



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



In the matter of:)
)
) ISCR Case No. 08-04677
SSN:)
)
Applicant for Security Clearance)

Appearances

For Government: James F. Duffy, Esquire, Department Counsel
For Applicant: Alan V. Edmunds, Esquire

January 26, 2009

Decision

MASON, Paul J., Administrative Judge:

Applicant submitted her Security Clearance Application (SCA), on August 28, 2007. On August 5, 2008, the Defense Office of Hearings and Appeals (DOHA) issued a Statement of Reasons (SOR) detailing security concerns under financial considerations (Guideline F) and personal conduct (Guideline E). The action was taken pursuant to 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 made effective within the Department of Defense for SORs issued on or after September 1, 2006.

Applicant submitted her answer to the SOR on August 29, 2008. DOHA issued a Notice of Hearing on October 3, 2008, and the hearing was held on October 29, 2008. At the hearing, four exhibits (GE 1 through 4) were admitted in evidence without objection to support the government’s case. Applicant testified and placed exhibits AE A through AE H in evidence. The government’s objection to AE D and AE E was

overruled. At the close of the hearing, the government moved to admit statutes of the United States (U.S.) Code of Federal Regulations in evidence to establish the declarations in AE D and E were invalid. Applicant's objection to the motions was sustained. DOHA received the transcript on November 6, 2008.

In the time allowed for Applicant to submit additional documentation, she submitted AE I through AE U that were objected to by the government when the initial hearing request was made to keep the record open for 10 days after the close of the hearing. The objection for additional time to present additional exhibits was overruled at the hearing (Tr. 99). On November 12, 2008, the government furnished me with the Applicant's post hearing exhibits, and renewed its objections to the post hearing exhibits for the same reasons expressed during the hearing. The objections to the admission of the post hearing exhibits are overruled. The post hearing exhibits contain updated information addressing several of the debts listed in the SOR, and Applicant's statement that she was looking for another debt plan. Based upon a review of the case file, pleadings, exhibits, and testimony, eligibility for access to classified information is denied.

Rulings on Procedure

Before the hearing on September 23, 2008, the government made a motion to amend the SOR (Amendment to the SOR) by adding Paragraph 2 (personal conduct, Guideline E) with two subparagraphs. That motion appears as GE 5. The exhibit includes both the Government's motion and Applicant's reply dated September 30, 2008. In her reply, she denied both subparagraphs of the Amendment to the SOR. Applicant's answer to the Paragraph 2 of SOR was transmitted to the government by facsimile. Pursuant to ¶ E.3.1.13 of DoD Directive 5220.6, the motion to amend the SOR adding paragraph 2, and two subparagraphs is granted. The motion appears as follows:

2. Guideline E: 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. Available information raising this concern shows that:

a. You falsified material facts on an Electronic Questionnaires for Investigations processing (e-QIP) executed by you on August 28, 2007, on which you were required to reply to the following question, **Section 27: Your Financial record b. In the last 7 years, have you had your wages garnished or had any property repossessed for any reason?** You answered "No" to that question; whereas in truth, you deliberately failed to disclose the repossession of your automobile as set forth in subparagraph 1.I, of the Statement of Reasons.

Answer: ADMIT or **DENY** (After circling the word **DENY**, Applicant provided her initials.)

b. You falsified material facts on an Electronic Questionnaires for Investigations Processing (e-Qip), executed by you on August 28, 2007, on which you were required to reply to the following questions, “**Section 28: Your Financial Delinquencies a. In the last 7 years, have you been over 180 days delinquent on any debt(s)? [and] b. Are you currently over 90 days delinquent on any debt(s)?**” You answered “**No**” to both of those questions; whereas in truth, you deliberately failed to disclose the debts set forth in subparagraphs 1.a, 1.b, 1.d, 1.f, 1.g, 1.g, 1.i, 1.j, 1.k, 1.l, 1.m, 1.n, 1.p, 1.q, and 1.r of the SOR.

Answer: ADMIT or **DENY** (After circling the word **DENY**, Applicant provided her initials.)

At the hearing, the government objected to the introduction of AE D and AE E because: (1) the proponent was representing himself as an expert in financial matters and his allegations of improper methodology or deceptive acts used by the creditors in reporting overdue debts; and, (2) the stated opinions provided by the proponent regarding how certain financial accounts were being reported in Applicant’s credit report should be considered hearsay (Tr. 15-19). I overruled the objection, and indicated the exhibits would be offered for the limited purpose of demonstrating Applicant sought financial help, and did enroll in a debt consolidation plan (Tr. 18-19).

Before the closing-arguments portion of the case, the government cited Title 15 U.S. Code (U.S.C.), the statutory authority for Section 1691 and Regulation B of the Code of Federal Regulations (CFR) Section 202¹ to establish that the certifications made by the declarant in AE E of Applicant’s credit worthiness are inaccurate. Applicant objected based on my earlier ruling regarding both exhibits AE D and AE E, indicating the declarations of the declarant had no other meaning except to show Applicant was enrolled in a debt consolidation program. Because of my earlier ruling (Tr. 17-18) regarding AE D and AE E, I sustained Applicant’s objection to the government’s statutory argument (Tr. 97).

Post hearing exhibits AE I through AE U. On November 12, 2008, the Government renewed their objections to the proposed exhibits on the grounds they were untimely and denied the Government an opportunity to cross-examine the source of the information. I am overruling the objection because I usually allow the parties to present additional evidence after the hearing to promote the development of a full record, and do so herein.

¹ Codified to 12 C.F.R. § 202.6

Findings of Fact

The SOR lists 18 debts under the financial considerations guideline. The second guideline (paragraph 2, personal conduct) lists two allegations. Applicant denied all allegations under paragraphs 1 and 2.

Applicant has been married since 1999. She has two children ages 30 and 23 (Tr. 70). She has been a truck driver since 1996, and currently is a truck driver with her husband. She seeks a secret security clearance. On May 27, 2008 (GE 2), Applicant completed a personal financial statement (PFS) showing she was earning about \$10,382.00 a month, minus \$3,696.00 in monthly expenses and \$1,938.00 in monthly payments, leaving a monthly remainder of \$4,748.00 a month.

Financial Considerations (FC)

After the parents of Applicant's husband became seriously ill in 2002, Applicant and her husband moved to his parents' living location so that Applicant could take care of them while her husband continued to work. Applicant stopped working to care for them (Tr. 27).² The record is silent on when his parents passed away. I find from her husband's testimony (Tr. 35) that their passing occurred in 2004. The move caused financial problems for Applicant and her husband. Her husband recalled becoming delinquent on four or five debts, including the debt to the truck credit company (SOR 1.I, Tr. 30; AE F). When they could no longer afford the installment payments on the truck, they turned the truck into the dealer before it was repossessed (Tr. 31, 63). Applicant's husband recalled they may have missed one installment payment on the vehicle before returning it, and they continued to make monthly payments to a law firm on the deficiency balance after the car was auctioned (Tr. 31-33). Applicant's husband called the truck company and the company's law firm many times because the truck debt was inaccurately reported on the wife's credit report (Tr. 33). No additional evidence was provided.

Applicant's husband recalled some of the other reported delinquent accounts, including the accounts identified in SOR 1.j and 1.l (Tr. 34). Her husband remembered contacting several of the creditors by phone for an extension of time to pay, but only two agreed to provide extra time for payment (Tr. 36).

The first time Applicant and her husband contacted the debt consolidation service (AE D) was in June 2008. According to her husband, at the time of the hearing, the service was in the process of restructuring a payment plan after first determining which creditors were the actual holders of the delinquent accounts (Tr. 37-38). Applicant's husband was certain that his wife, who handles the payments to the debt

² However, GE 1 shows no break in employment during the period of the parents' illness. Applicant was employed from August 2000 to October 2003 by a transportation company. From October 2003 to April 2006, Applicant was employed by another transportation company.

service, made seven documented payments of \$380.00 under the plan (Tr. 38-39, 55). Applicant testified she did not have an opinion about the debt service even though she had been contacting them about once a month (Tr. 62-63). Applicant has receipts of payments to the debt service, and also proof of making at least eight payments of \$125.00 to the truck credit company (SOR 1.I, Tr. 50-51, 94).

Applicant's husband testified that he and his wife knew they had delinquent debt after 2002, and even talked about the debt problems (Tr. 41). Applicant's husband indicated he was about to launch his own documented plan to eliminate the debt and start up his own business (Tr. 41-42). No additional information was furnished regarding the husband's plan. Applicant's husband noted that, "It had been quite a long time since my wife and I had run a credit report on her (Tr. 40)."

The 18 debts shall be discussed in the order they appear in the SOR. The debts total \$39,966.00.

- 1.a. \$14.00. The last activity³ reported by the credit agency on this debt was October 2005 (GE 4). Applicant initially denied the debt was her responsibility (Tr. 51-52). Applicant submitted an unprocessed check of \$14.00 to the creditor on November 1, 2008. I find for Applicant under SOR 1.a. even though the check (and the remaining checks presented in Applicant's post hearing submission) is not the best evidence that the overdue accounts were paid.

- 1.b. \$126.00. The last activity on this debt was May 2002. Applicant admitted the debt, and initially stated this account was being paid through her debt consolidation service (Tr. 52).⁴ In AE J, Applicant paid the creditor \$126.00 on November 1, 2008. Applicant's payment of the debt after indicating the debt was being paid by the debt service warrants a finding for Applicant under SOR 1.b.

- 1.c. \$1,451.00. Applicant denies she owes the delinquent account. The last activity on the debt is November 2001. No additional information was provided. SOR 1.c. is resolved against Applicant.

- 1.d. \$1,164.00. Applicant denies she owes the debt. The last activity on this account was in July 2002. No additional evidence was provided on this account. The account is resolved against Applicant.

³ The last activity refers to the last time action was taken on the account, e.g., making a payment or rewriting the underlying contract under different terms.

⁴ She modified her testimony by indicating she did not have actual proof that the debt service was paying the creditor but she could access that information by calling the debt service (Tr. 56-57). No information was provided.

- 1.e. \$147.00. GE 4 indicates that this debt and the one identified in 1.f. are the same. Applicant admits she owes the account (Tr. 53). The last activity on this debt was February 2004. Applicant paid the debt on November 1, 2008 (AE K). This subparagraph is found for Applicant.

- 1.g. \$1,168.00. Applicant denies she owes this account (Tr. 54). The last activity on this account was July 2001. Applicant settled the account a check for \$584.00 dated November 1, 2008 to the collection agency. I find this account in her favor.

- 1.h. \$4,303.00. The last activity on the account is June 2001. Applicant admitted the debt but denied the amount because she had a \$500.00 limit on her account. No additional information was provided. I find against Applicant under SOR 1.h.

- 1.i. \$25,034.00. The last activity on this account is January 2002. Applicant returned the truck before it was repossessed because they anticipated they could no longer afford the installment payments. Applicant denies the amount alleged in SOR 1.i. Concerning payments made to the 1.i. creditor, the contents of the AE R show Applicant made sporadic payments between August 2002 and November 2007. For example, she made a payment in December 2006 and May 2007. AE R contains two reply letters from the credit company's law firm thanking her for the two aforementioned payments. The last two pages of AE R are dated November 16, 2007, and reflect a balance in SOR 1.i. of \$3,928.00, not \$25,034.00 as alleged in SOR 1.i., but twice as much as the amount she claimed in her testimony (Tr. 93-94). SOR 1.i. is resolved against Applicant.

- 1.j. \$143.00. The last activity on this debt was May 2001. Applicant admitted the debt, but indicated she was making payments through the debt service plan (Tr. 55). AE M indicates that Applicant did not pay the debt until November 1, 2008. Subparagraph 1.j. is found for Applicant.

- 1.k. \$131.00. The last activity on this account was October 2005. After initially denying this debt, she paid the creditor on November 1, 2008 with a check for \$131.00 (AE N). SOR 1.k. is resolved in Applicant's favor.

- 1.l. \$381.00. GE 4 reflects this is the same account as SOR 1.p. The last activity on this account was June 2001. Applicant believed her debt service was making payments on the account, and she could obtain the payment information from the debt service official (Tr. 55-56). AE O shows Applicant paid the creditor on November 1, 2008. SOR 1.l. is resolved for Applicant.

- 1.m. 1,389.00. The last activity on this account was September 2001. Applicant admitted the debt but denies the amount. I find Applicant owes this account.

- 1.n. \$1,643.00. The last activity on this account was June 2002. Applicant admitted this debt, but denied the amount. She averred the debt is the same as the account identified in SOR 1.r. There is insufficient information in the credit reports to corroborate her claim. Though she testified the debt was being paid through the debt service plan (Tr. 58-59), she subsequently withdrew from the plan (AE T). She presented no independent evidence supporting her testimony that the debt was being paid through the service plan. I find against Applicant under SOR 1.n. and 1.r.

- 1.o. \$47.00. Though GE 4 reflects the last activity on the account was September 2007, Applicant paid the account off in October 2005 (AE P). SOR 1.o. is resolved in Applicant's favor.

- 1.p. \$278.00. See SOR 1.i. this account is resolved in Applicant's favor.

- 1.q. \$159.00. The last activity on the account was in November 2004. Applicant initially denied the debt. She presented AE Q to support her claim the debt was paid. Applicant's handwritten statements in AE Q are not sufficient to verify payment made. SOR 1.q. is resolved against Applicant.

- 1.r. \$2,275.00. See SOR 1.n. This account is resolved against Applicant.

After the double entries (SOR 1.f., and 1.p.) are subtracted from the total delinquent debt in the SOR (\$39,966.00), the total debt is \$39,575.00. Next, when the debt for the truck (SOR 1.i., \$25,034.00) is reduced to approximately \$4,000.00 (AE R, the current balance with additional interest added), then subtracted from \$39,575.00, the delinquent debt Applicant owes to 16 creditors is \$18,575.00. After subtracting \$1573.00 (the amount Applicant repaid to eight creditors plus two creditors with double entries) from \$18,575.00, Applicant still owes eight creditors \$17,002.00.

Applicant has never had financial counseling (Tr. 86). Applicant claimed she employs a month-to-month budget although the income she and her husband earn changes every week (Tr. 86-87).

AE U consists of 14 pages, and represents the documents relating to Applicant's debt service plan which she joined in May 2008. A number of figures appear on the first page (monthly installment agreement), including the monthly payment of \$380.00, and the total fee of \$9,000.00. After initial payments were by Applicant in May and June 2008, the AE U contains only her promise to pay certain amounts. There is no verification in the exhibit that Applicant made seven payments of \$380.00 as testified by her husband (Tr. 38). Lastly, there is no list of creditors included in the plan and/or payout amounts.

In AE T, dated November 4, 2008, Applicant expressed dissatisfaction with her debt service plan, indicating she was misled. She stated she would be addressing the other debts that are not hers through another service. She intended to pay all her

accounts in a timely fashion. She provided no evidence showing she had actually enrolled in another plan.

Personal Conduct (PC)

On August 28, 2007, Applicant signed a security clearance questionnaire (SCA). In response to question 27b. requiring information about garnishments or repossessions, Applicant answered "No." Even though her truck was repossessed in 2002, the surrounding circumstances of the event support a finding she did not deliberately omit the information.

In the same questionnaire, question 28a., Applicant also denied she had any debts over 180 days delinquent in the last 7 years. In response to question 28b., she denied she had any debts over 90 days delinquent. After weighing and balancing the testimony of Applicant and her husband, there are a number of inconsistencies in her claims that undermine her overall credibility. However, due to forgetfulness and the lack of financial counseling, I am unable to make the factual finding that she deliberately concealed the information from questions 28a. and 28b. of her SCA in August 2007.

Character Evidence

Applicant submitted several character letters beginning with a coworker/friend who has known Applicant for five years. The coworker considers Applicant trustworthy. Based on her observation of Applicant for about a year, a second coworker and friend knows that Applicant loves her job and is very security conscious. A third character statement comes from Applicant's national congressman who advised Applicant that the appropriate government officials had been contacted, and that the congressman would monitor the case.

A driver and manager of Applicant's employer noted that he considers Applicant trustworthy based on his interaction with her since early 2008. The facility security officer (FSO) has known Applicant professionally since February 2008, and is appreciative of Applicant's dependability, leadership, and attention to detail.

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 flexible rules of law. Recognizing the complexities of human behavior, these guidelines are applied in conjunction with the factors listed in the adjudicative process. The Administrative Judge's ultimate adjudicative goal is a fair,

impartial and common sense decision. According to the AG, the entire process is a careful, thorough evaluation 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. Reasonable 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. Likewise, I have avoided drawing inferences grounded on mere speculation or conjecture.

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 is not restricted to normal duty hours. Rather, the relationship is an-around-the-clock responsibility between an applicant and the federal government. 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.

Analysis

Financial Considerations (FC)

18. *The Concern.* “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. Compulsive gambling is a concern as it may lead to financial crimes including espionage. Affluence that cannot be explained by known sources of income is also a security concern. It may indicate proceeds from financially profitable criminal acts.”

FC disqualifying condition (DC) 19.a. (*inability or unwillingness to satisfy debts*) applies to Applicant’s delinquent debts. When the SOR was published, Applicant owed

more than \$39,900.00 she was unable to pay. There are more than 16 overdue debts listed with delinquency dates as early as 2001. FC DC 19.c. (*a history of not meeting financial obligations*) also applies.

The mitigating conditions have been evaluated. FC mitigating condition (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*) does not apply, as Applicant still owes eight creditors approximately \$17,002.00. The number of delinquent debts, amount of the debt, and age of the listed accounts, continues to cast doubt on Applicant's current reliability, and judgment. Applicant's initial representations that some of the debts were being paid by the debt service plan, and later declaration that she had withdrawn from the plan because she had been misled, undermines her credibility. Her credibility is weakened further by the absence of supporting documentation of her claim of having made a number of \$380.00 payments to the debt service, and \$125.00 payments to the law firm.

The mitigation Applicant receives under FC MC 20.b. (*the conditions that resulted in the financial problem were largely beyond the person's control*) is substantially reduced because the illnesses to the parents of Applicant's husband occurred over four years ago. In addition, GE 1 reflects that Applicant did not experience a break in employment as her husband testified. FC MC 20.b. has only limited application.

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 under control*) receives limited favorable attention due to the fact Applicant has never received counseling. Though she claimed she had a monthly budget to manage her finances, she declined to produce evidence to support her testimony. While exercising good judgment to enroll in a debt service to gain control over her financial troubles, she no longer is involved in the service. Applicant receives limited mitigation under FC MC 20.c.

Applicant would have received significant mitigation under FC MC 20.d. (*the individual initiated a good-faith effort to repay overdue creditors or otherwise resolve debts*) had she been more forthright about her debts. However, given her lack of candor in explaining the status of several of the debts, and misrepresenting the payment she made to the debt service plan and the credit company law firm in SOR 1.i., her mitigating evidence is insufficient to prevail over her history of failing to meet financial obligations.

Personal Conduct (PC)

15. *The Concern.* "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.”

Applicant’s “No” answers to both debt questions (28.a., 28.b.) of his SCA in August 2007 activates PC DC 16.a. (*deliberate omission, falsification of relevant facts from any personnel security questionnaire used to determine security clearance eligibility or trustworthiness*) Applicant repeatedly denied omitting factual information from her SCA. While there are significant inconsistencies between Applicant’s and her husband’s testimony that impact negatively on Applicant’s credibility, I am unable to conclude that Applicant deliberately omitted her financial information. I have considered her change of positions concerning several of her debts. I have considered her claims she made about the truck and debt service. It is reasonable to conclude she forgot about the debts because of their age. I find it also reasonable to conclude she did not include the truck as one of the delinquent debts because she thought, though incorrectly, that the truck debt may have been resolved when she returned the vehicle to the dealer. Without the element, PC DC 16.a. does not apply. Accordingly, the PC guideline is resolved in Applicant’s favor.

Whole Person Concept (WPC)

I have examined the evidence under the disqualifying and mitigating conditions of the FC, PC and CC guidelines. I have also weighed the circumstances of this case within the context of nine variables known as the whole person concept:

- (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 the participation was 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.

I have considered the facts of this case in light of the disqualifying and mitigating conditions of the FC guideline, and also in light of the general factors of the whole person concept. The statements of five of Applicant’s coworkers and friends demonstrate that Applicant is dependable and trustworthy. However, these statements do not include any probative information of whether these declarants are familiar with Applicant’s financial problems. Based on the time line of when the debts became delinquent, Applicant has a seven-year history of financial problems. Though the evidence suggests Applicant deliberately omitted material financial information from her SCA, there is insufficient evidence for me to conclude that she deliberately concealed her debts from her SCA and the government in August 2007. On the other hand,

Applicant has not met her burden of persuasion under the FC guideline by not demonstrating more responsibility in managing her finances.

Having evaluated the evidence as a whole, Applicant has failed to mitigate the security concerns associated with her financial problems. Applicant exercised good judgment by finally taking responsibility for nine of the debts listed in the SOR. But, given the lack of evidence showing that the debts in SOR 1.c., 1.d., 1.h., 1.i., 1.m., 1.n., and 1.r. are being addressed, the record is insufficient to conclude that Applicant has successfully mitigated the continuing security concerns associated with her financial indebtedness.

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 (Financial Considerations, 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.	For Applicant
Subparagraph 1.f.	For Applicant
Subparagraph 1.g.	For Applicant
Subparagraph 1.h.	Against Applicant
Subparagraph 1.i.	Against Applicant
Subparagraph 1.j.	For Applicant
Subparagraph 1.k.	For Applicant
Subparagraph 1.l.	For Applicant
Subparagraph 1.m.	Against Applicant
Subparagraph 1.n.	Against Applicant
Subparagraph 1.o.	For Applicant
Subparagraph 1.p.	For Applicant
Subparagraph 1.q.	Against Applicant
Subparagraph 1.r.	Against Applicant

Paragraph 2 (Personal Conduct, Guideline E): **FOR APPLICANT**

Subparagraph 2.a.	For Applicant
Subparagraph 2.b.	For 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.

Paul J. Mason
Administrative Judge