



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



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| In the matter of: |) | |
| |) | |
| |) | ISCR Case No. 08-02589 |
| SSN: |) | |
| |) | |
| Applicant for Security Clearance |) | |

Appearances

For Government: James F. Duffy, Esquire, Department Counsel
For Applicant: Perry Douglas West, Esquire

March 26, 2009

Decision

HOGAN, Erin C., Administrative Judge:

Applicant submitted his Electronic Questionnaire for Investigations Processing (e-QIP) on March 27, 2006. On September 15, 2008, the Defense Office of Hearings and Appeals (DOHA) issued a Statement of Reasons (SOR) detailing the security concerns under Guideline F, Financial Considerations; Guideline E, Personal Conduct; and Guideline J, Criminal Conduct, for Applicant. The action was taken under Executive Order 10865, *Safeguarding Classified Information within Industry* (February 20, 1960), as amended; Department of Defense Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (January 2, 1992), as amended (Directive), and the revised adjudicative guidelines (AG) promulgated by the President on December 29, 2005, and effective within the Department of Defense for SORs issued after September 1, 2006.

On November 8, 2008, Applicant answered the SOR and requested a hearing before an administrative judge. Department Counsel was ready to proceed on January 7, 2009. The case was assigned to me on January 8, 2009. On February 6, 2009, a Notice of Hearing was issued, scheduling the hearing for February 25, 2009. The case was heard on that date. The Government offered 13 exhibits which were admitted as Government Exhibits (Gov) 1 – 13. Applicant’s counsel called Applicant as a witness and offered one exhibit which was admitted without objection as Applicant Exhibit (AE)

A. The transcript was received on March 10, 2009. Based upon a review of the case file, pleadings, exhibits, and testimony, eligibility for access to classified information is denied.

Findings of Fact

In his Answer to the SOR, Applicant denied the allegations in SOR ¶¶ 1.a, 1.b, 2.a, 2.b, 2.c, and 3.b. He admits the allegations in SOR ¶¶ 1.c – 1.u, 3.a, 3.c, and 3.d.

Applicant is a 54-year-old employee with a Department of Defense contractor seeking to maintain his security clearance. He has had a security clearance since 1995. He has been employed with his company since July 1995. He is currently married. He is twice divorced and has three adult children from his prior marriages. (Tr at 25, 28-29; Gov 1)

On March 27, 2006, Applicant completed an Electronic Questionnaire for Investigations Processing (e-QIP) in order to apply for a security clearance. Applicant answered “No” in response to section 24(a) “Since the age of 16 or in the last 7 years, whichever is shorter, have you illegally used any controlled substance, for example, marijuana, cocaine, crack cocaine, hashish, narcotics (opium, morphine, codeine, heroin, etc.), hallucinogenics (LSD, PCP, etc.), or prescription drugs?” In response to the financial questions on the same security clearance application, Applicant answered “No” in response to question 28(a) “In the last 7 years, have you been over 180 days delinquent on any debt(s)?” He also answered “No” in response to question 28(b) “Are you currently over 90 days delinquent on any debt(s)?” (Gov 1)

A subsequent background investigation revealed that Applicant has the following delinquent accounts: a \$1,379 state tax lien filed against Applicant in August 1997 (SOR ¶ 1.a: Gov 7 at 3; Gov 12); a \$2,360 state tax lien filed against Applicant in February 1998 (SOR ¶ 1.b: Gov 7 at 3; Gov 12); a \$1,145 account placed for collection in March 2002 (SOR ¶ 1.d: Gov 6 at 3); a \$3,125 credit card account charged off in April 2002 (SOR ¶ 1.e: Gov 6 at 2); an \$802 account placed for collection in October 2002 (SOR ¶ 1.f: Gov 6 at 3; Gov 7 at 7); a \$64 grocery store account related to a bad check placed for collection in November 2005 (SOR ¶ 1.g: Gov 6 at 2); a \$63 grocery store account related to a bad check placed for collection in November 2005 (SOR ¶ 1.h: Gov 6 at 2); a \$58 grocery store account related to a bad check placed for collection in November 2005 (SOR ¶ 1.i: Gov 6 at 2); and a \$75 grocery store account related to a bad check placed for collection in November 2005. (SOR ¶ 1.j: Gov 6 at 2)

Additional delinquent debts include: a \$101 account placed for collection in March 2006 related to a bad check written at a restaurant (SOR ¶ 1.k: Gov 6 at 1); a \$121 account placed for collection in March 2006 related to a bad check written at a restaurant (SOR ¶ 1.l: Gov 6 at 1-2); an \$81 account placed for collection in April 2006 related to a bad check written at a restaurant (SOR ¶ 1.m: Gov 6 at 1); a \$67 account placed for collection in June 2006 related to a bad check written at a restaurant (SOR ¶ 1.n: Gov 6 at 1); a \$599 credit card account that was charged off in September 2006

(SOR ¶ 1.o: Gov 6 at 2; Gov 7 at 4); and a \$745 credit account that was charged off in January 2007. (SOR ¶ 1.p: Gov 6 at 2)

Additional delinquent debts include: a \$735 credit card account that was charged off in February 2007 (SOR ¶ 1.q: Gov 6 at 2); a \$374 bank account that was charged off in February 2007 (SOR ¶ 1.r: Gov 6 at 2; Gov 7 at 5); a \$799 account that has been delinquent since March 2007 (SOR ¶ 1.s: Gov 6 at 3); a \$1,490 judgment entered against Applicant in June 2007 for a delinquent credit card account (SOR ¶ 1.t: Gov 6 at 1); and a \$25 account placed for collection in September 2007 for a bad check written at a restaurant. (SOR ¶ 1.u: Gov 6 at 1)

On October 12, 1999, Applicant filed for Chapter 7 bankruptcy protection. His assets totaled \$78,905. His liabilities totaled \$121,907. On January 27, 2000, all of his dischargeable debts were discharged. (SOR ¶ 1.c: Tr at 43; Gov 8; Gov 12 at 1)

Applicant states that his financial problems were caused by his two divorces and poor money management. When his children were minors, he was responsible for significant monthly child support payments. (Tr at 28; Gov 2 at 6) He claims he did not list his delinquent debts on his security clearance application because he was not aware of the delinquent accounts. His current wife is an accountant. She is responsible for all of the household finances. (Tr at 29)

Applicant's wife is a recovering drug addict. She has attended drug rehabilitation programs on two occasions. In 2008, she attended a 60-day program. In 2005, she attended a 30-day program. (Tr at 29-32)

Applicant has been unable to pay the debts because his wife's employment has been sporadic over the past couple of years. His wife recently found a new job. He has called several credit counseling agencies but has not entered into an agreement with any of them. His focus is to pay the bills that are current as well as the mortgage. Applicant gives his paycheck to his father-in-law. His father-in-law lives nearby. He pays Applicant and his wife's bills. (Tr at 31-32, 46, 48)

The two state tax liens were the result of a mistake Applicant's accountant made on his state tax returns. He has paid the amount owed for both liens and the liens have been released. (Tr at 32; AE A) Applicant has not made many payments towards any of the debts alleged in SOR ¶¶ 1.d – 1.u. (Tr at 44)

Applicant owes federal income taxes for tax years 2004, 2005 and 2006. He thinks he owes approximately \$6,000. He also thinks that he has not filed taxes for one of the tax years but is not sure which one it is. Applicant claims that his wife was responsible for filing and paying the tax returns. (Tr at 40-42) He also had federal income tax problems in 1994 and 1995. (Gov 8, Schedule F; Gov 10) (Applicant's federal income taxes were not alleged in the SOR. His recent federal income tax problems for tax years 2004, 2005, and 2006 were not discovered until the hearing. I am considering Applicant's federal tax problems for the purposes of mitigation of the

security concerns raised under financial considerations because it is not alleged in the SOR.)

Applicant does not follow a monthly budget. He believes his father-in-law might have a budget for their bills. (Tr at 48) He earns \$4,800 a month in take home pay. The mortgage is \$1,500. His cars will be paid off after one more \$600 car payment. His utilities are about \$600. He owes his father about \$5,000. He has not been making payments towards this loan. He pays for his son's college. (Tr at 48-49)

On September 18, 2007, Applicant was interviewed by an investigator who was conducting his background investigation. He told the investigator that he used cocaine once in 2000 or 2001. He tried cocaine after drinking alcohol. He used the cocaine on an experimental basis and has not used it since. He held a security clearance at the time he used cocaine. At hearing, Applicant testified that his wife bought the cocaine. In the summary of his personal subject interview, it states Applicant bought the cocaine at an undisclosed location. (Tr at 50-53, 59; Gov 2 at 3; Gov 13)

Applicant did not list his use of cocaine in 2000 or 2001 on his security clearance application in response to section 24(a) because he did not consider himself a drug user. He only tried it once. During his meeting with the security investigator, he believed that the investigator asked the question in a different way. He told the investigator that he used cocaine once when the investigator asked him whether he had ever used illegal drugs. (Tr at 36-37)

On February 28, 2006, Applicant was arrested and charged with Possession of Cocaine and Possession of Drug Paraphernalia. He was pulled over for having expired tags. The car was a rental. The police officer asked Applicant for his driver's license and registration. When he reached into his right rear pocket for his wallet, a glass tubular item fell to the ground. The police officer recognized this glass tubular item to be a pipe that is used for smoking crack cocaine. The police officer searched the vehicle and discovered under the driver's side seat a plastic zippered bag which contained four more tubular pipes that are used for smoking crack cocaine. He also discovered a peppermint tin which contained ten "chore boy" scrubbing balls. These balls are used in pipes to smoke crack cocaine. His wife was sitting in the passenger's seat and denied all knowledge of the pipes. Field tests on one of the balls and one of the pipes received a presumptive positive for cocaine. (Gov 3)

On September 18, 2007, Applicant was interviewed by an investigator who was conducting his background investigation. He told the investigator that on the day of the arrest, he found drug paraphernalia in the rental that did not belong to him. He put the drug paraphernalia in his pocket. He did not contact the rental car agency about his discovery. (Gov 2 at 3, 6)

During the hearing, Applicant testified that the drug paraphernalia in the car belonged to his wife. He put the drug paraphernalia in his pocket and got arrested for it. The charges were nolle prossed on March 30, 2006. Applicant has not failed a drug test

at work in over 26 years. (Tr at 37-38; Gov 4; Gov 5) He listed the arrest in response to section 23 on his March 27, 2006, security clearance application. (Gov 1)

Applicant did not provide any evidence pertaining to his work performance and overall character.

Policies

When evaluating an Applicant's suitability for a security clearance, the Administrative Judge must consider the revised adjudicative guidelines (AG). In addition to brief introductory explanations for each guideline, the adjudicative guidelines list potentially disqualifying conditions and mitigating conditions, which are useful 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 over-arching adjudicative goal is a fair, impartial and common sense 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 as to obtaining 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 the Applicant may deliberately or inadvertently fail to protect or safeguard classified information. Such decisions entail a certain degree of legally permissible extrapolation as to potential, rather than actual, risk of compromise of classified information.

Section 7 of 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 relating to the guideline for Financial Considerations is set out 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.

The guideline notes several disqualifying conditions that could raise security concerns. I find Financial Considerations Disqualifying Condition (FC DC) ¶19(a) (an inability or unwillingness to satisfy debts); and FC DC ¶19(c), (a history of not meeting financial obligations) apply to Applicant’s case. Applicant has encountered financial difficulty since the 1990s. In 1997, two state tax liens were filed against Applicant. In 1999, he filed for Chapter 7 bankruptcy. He continued to incur delinquent debts after his bankruptcy discharge. The SOR alleged 18 delinquent accounts that were incurred after Applicant’s bankruptcy discharge, a total approximate balance of \$10,469.

The Government’s substantial evidence and Applicant’s own admissions raise security concerns under Guideline F. The burden shifted to Applicant to produce evidence to rebut, explain, extenuate, or mitigate the security concerns. (Directive ¶E3.1.15) An applicant has the burden of proving a mitigating condition, and the burden of disproving it never shifts to the government. (See ISCR Case No. 02-31154 at 5 (App. Bd. Sept, 22, 2005)).

The guideline also includes examples of conditions that could mitigate security concerns arising from financial difficulties. Financial Considerations Mitigating Condition (FC MC) ¶ 20(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) is not applicable. Applicant has a long history of financial problems. Aside from the state tax liens, he has not started to resolve his remaining delinquent accounts alleged in SOR ¶¶1.d – 1.u. He also owes federal income taxes for tax years 2004, 2005 and 2006. He claims that his wife handled all of the finances and was responsible for filing the tax returns. Considering her substance abuse problems, this raises further questions about his

judgment since it is likely that his wife could not be relied on to pay the bills when she was using illegal drugs. While Applicant's father-in-law has taken responsibility for paying the current bills, nothing has been done with regard to the delinquent accounts.

FC MC ¶ 20(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) does not apply. Applicant has been continuously employed with the same company for 11 years. Nothing has occurred during that time which would have prevented Applicant from taking responsibility for his expenses. He entrusted control of the family finances to his wife who had substance abuse problems. It was and is within his discretion to take control of his financial situation. He chose not to do so. He did not act responsibly under the circumstances.

FC MC ¶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) does not apply. Applicant contacted several credit counseling agencies over the phone but never attended financial counseling. He has no plan to resolve his delinquent accounts. It is unlikely that his financial problems will be resolved in the near future.

FC MC ¶20(d) (the individual initiated a good-faith effort to repay overdue creditors or otherwise resolve debts) applies with respect to the state tax liens alleged in SOR ¶¶ 1.a – 1.b. However, his remaining delinquent debt remains unresolved and he has not developed a plan to resolve his remaining delinquent accounts. His father-in-law pays his current bills for him but his delinquent accounts remain unresolved. Nine of the delinquent accounts are about \$100 or less and should have been manageable to resolve. Applicant is not accepting responsibility for his financial situation. He has not made a good-faith effort to resolve his delinquent accounts.

Applicant has not mitigated the concerns raised under Guideline F.

Personal Conduct

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

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

Personal conduct concerns are raised because Applicant failed to list his financial delinquencies in response to sections 28(a) and 28(b) on his security clearance application, dated February 9, 2007.

Personal Conduct Disqualifying Condition (PC DC) ¶ 16(a) (deliberate omission, concealment, or falsification of relevant facts from any personnel security questionnaire, personal history statement, or similar form used to conduct investigations, determine employment qualifications, award benefits or status, determine security clearance eligibility or trustworthiness, or award fiduciary responsibilities) potentially applies in Applicant's case. For PC DC ¶ 16(a) to apply, Applicant's omission of his delinquent accounts must be done with a deliberate intent to deceive. I find Applicant intended to falsify his security clearance application. He must have been aware that the finances were not being handled properly given his wife's drug addiction. Applicant claims that he was not aware of all of his financial delinquencies. I do not find his explanation credible.

Personal conduct concerns are also raised because Applicant did not list his 2000/2001 cocaine use in response to section 24(a) on his March 27, 2006, security clearance application. Applicant claims that he did not list his 2000/2001 cocaine use in response to section 24(a) because he does not consider himself to be an illegal drug user. He interpreted the question to mean habitual user. He disclosed the illegal drug use during his September 18, 2007, interview with the investigator conducting his background investigation. He claims the investigator asked a more direct question. He listed his February 2006 arrest for possession of cocaine and possession of drug paraphernalia on his March 27, 2006, security clearance application which put the government on notice as to Applicant's issues with illegal drugs. I give Applicant the benefit of the doubt with respect to SOR ¶ 2.a.

I find for Applicant with respect to SOR ¶ 2.d because it is alleged and more appropriately considered under Guideline H, Drug Involvement.

Guideline H, Drug Involvement

The security concern relating to the guideline for Drug Involvement is set out in AG ¶24:

Use of an illegal drug or misuse of a prescription drug can raise questions about an individual's reliability and trustworthiness, both because it may impair judgment and because it raises questions about a person's ability or willingness to comply with laws, rules and regulations.

The guideline notes several disqualifying conditions that could raise security concerns. I find Drug Involvement Disqualifying Condition (DI DC) ¶ 25(a) (any drug abuse); DI DC ¶ 25(c) (illegal drug possession, including cultivation, processing, manufacture, purchase, sale, or distribution; or possession of drug paraphernalia); and DI DC ¶ 25(g) (any illegal drug use after being granted a security clearance) apply to Applicant's case. He admits to illegally using cocaine on one occasion in 2000 or 2001. He held a security clearance at the time he used cocaine. He was arrested in February 2006 for possession of cocaine and possession of drug paraphernalia. The policeman who stopped Applicant during a routine traffic stop observed a pipe used for smoking

crack cocaine fall out of Applicant's pocket. The residue on the pipe tested positive for cocaine.

The guideline also includes examples of conditions that could mitigate security concerns arising from drug involvement. Two potentially apply to Applicant's case. Drug Involvement Mitigating Condition (DI MC) ¶ 26(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) does not apply. While Applicant's use of cocaine occurred more than eight years ago, his arrest for drug paraphernalia is fairly recent. A disposition by the court of nolle prosequere does not mean Applicant was exonerated of the charge. Doubts about Applicant's reliability, trustworthiness, and judgment remain because of Applicant's inconsistent statements pertaining to his involvement with illegal drugs.

Regarding his 2000/2001 cocaine use, Applicant told the investigator during his personal subject interview that he purchased the cocaine at an undisclosed location. At hearing, he claimed his wife provided him with the cocaine.

Regarding his February 2006 arrest for possession of drug paraphernalia, the police report contains no information as to whether Applicant denied that the drug paraphernalia was his. The police report indicates Applicant's wife was in the car and she denied any knowledge of the drug paraphernalia. During his personal subject interview, Applicant claimed he found the drug paraphernalia in his rental car and put it in his pocket. It did not belong to him. During the hearing, Applicant claimed the drug paraphernalia belonged to his wife. Applicant's inconsistent statements pertaining to his illegal drug involvement continue to raise questions about his reliability, trustworthiness, and good judgment. DI MC ¶ 26(a) does not apply.

The second mitigating condition that potentially applies is FC MC ¶ 26(b) (a demonstrated intent not to abuse any drugs in the future, such as: (1) disassociation from drug-using associates and contacts; (2) changing or avoiding the environment where drugs were used; (3) an appropriate period of abstinence; and (4) a signed statement of intent with automatic revocation of clearance for any violation.) Applicant provided no evidence to support application of this mitigating condition.

Whole Person Concept

Under the whole person concept, the Administrative Judge must evaluate an Applicant's eligibility for a security clearance by considering the totality of the Applicant's conduct and all the circumstances. The Administrative Judge should consider the nine adjudicative process factors listed at AG ¶ 2(a): "(1) the nature, extent, and seriousness of the conduct; (2) the circumstances surrounding the conduct, to include knowledgeable participation; (3) the frequency and recency of the conduct; (4) the individual's age and maturity at the time of the conduct; (5) extent to which participation is voluntary; (6) the presence or absence of rehabilitation and other permanent behavioral changes; (7) the motivation for the conduct; (8) the potential for pressure,

coercion, exploitation, or duress; and (9) the likelihood of continuation or recurrence.” Under AG ¶ 2(c), the ultimate determination of whether to grant eligibility for a security clearance must be an overall common sense 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. While Applicant has taken steps towards ensuring that his current financial accounts are being paid, he has no plan in place regarding resolving his delinquent accounts. Considering Applicant’s long history of financial irresponsibility, it is too soon to conclude that his financial issues will be resolved due to the significant amount of his unresolved delinquent debt. He did not mitigate the concerns raised under financial considerations. I find against Applicant under the personal conduct concern because his explanation that he was not aware of his financial situation was not credible. Questions remain under Guideline H because of Applicant’s inconsistent statements pertaining to his illegal drug involvement. Applicant has not mitigated the security concerns raised under Financial Considerations, Personal Conduct, and Drug Involvement.

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: | For Applicant |
| Subparagraph 1.b: | For Applicant |
| Subparagraph 1.c: | Against Applicant |
| Subparagraph 1.d: | Against Applicant |
| Subparagraph 1.e: | Against Applicant |
| Subparagraph 1.f: | Against Applicant |
| Subparagraph 1.g: | Against Applicant |
| Subparagraph 1.h: | Against Applicant |
| Subparagraph 1.i: | Against Applicant |
| Subparagraph 1.j: | Against Applicant |
| Subparagraph 1.k: | Against Applicant |
| Subparagraph 1.l: | Against Applicant |
| Subparagraph 1.m: | Against Applicant |
| Subparagraph 1.n: | Against Applicant |
| Subparagraph 1.o: | Against Applicant |
| Subparagraph 1.p: | Against Applicant |
| Subparagraph 1.q: | Against Applicant |
| Subparagraph 1.r: | Against Applicant |
| Subparagraph 1.s: | Against Applicant |
| Subparagraph 1.t: | Against Applicant |
| Subparagraph 1.u: | Against Applicant |

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| Paragraph 2, Guideline E: | AGAINST APPLICANT |
| Subparagraph 2.a: | For Applicant |
| Subparagraph 2.b: | Against Applicant |
| Subparagraph 2.c: | Against Applicant |
| Subparagraph 2.d: | For Applicant |
| Paragraph 2, Guideline H: | AGAINST APPLICANT |
| Subparagraph 3.a: | Against Applicant |
| Subparagraph 3.b: | Against Applicant |
| Subparagraph 3.c: | Against Applicant |
| Subparagraph 3.d: | Against Applicant |

Conclusion

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

ERIN C. HOGAN
Administrative Judge