circumstances. He also indicated that he planned to use his enlistment bonus to cover the GTCC bill, but testified he never received the bonus. On April 14, 20, and 25, 2009, he was counseled for misusing the GTCC and not paying its balance. In his Answer to the SOR, he noted that his military leave and earnings statement reflected his enlistment bonus (\$5,100) was deposited into his bank account on April 22, 2009, but claimed he did not receive that money until four months later. On April 29, 2009, he received a letter of reprimand for making false statements during a counseling session. The false statements involved his use of the GTCC and the status of its balance. On June 28, 2009, he received a letter of reprimand because his bank rejected a debit card transaction to pay the GTCC's balance. The debit card transaction was rejected because he had insufficient funds in his account. In August 2009, his military superiors advised him not to return for duty. In October 2009, he was processed for an administrative discharge for failing to meet his financial obligations. In March 2011, he received a general discharge under honorable conditions from the USAFR.⁵

³ Applicant's Answer to the SOR. An attorney assisted Applicant in preparing his Answer to the SOR. The attorney did not represent him at the hearing. See Tr. 5, 12-13.

⁴ Tr. 40-41, 44-46; GE 3-6.

⁵ Tr. 41-42, 46-54; GE 1, 2, 5, 6; AE 8, 10, 11, 12; Applicant's Answer to the SOR.

SOR ¶ 1.b – charged-off account for \$2,300. This debt represents the balance of Applicant's GTCC. Applicant testified that, after he was first counseled about his misuse of the GTCC, he stopped using it. He then made minimum payments on the balance, and was later counseled for not paying the balance faster. In his Answer to the SOR, he indicated that he entered into a repayment plan for the GTCC's balance and provided a bank statement showing he made a \$25 payment on August 24, 2015. He also claimed he used a prepaid debit card to make other payments, but had no record of them. At the hearing, he stated that he was still paying the balance and made a payment the week before the hearing. He provided bank statements showing he made payments totaling about \$305 between August 2015 and January 2016.⁶

SOR ¶ 1.a – charged-off account for \$4,634. This debt was opened in February 2011 and had a date of last activity of February 2015. It was a loan for a truck that was purchased and repossessed in 2011. When the truck was purchased, Applicant worked for a major defense contractor and earned about \$55,000 annually. In his Office of Personnel Management (OPM) interview, he stated that he quit that job in May 2011 because he was tired of it and did not have another job lined up. This debt became delinquent after he quit that job. He also stated that he wished he would have better thought out a plan before quitting that job. In his Answer to the SOR, he stated that he was laid off from that job and provided bank statements showing he made two \$25 payments on this debt; one in May 2015 and the other in July 2015. At the hearing, he testified that he left that job because a contract ended and he then went back to school for his master's degree. He also testified that he has been making payments on this debt, usually about \$100 per month. He did not consider those payments a repayment plan. He provided bank statements showing he made payments totaling about \$775 between August 2015 and January 2016. He also stated that he used prepaid debit cards to make payments, but had no proof of those payments. He indicated that creditor would not provide him a payment history. He did not provide an updated account statement showing its most recent balance.⁷

SOR ¶ 1.c – charged-off account for \$965. This was a consumer loan that was opened in March 2011 and had a date of last activity of August 2011. Applicant obtained this loan when he started a new job and rented an apartment. He refinanced the account a couple of times without making any payments on it. He stated that he forgot about the account until he obtained his credit report. In his Answer to the SOR, he stated that he entered into an oral repayment plan in which he would pay \$75 per month for 12 months. He provided documentation showing he made a \$75 payment on July 24, 2015.⁸

⁶ Tr. 41-42, 46-54; GE 1, 2, 5, 6; AE 8, 10, 11, 12, 62; Applicant's Answer to the SOR. As of August 19, 2015, Applicant owed \$2,200 on the debt in SOR ¶ 1.b. See AE 11

⁷ Tr. 54-56; GE 2, 6; AE 2, 3, 12, 62; Applicant's Answer to the SOR.

⁸ GE 2, 6; AE 13, 14, 58; Applicant's Answer to the SOR.

SOR ¶ 1.d – charged-off account for \$554. This debt was opened in March 2014 and had a date of last activity of April 2014. In his Answer to the SOR, he indicated that he entered into a repayment plan for this debt and provided documentation showing he made three payments totaling \$351 between May and July 2015. At the hearing, he provided bank statements showing he made payments totaling \$556 toward this debt between November 2015 and January 2016. This debt is resolved.⁹

SOR ¶ 1.e – collection account for \$1,150. This debt arose from a broken apartment lease and was assigned for collection in June 2011. Applicant rented the apartment with another person, but that arrangement did not work out. He broke the lease after he quit his job in May 2011. In his Answer to the SOR, he indicated that he established a repayment plan for this debt and provided a bank statement showing he made a \$10 payment on this debt on May 18, 2015. He also claimed he used prepaid debit cards to make payments, but had no proof of those payments. At the hearing, he provided bank statements showing he made payments totaling \$245 toward this debt in January 2016.¹⁰

SOR ¶ 1.f – collection account for \$350. This debt was a medical debt that was assigned for collection in July 2014. Applicant provided proof that he had paid all of his accounts with the alleged creditor as of June 2015.¹¹

SOR ¶ 1.g – collection account for \$175. This was a cable television debt that was assigned for collection in July 2014. Applicant provided proof that he paid this debt on March 23, 2015.¹²

SOR ¶ 1.h – failure to file 2010 and 2011 federal income tax returns in a timely manner. During his OPM interview, Applicant stated that he did not believe he had to file his 2011 income tax return because he was unemployed for most of the year and did not believe he earned enough to meet the filing requirement. He later realized he was required to file his 2011 federal income tax return. He consulted with a tax preparation service and learned he also needed to file his federal income tax return for 2010. The tax preparation service assisted him in filing both of those missing tax returns in June 2015.¹³

SOR ¶ 1.i – past-due federal income taxes for 2010, 2012, and 2013 that totaled \$3,325. Applicant testified that he established a repayment plan with the IRS and was

⁹ GE 2, 6; AE 15, 59, 60, 62; Applicant's Answer to the SOR.

¹⁰ Tr. 56- 57; GE 2, 6; AE 2, 10, 62; Applicant's Answer to the SOR.

¹¹ Tr. 57-58; GE 2; AE 18, 19, 20, 63; Applicant's Answer to the SOR.

¹² Tr. 59- 60; GE 2, 6; AE 21, 22, 64; Applicant's Answer to the SOR.

¹³ Tr. 60-64; GE 6; AE 17, 23-36, 54; Applicant's Answer to the SOR.

paying \$55 per month toward that plan. In his Answer to the SOR, he provided a copy of a money order dated August 22, 2015, for \$55 with no payee listed on it. At the hearing, he provided IRS account transcripts dated September 2, 2015, for 2010, 2012, and 2013. None of the account transcripts reflected a \$55 payment in August 2015 or any voluntary payments toward the noted tax deficiencies. A refund was withheld from his 2014 federal income tax return and applied to his 2012 tax deficiency. His 2012 IRS account transcript reflected an installment agreement was established on July 20, 2015, but did not reflect any payments were made under that agreement. He also provided an IRS installment agreement document dated February 10, 2016, showing he owed a \$54 payment on February 24, 2016. In that agreement, the space for the amount of "last payment received" was blank. He further testified that he planned to drop off his 2015 tax paperwork with the tax preparer after leaving the security clearance hearing. In his post-hearing submission, he provided a copy of his 2015 federal income tax return that reflected he overpaid his taxes by \$1,233. It is likely the IRS will withhold that amount and apply it to his existing tax deficiency.¹⁴

Applicant's Electronic Questionnaire for Investigations Processing (e-QIP) dated July 2, 2012, reflected that he was unemployed from May 2011 to June 2012; from December 2008 to May 2009 (he may have been on active duty in the USAFR during at least a portion of this period); and from August 2001 to August 2006 while he attended college. In his OPM interview dated April 22, 2015, he also indicated that he was unemployed from December 2013 to February 2014 and from March 2013 to August 2013. Additionally, he provided documentation in his Answer to the SOR showing he was released from a job on August 15, 2015, because his interim security clearance was revoked.¹⁵

Applicant admitted that he made mistakes when he was younger and was careless with money. He stated that he is now more mature, is paying his bills, and is turning everything around. He has taken a couple of financial counseling courses. At the time of the hearing, he was working in a job in which he earned \$70,000 annually. He started that job in September 2015. He estimated that he has between \$1,000 and \$2,000 each month in discretionary income. He had about \$2,100 in a savings account. He also owed about \$95,000 in student loans that are in a deferment status while he is pursuing another master's degree. His amount of his student loans will continue to grow because of interest on the loans and the granting of new loans. He anticipated that he will have to pay about \$350 per month toward the student loans once the payments begin. He testified that he last incurred a new delinquent debt in 2010 or 2011.¹⁶

¹⁴ Tr. 60-64; AE 23-36, 51-53; AE 65-68; Applicant's Answer to the SOR.

¹⁵ GE 2, 6; AE 7.

¹⁶ Tr. 23, 64-75, 82-83; Applicant's Answer to the SOR.

Policies

The President of the United States 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. *Department of the Navy v. Egan*, 484 U.S. 518, 527 (1988). The President has authorized the Secretary of Defense to grant 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. The U.S. Supreme Court has recognized the substantial discretion of the Executive Branch in regulating access to information pertaining to national security, emphasizing that “no one has a ‘right’ to a security clearance.” *Department of the Navy v. Egan*, 484 U.S. 518, 528 (1988).

Eligibility for a security clearance is predicated upon the applicant meeting the criteria contained in the adjudicative guidelines. These AGs 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 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 unfavourable, to reach his decision.

The Government reposes a high degree of trust and confidence in persons with access to classified information. This relationship transcends normal duty hours and endures throughout off-duty hours. Decisions include, by necessity, consideration of the possible risk that the applicant may deliberately or inadvertently fail to safeguard classified information. Such decisions entail a certain degree of legally permissible extrapolation of 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), Section 3. Thus, a clearance decision is merely an indication that the applicant has or 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 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 or her] 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

Guideline F, Financial Considerations

AG ¶ 18 sets forth the security concern for 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, 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 sets forth several conditions that raise potential security concerns. The evidence presented at the hearing established four of those disqualifying conditions:

- (a) inability or unwillingness to satisfy debts;
- (c) a history of not meeting financial obligations;
- (d) deceptive or illegal financial practices such as embezzlement, employee theft, check fraud, income tax evasion, expense account fraud, filing deceptive loan statements, and other intentional financial breaches of trust; and
- (g) failure to file annual Federal, state, or local income tax returns as required

In 2003 and 2004, Applicant issued multiple bad checks. He was convicted twice of bad check offenses and served 30 days in jail. In 2009, he was counseled on multiple occasions due to his misuse of a GTCC. He was discharged from the USAFR because of his financial irresponsibility. He failed to file his 2010 and 2011 federal income tax returns in a timely manner. When he applied for a security clearance in 2012, he had eight delinquent debts totaling about \$13,000. AG ¶¶ 19(a), 19(c), 19(d), and 19(g) apply.

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 action to resolve the issue.

Applicant experienced periods of unemployment. Some of the alleged debts became delinquent when he began a period of unemployment in May 2011. He made inconsistent statements about the reason why he became unemployed on that occasion. In his OPM interview, he stated that he quit the job because he was tired of it and did not have another job lined up. In his Answer to the SOR and at the hearing, he stated that he was laid off from that job. Given his inconsistent statements, insufficient evidence was presented to conclude that the reason why he became unemployed in May 2011 was a condition beyond his control.

Applicant has a long history of financial irresponsibility, including bad check offenses and misuse of a GTCC. While the bad check offenses and misuse of the GTCC happened years ago when he was in his late teens and early 20s, such conduct is still of some relevance considering his ongoing financial problems. Of note, he still has not resolved the GTCC debt.

At this point, Applicant appears to be turning around his financial problems. He filed his 2010 and 2011 federal income tax returns in June 2015. He paid some of his delinquent debts and is making payments on others. Most of the documented payments, however, were made after the issuance of the SOR. He claimed that he made a \$55 payment on his federal income tax debt, but that payment cannot be confirmed. He failed to provide proof that he has made any voluntary payments toward his past-due federal taxes.

From the evidence presented, I find that insufficient time has passed to conclude that Applicant's financial problems are under control and are unlikely to recur. His financial problems continue to cast doubt on his current reliability, trustworthiness, and good judgment. AG ¶ 20(d) applies to the debts that have been resolved. AG ¶¶ 20(b) and 20(c) partially apply. AG ¶¶ 20(a) and 20(e) do not apply.

Guideline E, 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.

AG ¶ 16 describes conditions that could raise security concerns and may be disqualifying in this case:

(b) deliberately providing false or misleading information concerning relevant facts to an employer, investigator, security official, competent medical authority, or other official government representative;

(c) credible adverse information in several adjudicative issue areas that is not sufficient for an adverse determination under any other single guideline, but which, when considered as a whole, supports a whole-person assessment of questionable judgment, untrustworthiness, unreliability, lack of candor, unwillingness to comply with rules and regulations, or other characteristics indicating that the person may not properly safeguard protected information; and

(d) credible adverse information that is not explicitly covered under any other guideline and may not be sufficient by itself for an adverse determination, but which, when combined with all available evidence information supports a whole-person assessment of questionable judgment, untrustworthiness, unreliability, lack of candor, unwillingness to comply with rules and regulations, or other characteristics indicating that the person may not properly safeguard protected information. This includes but is not limited to consideration of: (1) untrustworthy or unreliable behavior. . . ; (3) a pattern of dishonesty or rule violations; (4) evidence of significant misuse of Government or other employer's time or resources.

In April 2009, Applicant received a letter of reprimand from his military superiors for making false statements relating to his misuse of a GTCC. AG ¶ 16(b) applies. He issued multiple bad checks in 2003 and 2004, was convicted twice of bad check offenses, and served 30 days in jail. In 2009, he was counseled on multiple occasions for misuse of a GTCC. He was discharged from the USAFR for financial irresponsibility. AG ¶¶ 16(c) and 16(d) apply to the bad check offenses and misuse of the GTCC.

AG ¶ 17 lists two personal conduct mitigating conditions that are potentially applicable:

(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; and

(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.

Applicant received the letter of reprimand for making false statements over seven years ago, which is a substantial period of time especially considering his age at that time. Nevertheless, he made inconsistent statements during the security clearance process about the reason why he left a job in May 2011. Those inconsistent statements are troubling. Considering the inconsistent statements, I am unable to find that he has reformed and rehabilitated himself and will not make false statements in the future. None of the mitigating conditions apply to SOR ¶ 2.i.

Applicant's bad check offenses occurred about 12 years ago. His misuse of the GTCC occurred about seven years ago. He has not engaged in subsequent misconduct of a similar nature. I find that AG ¶ 17(c) applies to his bad check offenses and his misuse of the GTCC.

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(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. After considering the whole-person evidence in the record, I continue to have questions and doubts about Applicant's eligibility and suitability for a security clearance. For the above reasons, I conclude that Applicant failed to mitigate the financial considerations and personal conduct security concerns.

Formal Findings

Formal findings on the allegations set forth in the SOR are:

Paragraph 1, Guideline F:	AGAINST APPLICANT
Subparagraphs 1.a – 1.c:	Against Applicant
Subparagraph 1.d:	For Applicant
Subparagraph 1.e:	Against Applicant
Subparagraphs 1.f – 1.h:	For Applicant
Subparagraphs 1.i – 1.k:	Against Applicant
Paragraph 2, Guideline E:	AGAINST APPLICANT
Subparagraphs 2.a – 2.h:	For Applicant
Subparagraph 2.i:	Against Applicant
Subparagraphs 2.j – 2.k:	For Applicant

Decision

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

James F. Duffy
Administrative Judge