



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



In the matter of:)
)
) ISCR Case No. 14-03338
)
Applicant for Security Clearance)

Appearances

For Government: Eric H. Borgstrom, Esq., Department Counsel
For Applicant: *Pro se*

03/20/2015

Decision

MATCHINSKI, Elizabeth M., Administrative Judge:

Applicant owes a \$4,278 judgment from 2011 and two collection debts of \$964 and \$2,353. He paid off a car loan in lieu of paying on these debts to reduce his overall debt burden. While he is not incurring any new credit card debt, he has not demonstrated any progress toward resolving his delinquent debts. Clearance is denied.

Statement of the Case

On July 28, 2014, the Department of Defense Consolidated Adjudications Facility (DOD CAF) issued a Statement of Reasons (SOR) to Applicant, detailing the security concerns under Guideline F, Financial Considerations, and explaining why it was unable to find it clearly consistent with the national interest to grant a security clearance for him. The DOD CAF took the action under Executive Order 10865, *Safeguarding Classified Information within Industry* (February 20, 1960), as amended; Department of Defense (DOD) Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (January 2, 1992), as amended (Directive); and the adjudicative guidelines (AG) effective within the DOD on September 1, 2006.

Applicant responded to the SOR allegations on August 17, 2014. He requested a hearing before an administrative judge from the Defense Office of Hearings and Appeals (DOHA). On October 2, 2014, the case was assigned to me to conduct a hearing to determine whether it is clearly consistent with the national interest to grant or continue a security clearance for Applicant. I issued a Notice of Hearing scheduling the hearing for November 18, 2014.

I convened the hearing as scheduled. The Government submitted four exhibits (GEs 1-4), which were admitted into evidence without any objections. A chart, which was prepared by Department Counsel as a supplement to his oral closing argument, was marked as a hearing exhibit, but not accepted as a formal exhibit in the record. Applicant testified, as reflected in a transcript (Tr.) received on November 29, 2014.

At Applicant's request, I held the record open for two weeks after the hearing for him to submit documentary evidence. No documents were received.

Summary of SOR Allegations

The SOR alleges under Guideline F that as of July 28, 2014, Applicant owed a \$4,278 judgment from 2011 (SOR 1.a) and collection debts of \$964 (SOR 1.b) and \$2,353 (SOR 1.c). When he answered the SOR allegations, Applicant admitted the debts, which remained unpaid due to extenuating circumstances. After he paid off his car loan, partially to lower his insurance costs, he married his spouse, who was expecting their child. He then incurred the costs of attending technical school. Applicant expressed his intent to satisfy the debts in the near future.

Findings of Fact

After considering the pleadings, exhibits, and transcript, I make the following findings of fact:

Applicant is a 31-year-old refrigeration technician apprentice with a graduate equivalency diploma. He has worked for his current employer since November 2010. As of his security clearance hearing in November 2014, he was on schedule to graduate in December 2014 with an associate degree in applied science, which would enable him to obtain licensure as a refrigeration journeyman technician. (GE 1; Answer; Tr. 27, 36-37, 39-40, 72.)

From January 2003 to November 2009, Applicant was employed in building maintenance at a country club. (GE 1; Tr. 37.) He started at an hourly wage of \$8.50, but he also worked at restaurants in the evenings earning \$7 an hour plus tips. (Tr. 56.) He lived with his father and stepmother. (GE 1.) At age 21 in December 2004, Applicant opened his first consumer credit account, a VISA credit card with the lender in SOR 1.c. In April 2005, he opened a revolving charge account with an electronics retailer (not alleged). In March 2006, Applicant took on an auto loan of \$8,000 for a 1999 model-year vehicle, to be repaid at \$256 per month. His father co-signed on the loan for him, but Applicant had to

make the payments. In March 2006, Applicant opened another VISA credit card account (SOR 1.a). Applicant told an Office of Personnel Management (OPM) investigator in March 2013 that he had traveled to visit his mother, who lived in another state and was undergoing chemotherapy. A now former girlfriend accompanied him, and she ran up debt on his credit card identified in SOR 1.a. She insisted that she would repay him. After they returned from their trip, his ex-girlfriend made only a couple of payments on the debt. (GE 4.) He testified discrepantly at his security clearance hearing that he wanted to build his credit so that he could obtain an automobile loan. (Tr. 46.) When asked about the trip to visit his family, Applicant indicated that his ex-girlfriend promised to repay him for her travel and for her stay. He estimates that about \$1,000 was charged on his account for the trip. (Tr. 48.) Even so, he admits that it became easier for him to purchase items with credit that he would not have normally bought with cash. He “lost sight of [his] ability to live within [his] means.” (Answer.)

Applicant could not afford to make payments on all his debt obligations. He chose to pay his larger car loan and allowed his credit card accounts to become delinquent. (Tr. 47.) In February 2007, the account identified in SOR 1.a was placed for collection for \$3,500 due to nonpayment since June 2006. In November 2006, the account in SOR 1.c was charged off and placed for collection because of nonpayment since August 2006. His charge account with the electronics retailer (not alleged) became 90 days past due before it was sold around October 2006. (GE 3.) According to Applicant, a few months later, he paid off the balance on the account, and it was closed. (GE 4.) His credit report of March 2013 shows the account with a zero balance as of January 2007.¹ (GE 3.)

In February 2008, Applicant went on vacation to the Caribbean. (GE 1.) It is unclear how he paid for the trip.

Needing to prioritize his expenditures, Applicant decided to pay off his car loan early, in January 2009, because it would free up that portion of his income going to his car payment and reduce his auto insurance costs. (GEs 2, 3; Answer.) Applicant made no payments on the credit card delinquencies in SOR 1.a and 1.c. (GEs 2, 3.)

In October 2009, Applicant began attending a technical institute.² He took out two federal student loans of \$6,000 and \$3,500. (GE 3.) He stopped working a second job in restaurants. (Tr. 56.) Around December 2009, Applicant was laid off from his job at the country club. Work was slow during the winter months. He was given the opportunity to return, but he instead chose to focus on his education. (GE 4; Tr. 29-30, 37, 45.) He was granted a work search waiver and collected unemployment while a full-time student. (Tr.

¹ His account is reported with a zero balance, but after sale or transfer. Nonetheless, the evidence does not show that he currently owes any money on that account. The account was no longer on his credit record as of July 2014. (GE 2.)

² Applicant indicated on his e-QIP that he attended the technical institute from October 2010 to May 2012. (GE 1.) Student loan information and the dates of his unemployment are instead consistent with a start date of October 2009 for his schooling. Additionally, Applicant testified that he was already enrolled in classes when he got married in August 2010. (Tr. 44.)

30.) He began renting an apartment in February 2010. (GE 1.) In July 2010, he took on additional federal student loan debt totaling \$10,500. (GE 2.)

Applicant and his spouse were married in August 2010, shortly after he learned that his spouse was pregnant with their first child. (GE 1; Answer.) In November 2010, Applicant began working for his current employer at \$12 an hour. (GEs 1, 4; Tr. 30, 35.) In mid-January 2011, they had a son. (GE 1; Tr. 44.) Applicant's wages increased as he progressed in his apprenticeship,³ but his spouse did not work outside the home. (Tr. 27-28, 60.) He did not attempt to repay the credit card debts in SOR 1.a and 1.c because of the financial burden it would cause his family. (Tr. 28.) In October 2011, the collection agency handling the credit card debt in SOR 1.a obtained a \$4,278 judgment against him. (GEs 2, 4.)

Applicant worked 60 hours a week while going to school at night. (Tr. 28.) In March 2011, he took out two new federal student loans, of \$2,000 and \$1,500. (GEs 2, 3.) Applicant took a break from his education after May 2012 because he found it too demanding to work full time and attend school at night. (GE 1; Tr. 28, 44.)

On March 5, 2013, Applicant completed and certified to the accuracy of an Electronic Questionnaire for Investigations Processing (e-QIP) for a security clearance. In response to financial record inquiry concerning any judgments entered against him in the last seven years, Applicant disclosed the judgment in SOR 1.a. He explained that he had yet to satisfy the debt because he had his first child and was the sole source of income for his family. His spouse was a full-time student. Applicant expressed intent to satisfy the debt in the future when he had fewer financial burdens. Applicant responded negatively to any delinquency involving routine accounts. (GE 1.)

A check of Applicant's credit on March 13, 2013, disclosed a balance of \$6,140 on the credit card account that went to judgment (SOR 1.a). Applicant had four additional delinquent debts on his record: a \$2,353 credit card debt (SOR 1.c); a \$191 insurance debt in collection since September 2012 (not alleged); a \$22 music services debt from 2007 in collection since April 2012 (not alleged); and a \$677 wireless phone debt in collection since February 2013 (SOR 1.b).⁴ (GE 3.)

On March 27, 2013, Applicant was interviewed by an authorized investigator for the Office of Personnel Management (OPM). Regarding the judgment debt, Applicant

³ Applicant testified about the state's progressive wage scale for his apprenticeship, as follows:

They take the average pay of their journeymen technicians, and then I start off after a six-month probationary period, I then receive 50 percent of that average journeyman rate, and then every six months after that, you would go up five percent, so after six months, it's be 55 percent of that journeyman rate, 65, all the way up through 10,000 hours, which 2,000 hours a year, 40 full-time work, 40 hours a week, would be 2,000 hours year till you get to 10,000 hours, which is a five-year apprenticeship. (Tr. 35.)

⁴ Applicant expressed his belief that the wireless phone debt was delinquent before 2012, around the same time as his trip to see his mother. (Tr. 51.) Applicant's July 2014 credit report shows the account as opened in November 2012 (GE 2), although that date could have been when a collection account was opened.

explained that his ex-girlfriend ran up debt on his credit card. He could not afford to meet the payments demanded by the creditor, so he stopped paying on the account. Applicant indicated that he was paying what he could on the debt, although he was 120 days behind. He expressed intent to pay off the debt as quickly as he can. At the end of his interview, Applicant was confronted about the credit card delinquency in SOR 1.c. Applicant denied any recall of ever being late in his payments on that account or of the account being referred for collection. He expressed certainty that he paid off the balance in full when he closed the account, although he would pay it if found legitimate. Applicant admitted that he had been late on his account with the electronics retailer, but that he paid the debt. Applicant did not recognize the \$22, \$191, or \$677 collection debts on his record. He described his overall financial situation as good. He indicated that he planned to return to trade school to finish his degree. (GE 4.)

For “a little more than a year” from December 2012, Applicant and his spouse rented an apartment at \$895 per month. (GE 1; Tr. 58.) Before he could resume his schooling, Applicant had to first repay approximately \$4,000 in student loans borrowed from the school that had been due six months after he withdrew. (Tr. 28-29, 39.) Applicant took a loan from his 401(k) to pay off the student loan in 2013. (Tr. 63.) The 401(k) loan is being repaid at \$20 weekly for three years. (Tr. 68.) Applicant also had to pay \$806 a month for 12 months in tuition costs beyond what was covered by his student loan. (Tr. 64.) Applicant and his spouse moved in with his father and stepmother around April or May 2014 for four months because he could not afford rent as well as the \$806 per month. Applicant paid rent at \$400 a month to his parents. (Tr. 59.)

As of July 2, 2014, Equifax was reporting no progress by Applicant toward resolving the October 2011 judgment (SOR 1.a.). The past-due balance of his wireless phone debt in collection had accrued to \$964 (SOR 1.b). The credit card debt in SOR 1.c was not on his credit record as reported by Equifax. Applicant reportedly owed federal student loan debt of \$28,622 (GE 2.) His total student loan debt is around \$40,000. (Tr. 32.) His federal student loans were in deferment as of mid-November 2014. (Tr. 28, 81.)

Around July or August 2014, Applicant was promoted into his current position as lead technician. His hourly wage went from \$19 to \$21 an hour. (Tr. 35-36.) His services are contracted out by his employer to a larger defense contractor. (Tr. 30.) He requires a secret-level security clearance, primarily for access to facilities where he monitors HVAC equipment. (Tr. 31.)

Applicant returned to school in the summer quarter of 2014 to complete his associate degree. Having finished all his technical classes, he thought that he would be able to obtain an “RJ2” (refrigerator journeyman 2) license without his degree, but his program requires a diploma. (Tr. 40-41, 75.)

Applicant and his spouse were expecting their second child in November 2014. (Tr. 27.) Applicant has made no payments on the debts in the SOR or contacted his creditors because he has been “busy trying to get to a point where [he] can comfortably pay those bills back without affecting [his] family’s well-being too much.” (Tr. 32.) He testified at his

hearing that he could afford to make small payments around \$25 each month on the phone debt in SOR 1.b and the credit card debt in SOR 1.c, and that if the record was held open, he would attempt to arrange repayment terms. (Tr. 49-53.) He acknowledged receiving notice that the assignee was pursuing him in court for the debt in SOR 1.a. (Tr. 54.)

Around September 2014, Applicant and his spouse moved to their current apartment. Their rent is \$1,100 a month. (Tr. 56-57.) Applicant's spouse finished her schooling to be an esthetician in 2013, but she has had little success in finding work in the industry. With the cost of daycare, it would not improve their finances for her to work at this time. (Tr. 60.)

Applicant received a federal income tax refund of \$4,000 to \$5,000 for tax year 2013. (Tr. 65.) The money went to catch up on bills, rent, educational costs, and expenses for his spouse in an effort to start her career. (Tr. 66.) Applicant and his spouse have been late several times on their electric and cable bills in the past. They cancelled their cable service in 2013 to save the \$78 monthly expense. (67-67.) Applicant's spouse has student loan debt that she was going to have to start repaying around late 2014. Applicant does not know the total of her student loan debt. (Tr. 66-67.) Neither Applicant nor his spouse has any credit cards presently. (Tr. 72.) Applicant still has the car that he paid off in 2009. He and his spouse have no other vehicle. (Tr. 72-73.) His out-of-pocket medical costs totaled around \$300 for the year as of mid-November 2014. (Tr. 79.)

Policies

The U.S. Supreme Court has recognized the substantial discretion the Executive Branch has 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). 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 are required to 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 overall 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 to obtain 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 about potential, rather than actual, risk of compromise of classified information. Section 7 of Executive Order 10865 provides that decisions shall be “in terms of the national interest and shall in no sense be a determination as to the loyalty of the applicant concerned.” See *also* EO 12968, Section 3.1(b) (listing multiple prerequisites for access to classified or sensitive information).

Analysis

Guideline F, Financial Considerations

The security concern about financial considerations is articulated in AG ¶ 18:

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.

Applicant admits that he opened the three consumer credit accounts alleged in the SOR. He listed the judgment debt on his e-QIP. During his March 2013 interview with the OPM investigator, Applicant expressed with certainty that he had satisfied the balance on the credit card account in SOR 1.c when he closed his account. According to his March 2013 credit report, Applicant’s account had been cancelled by the creditor with a past-due balance. Applicant is no longer disputing the delinquencies in the SOR. Based on the available credit reports, Applicant could owe \$6,140 or more on the judgment in SOR 1.a because of interest on the unpaid balance. By July 2014, the balance of the wireless phone debt in SOR 1.b had increased from \$677 to \$964. As of March 2013, his credit card account in SOR 1.c was reportedly \$2,353 past due, but it had also been charged off.⁵ The

⁵In 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 is not responsible for the debt or that matters in mitigation apply. (Internal citation omitted.)

evidence establishes disqualifying conditions AG ¶ 19(a), “inability of unwillingness to satisfy debts,” and AG ¶ 19(c), “a history of not meeting financial obligations,” because of Applicant’s delinquent accounts.

Concerning the mitigating conditions, AG ¶ 20(a), “the behavior happened so long ago, was so infrequent, or occurred under circumstances that it is unlikely to recur and does not cast doubt on the individual’s current reliability, trustworthiness, or good judgment,” applies in that the debts in the SOR are not recent. Applicant stopped paying on the accounts in SOR 1.a and 1.c in 2006. The account in SOR 1.b is reported as opened in November 2012, but Applicant testified that the debt was incurred around 2006 as well. Even so, AG ¶ 20(a) does not mitigate the security concerns raised by his ongoing disregard of the debts.

Applicant incurred the debts because he spent beyond what he could afford on his income. Only \$1,000 of the credit card debt in SOR 1.a was incurred during the trip to see his mother, so his ex-girlfriend is accountable for only a portion of his debt. Applicant was laid off from his job at the country club around November 2009. He was out of work for the next year while he focused on his technical schooling. Unemployment is a circumstance contemplated within AG ¶ 20(b):

(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.

Applicant had an opportunity to return to work, although his decision to pursue technical training for career advancement was reasonable. Applicant collected unemployment compensation while he was in school. AG ¶ 20(b) applies in mitigation of his inattention to his old debts when he did not have full-time employment and for a reasonable period to reestablish financial stability once he began working for his current employer in November 2010.

Even so, Applicant’s failure to take action to address his past-due debts after his subject interview in March 2013 makes it difficult to mitigate completely the financial concerns under AG ¶ 20(b), which also requires that he act responsibly. Applicant knew that he owed a judgment debt because he listed it on his e-QIP. He indicated that he could not afford payments on the debt due to high tuition costs and having to support his household on his income alone. The evidence shows that he withdrew from school around May 2012 and did not return until the 2014 summer semester. He had a \$4,000 financial obligation to the school that had to be repaid before he could resume his schooling, which he paid with a loan from his 401(k). Applicant also testified that he paid \$806 per month in tuition costs for about a year. He apparently paid those costs from 2013 into 2014. His family moved in with his parents around May 2014 because he could not afford the tuition payments as well as the \$875 of monthly rent he had been paying. Yet, for at least part of his two-year break, from May 2012 to mid-2013, he had no educational expenses, and there is no evidence that he attempted to address the court judgment.

Applicant told the OPM investigator in March 2013 that he was paying what he could on the debt in SOR 1.a, but that his account was 120 days past due. However, there is no documentation showing any progress toward resolving the debts in the SOR. At his hearing, he admitted that he has made no payments on the debts in the SOR, and that he had not contacted the creditors to arrange repayment terms. Neither AG ¶ 20(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,” nor AG ¶ 20(d), “the individual initiated a good-faith effort to repay overdue creditors or otherwise resolve debts,” apply without some effort on his part to address his delinquencies.

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 his 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 financial analysis under Guideline F is incorporated in my whole-person analysis. Some of the factors in AG ¶ 2(a) were addressed under those guidelines, but some warrant additional comment.

Applicant mismanaged consumer credit extended to him when he was younger. Hoping to improve his financial situation, he paid off his car loan early in 2009 to free up some income that then went to tuition and living expenses. With his marriage in August 2010 and the birth of his son in January 2011, Applicant likely incurred additional expenses that strained his finances, although he provided little to no detail in that regard. At the same time, Applicant took no action to address his debts, even after he was notified of a court judgment entered against him in 2011.

The Appeal Board has addressed a key element in the whole-person analysis in financial cases, stating:

[A]n applicant is not required, as a matter of law, to establish that he has paid off each and every debt listed in the SOR. All that is required is that an applicant demonstrate that he has . . . established a plan to resolve his financial problems and taken significant actions to implement that plan. The

Judge can reasonably consider the entirety of an applicant's financial situation and his actions in evaluating the extent to which that applicant's plan for the reduction of his outstanding indebtedness is credible and realistic. See Directive ¶ E2.2(a) (Available, reliable information about the person, past and present, favorable and unfavorable, should be considered in reaching a determination.) There is no requirement that a plan provide for payments on all outstanding debts simultaneously. Rather, a reasonable plan (and concomitant conduct) may provide for the payment of such debts one at a time. Likewise, there is no requirement that the first debts actually paid in furtherance of a reasonable debt plan be the ones listed in the SOR.

ISCR Case No. 07-06482 at 2-3 (App. Bd. May 21, 2008) (internal citations and quotation marks omitted). Applicant's overall delinquency could exceed the \$7,595 alleged in the SOR, depending on whether Applicant is held liable for any interest on the unpaid judgment. It could be less, if the creditor in SOR 1.c does not pursue Applicant for the \$2,353 balance, or interest does not continue to accrue on unpaid balances. Applicant testified that with his current income at \$21 an hour, he could make \$25 monthly payments on the debts. Yet, available evidence does not show that he can be counted on to make those payments. Ignoring a court judgment, as he has done since late 2011, raises concerns about whether he can be counted on to comply with DOD requirements, especially if they may prove personally disadvantageous or burdensome. He still has financial issues, as shown by his federal income tax refund of \$4,000 to \$5,000 going to past-due utility bills and other living expenses. In mid-2015, Applicant will have to begin repaying his student loan debt totaling around \$40,000. His spouse also has student loan debt that will have to be factored into the household budget.

It is well settled that once a concern arises regarding an applicant's security clearance eligibility, there is a strong presumption against the grant or renewal of a security clearance. See *Dorfmont v. Brown*, 913 F. 2d 1399, 1401 (9th Cir. 1990.). Applicant may be a good candidate for a security clearance in the future should he be able to show that he has made progress toward addressing his delinquent debts and that his financial situation has stabilized sufficiently to where it no longer presents a security concern. Based on the record before me and the adjudicative guidelines that I am required to consider, I am unable to conclude that it is clearly consistent with the national interest to grant Applicant security clearance eligibility at this time.

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:	Against Applicant
Subparagraph 1.c:	Against Applicant

Conclusion

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

Elizabeth M. Matchinski
Administrative Judge