



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



In the matter of:)
)
) ISCR Case No. 08-09251
SSN:)
)
Applicant for Security Clearance)

Appearances

For Government: Eric Borgstrom, Esquire, Department Counsel
For Applicant: *Pro Se*

October 29, 2009

Decision

HENRY, Mary E., Administrative Judge:

Based upon a review of the case file, pleadings, exhibits, and testimony, I conclude that Applicant's eligibility for access to classified information is denied.

Applicant submitted his Security Clearance Application (SF 86) on March 7, 2008. The Defense Office of Hearings and Appeals (DOHA) issued a Statement of Reasons (SOR) detailing security concerns under Guidelines F (Financial Considerations) and E (Personal Conduct) on March 27, 2009. 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.

Applicant acknowledged receipt of the SOR on April 1, 2009. He answered the SOR in writing on May 2, 2009, and requested a hearing before an administrative judge. DOHA received the request on May 4, 2009. Department Counsel was prepared to proceed on June 16, 2009, and I received the case assignment on June 18, 2009. DOHA issued a notice of hearing on June 22, 2009, and I convened the hearing as scheduled on July 13, 2009. The government exhibits (GE) 1 through 23 were received and admitted into evidence without objection. Applicant testified on his own behalf. Applicant exhibits (AE) A through G were received and admitted into evidence without objection. DOHA received the transcript of the hearing (Tr.) on July 23, 2009. I held the record open until August 12, 2009, for Applicant to submit additional matters. Applicant timely submitted 16 additional documents, AE H through AE W, which were admitted into evidence without objection. The record closed on August 12, 2009.¹

Findings of Fact

In his Answer to the SOR, Applicant admitted the factual allegations in ¶¶ 1.a through 1.r of the SOR, with explanations. He denied the factual allegations in ¶¶ 1.s and 2.a through 2.f of the SOR.² He also provided additional information to support his request for eligibility for a security clearance.

Applicant, who is 54 years old, works as senior engineer technician for a Department of Defense contractor, a position he has held since July 2007. Applicant received a security clearance in 1975 and has held a security clearance since that time without incident.³

Applicant and his wife married in 1975. They have four grown children, ages 38, 35, 33, and 29. Applicant enlisted in the United States military in July 1973. He retired on disability 17 years later. He completed a bachelor's degree in theology and recently completed a master's degree in management. He intends to continue his education towards a doctorate degree in education beginning in the fall of 2009. His wife attends nursing school.⁴

While in the military, Applicant started working as a part-time chaplain. He established a "ministry" which included a Sunday school, a women's group and a youth

¹At the hearing, Applicant indicated he received the hearing notice at least 15 days prior to the hearing. See ¶ E3.1.8 of the Directive (Tr. 9.).

²When SOR allegations are controverted, the government bears the burden of producing evidence sufficient to prove controverted allegations. Directive, ¶ E3.1.14. "That burden has two components. First, the government must establish by substantial evidence that the facts and events alleged in the SOR indeed took place. Second, the government must establish a nexus between the existence of the established facts and events and a legitimate security concern." See ISCR Case No. 07-18525 at 4 (App. Bd. Feb. 18, 2009), (concurring and dissenting, in part) (internal citations omitted).

³GE 1; Tr. 22.

⁴GE 2; Tr. 21-22, 25, 56, 89.

ministry. In 1987, he started a new ministry in a low income area of a local community. He aspired to help young people finish high school, go to college and better themselves. At this same time and in this community, he established a church under the auspices of a church headquartered out of state. He initially worked as a volunteer pastor. He received financial compensation for his duties as a minister in this church from 1993 to 2002. The local church owned property, which is for sale.⁵

While working in the community, Applicant became aware of other needs of the youth in his community, including child care for young working parents. He set up a non-profit corporation and became its president.⁶ He received no income from this business.⁷ The business developed funding problems. Over the years, Applicant used his personal funds to pay some of the business expenses. In 1999, this business notified the state that it was inactive and the documents of record do not show the business notified the state that it was active at a later date. In 2002, an attorney prepared papers for a business reorganization plan under Chapter 11 of the United States Bankruptcy Code. The record evidence does not reflect whether these papers were filed with the court. By 2004, this business closed its doors. The business filed federal and state tax returns as a corporation with Applicant's name listed as the contact. The business filed a tax return for the year 2004. Applicant stated that the proceeds from the sale of the church property will go to his non-profit business.⁸

In 2006, Applicant began a new ministry. He works part-time as a volunteer pastor in this church. He does not receive a salary.⁹

Applicant's wife operates a beauty shop business. At times, he has provided her with money to operate her business.¹⁰

Applicant's financial troubles began sometime prior to 2003. He could not make his mortgage payments and in 2003, his mortgage lender started foreclosure proceedings on his property. His wife filed a Chapter 13 bankruptcy petition on June 24, 2003.¹¹ On November 8, 2005, the bankruptcy trustee filed a motion to dismiss his wife's case for "material default" (not defined). One month later, Applicant's wife and the trustee filed a stipulation with the court. The court approved the stipulation on December

⁵Tr. 23, 54, 68-69.

⁶AE G.

⁷The business records for the non-profit business reflect that Applicant's wife received \$2,700 in income as an employee in the first quarter of 2004. AE L; AE M.

⁸AE J; AE K; AE P; AE V; Tr. 24, 35, 50.

⁹Tr. 24, 54.

¹⁰Tr. 76-77.

¹¹The June 15, 1999 credit report identified Applicant's mortgage as a bad debt. GE 11.

14, 2005, and dismissed the bankruptcy proceeding in an order dated December 28, 2005. The record evidence does not contain a copy of the stipulation. Thus, its terms are unknown.¹²

In June 2006, Applicant's employer laid him off. In January 2007, he and his wife refinanced their home. They used the proceeds from their refinanced mortgage to pay bills as listed in the settlement documents and late fee charges to their mortgagor. Applicant obtained new employment in July 2007.¹³

Since refinancing his house, Applicant made three mortgage payments. His mortgage lender notified him that it intended to start foreclosure proceedings and did so in June 2009. Applicant contacted legal counsel in March 2009 about the foreclosure and his mortgage. He did not provide information which indicated he retained counsel. His wife filed a Chapter 13 bankruptcy on July 9, 2009, which stopped the foreclosure proceedings.¹⁴

After reviewing the credit reports dated September 3, 1999; March 13, 2008; October 1, 2008; March 4, 2009; June 15, 2009; and the SOR, I have compiled a list of the total debts owed, excluding any duplicate entries. I find that Appellant's actual debts are as follows:¹⁵

SOR	TYPE OF DEBT	AMOUNT	STATUS	EVIDENCE
1.a	Judgment	\$ 7,460	Unpaid	GE 20; Tr. 26 ¹⁶
1.b	Collection account	\$ 144	Paid \$25 once, balance unpaid	GE 10; AE B; AE I ¹⁷

¹²GE 6; AE Q.

¹³GE 6; AE W; Tr. 60-62.

¹⁴AE O; AE U; Tr. 43-44, 72-74.

¹⁵GE 7 (Credit report, dated June 15, 2009); GE 8 (Credit report, dated March 4, 2009); GE 9 (Credit report, dated October 1, 2008); GE 10 (Credit report, dated March 13, 2008); GE 11 (Credit report, dated September 3, 1999).

¹⁶Applicant submitted a document showing that the United States government had filed a civil suit against this creditor concerning its business practices. Applicant has not provided any evidence which established a connection between this civil suit and his debt. AE H. Applicant testified that his insurance company paid this bill as his vehicle had been in an accident. Again, Applicant did not provide documentation to support his position. Tr. 26

¹⁷At the hearing, Applicant indicated that this account would be part of a repayment plan. After the hearing, he submitted a document from a different debt resolution company and this debt is not part of the payment plan. AE I; Tr. 28.

1.c	Judgment	\$ 675	Unpaid	GE 10; AE B; AE I ¹⁸
1.d	Medical bill	\$ 115	Paid \$25 once, balance unpaid; deleted after investigation by one credit reporting company	GE 5; GE 6; GE 10
1.e	Medical bill	\$ 163	Paid \$25 once, balance unpaid	GE 5; GE 10
1.f	Medical bill	\$ 364	Paid \$25 once, balance unpaid	GE 5; GE 10
1.g	State tax lien	\$ 7,394	Unpaid	GE 10; GE 23; Tr. 35
1.h	Collection account	\$ 785	Disputed, deleted after investigation by one credit reporting company	GE 5; GE 6
1.i	Collection account	\$ 65	Payment plan	GE 10; AE B; AE I
1.j	Collection account	\$ 5,139	Unpaid	GE 10; Tr. 38
1.k	Credit account	\$ 3,657	Disputed, deleted after investigation by one credit reporting company	GE 6; GE 10; Tr. 39
1.l	Medical bill	\$ 470	Same as 1.d.	Tr. 31
1.m	Education debt	\$ 1,260	Payment plan	GE 10; AE B; AE I; Tr. 39
1.n	Medical bill	\$ 1,690	Submitted for payment (not verified)	Tr. 39-40
1.o	Collection	\$ 625	Payment plan	GE 8; AE B; AE I
1.p	Judgment	\$ 7,486	Unpaid	GE 21; Tr. 40-41
1.q	Collection account	\$ 485	Paid \$25 once, balance unpaid	Tr. 42

¹⁸*Id.*

1.r	Mortgage debt	\$ 19,650	Foreclosure started, in abeyance	GE 19; GE 22; AE U; Tr. 43-44
1.s	Education debt	\$ 25,000	Unpaid, in dispute	Tr. 46-47

Applicant contacted a debt counseling service one week before the hearing. At the hearing, he provided a list of debts he believed this service would help resolve, which did not include the five debts on which he made a \$25 payment. After the hearing, Applicant provided a document from a different debt counseling service. This document listed fewer debts to be repaid. Applicant did not provide any proof that he made the first payment of \$217 due on August 1, 2009.¹⁹

With the assistance of a third financial counseling service, Applicant and his wife developed a budget. His budget indicated that household monthly income totaled \$5,604 and household monthly expenses totaled \$5,228 plus variable monthly expenses of \$198, leaving a monthly surplus of \$178. Applicant's repayment plan cost is not included in his monthly expenses. Likewise, the \$1,495 house payment is lower than the payments listed in his mortgage loan refinance papers. Applicant and his wife received a federal income tax refund of \$7,324.00 in April 2009. The Internal Revenue Service applied the refund to an existing tax debt for the year 2001.²⁰

Applicant challenged the action filed against him by the judgment creditor in SOR allegation ¶ 1.p. He appeared in court to argue his case and appealed the judgment entered against him. The court appeal record indicated that the sheriff served Applicant with a copy of the appeal papers on March 10, 2008. On February 6, 2009, the court entered a Default Judgment against Applicant and sent a notice of the judgment by regular mail to Applicant.²¹

When Applicant completed his security clearance application on March 7, 2008, he answered "no" to the following questions:

Section 27: Your Financial Record

- c. In the last 7 years, have you had a lien placed against your property for failing to pay taxes or other debts?
- d. In the last 7 years, have you had any judgments against you that have not been paid?

¹⁹AE B; AE I; Tr. 64.

²⁰AE R; AE S; AE W.

²¹GE 21; Tr. 41.

Applicant does not owe any state taxes on his personal income and filed his state taxes as required. Because the tax lien related to his non-profit business, not his personal taxes, he answered “no” to question 27c. He explained that the lien was filed for withholding taxes due to the state for salaries paid to employees of his non-profit business. Several years ago he verbally disputed this lien with the state. He did not list the judgment entered him against because he believed that he did not receive notice of the judgment until after he completed his security clearance application. The court docket sheet indicated that the notice of entry of judgment was mailed to Applicant on February 6, 2009. He did not recall receiving notice of the judgment and does not know when he appeared in court for the case, leading to his judgment.²²

Applicant answered “yes” to the following questions when he completed his security, but did not list all his delinquent debts:

Section 28: Your Financial Delinquencies

- a. In the last 7 years, have you been over 180 days delinquent on any debt(s)?
- b. Are you currently over 90 days delinquent on any debt(s)?

Applicant did not have a credit report at the time he completed his security clearance application and did not know what debts were over 180 days past due. He initially indicated that does not know why he said “no” about his debts 90 days past due, but on cross-examination, stated that he did not have his credit report.²³

Finally, Section 11, Your Employment Activities, requests Applicant to list all his employment, including full-time and part-time employment and other paid employment. When he answered this question, Applicant listed his full-time jobs for the last seven years, but he did not list his part-time employment as a minister. He started his ministry and pastoral work as a volunteer, then received a salary from 1993 until at least 2002. After 2002, his salary declined and he eventually declined to accept a salary from his church members. He occasionally received a stipend from his church members.²⁴

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

²²Tr. 54, 80-82, 85-87.

²³*Id.* 83-84.

²⁴*Id.* 54, 68-69.

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 overarching adjudicative goal is a fair, impartial, and commonsense decision. According to AG ¶ 2(c), the entire process is a conscientious scrutiny of a number of variables known as the "whole person concept." The administrative judge must consider all available, reliable information about the person, past and present, favorable and unfavorable, in making a decision.

The protection of the national security is the paramount consideration. AG ¶ 2(b) requires that "[a]ny doubt concerning personnel being considered for access to classified information will be resolved in favor of national security." In reaching this decision, I have drawn only those conclusions that are reasonable, logical, and based on the evidence contained in the record. 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, an applicant is responsible for presenting "witnesses and other evidence to rebut, explain, extenuate, or mitigate facts admitted by applicant or proven by Department Counsel. . . ." An 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 an 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 conditions that could raise security concerns. Under AG ¶ 19(a), an "inability or unwillingness to satisfy debts" is potentially disqualifying. Similarly under AG ¶ 19(c), "a history of not meeting financial obligations" may raise security concerns. Applicant has a long history of financial problems. He accumulated significant delinquent debt, which he has not paid. The evidence is sufficient to raise these potentially disqualifying conditions, requiring a closer examination.

The guideline also includes examples of conditions that could mitigate security concerns arising from financial difficulties. Under AG ¶ 20(a), the disqualifying condition may be mitigated where "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." Applicant's financial worries arose sometime ago and continue to the present. Thus, this potentially mitigating condition does not apply.

Under AG ¶ 20(b), it may be mitigating where "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 lost his job in 2006 and remained unemployed for over one year. During his unemployment, he and his wife refinanced their home, indicating sufficient income to receive loan approval. Applicant has not provided any information which shows that he acted reasonably towards his other debts when he was unemployed. This mitigating condition does not apply in this case.

Evidence that "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" is potentially mitigating under AG ¶ 20(c). Applicant contacted a debt counseling service one week before the hearing. Since the hearing, he contacted two other debt counseling services. Through one service, he developed a repayment plan for five debts on which he had not made any previous payments. He did not provide evidence that he paid the first payment. Given his long history of unpaid debt, there is a serious concern that he will not comply with his repayment plan. In addition, the budget he developed indicated that he lacks sufficient funds each month to make his agreed upon payments. Applicant has not provided sufficient evidence to show that he has mitigated the government's security concerns even with his financial counseling.

Similarly, AG ¶ 20(d) applies where the evidence shows "the individual initiated a good-faith effort to repay overdue creditors or otherwise resolve debts." Applicant made

five one-time \$25 payments on five small debts. These payments are insufficient to establish a good-faith effort to resolve either these debts or his other significant debts. The remaining balance on these debts and many other debts are unpaid. I conclude that this potentially mitigating condition does not apply.

AG ¶ 20(e) “the individual has a reasonable basis to dispute the legitimacy of the past-due debt which is the cause of the problem and provides documented proof to substantiate the basis of the dispute or provides evidence of actions to resolve the issue” may apply in this case to some debts. Applicant challenged the validity of the three medical bills in SOR allegations 1.d, 1.h, and 1.k. As a result of his challenge, the credit reporting agency deleted these debts. This mitigating condition applies to these three debts and the debt listed in SOR allegation 1.l, as it is the same as the debt in SOR allegation 1.d. This mitigating condition does not apply to the debt in 1.s, which Applicant disputed at the hearing. Applicant has not filed a formal dispute with either the creditor or the credit reporting agencies.

AG ¶ 20(f) mitigating condition, “the affluence resulted from a legal source of income,” is not applicable in this case.

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. 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.

AG ¶ 16 describes one condition that could raise a security concern and may be disqualifying in this case:

(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.

For AG DC ¶ 16(a) to apply, Applicant’s omission, concealment or falsification in his answer must be deliberate. The government established that Applicant omitted material facts from his e-QIP when he answered “no” to the questions about liens and judgments and when he failed to list all his debts and his employment as a minister. This information is material to the evaluation of Applicant’s trustworthiness to hold a security clearance and to his honesty. In his response to the SOR and at the hearing, Applicant denied, however, that he had an intent to hide this information from the

government. When a falsification allegation is controverted, the government has the burden of proving the omission was deliberate. Proof of an omission, standing alone, does not establish or prove an applicant's intent or state of mind when the omission occurred. An administrative judge must consider the record evidence as a whole to determine whether there is direct or circumstantial evidence concerning an applicant's intent or state of mind at the time the omission occurred.²⁵

Applicant believed that he did not need to list the state tax lien because it related to withholding taxes from his non-profit business and not his personal income taxes. He denies owing these taxes on the grounds that the taxes are owed by his now defunct non-profit business. His documents show that the business was a corporation and he was the contact person. Although the lien is filed against him, his understanding that the lien belongs to his non-profit business is reasonable and supported by the documents. SOR allegation 2.b is found in his favor. Regarding his failure to list the judgment, the court entered a default judgment²⁶ against Applicant in February 2009 following an appeal. While Applicant may not have received a final determination on his appeal by the time he completed his e-QIP, he knew that a judgment had been entered against him at least one year earlier and that he had not paid it. His failure to list the judgment was intentional. SOR allegation 2.c is found against Applicant.

Concerning his failure to list his multiple debts, Applicant had a duty to at least advise the government that he had other delinquent debts. While he answered "yes" to Section 28, questions a and b, his listing of one debt and failure to, at least, admit generally to the existence of other debts established that he attempted to minimize his debt problems, an action that was intentional. SOR allegations 2.d and 2.e are found against Applicant.

Finally, Applicant's failure to list his part-time employment is not an intentional act, but carelessness on his part. SOR allegation 1.a is found in favor of Applicant.

I have reviewed the mitigating conditions under AG ¶ 17, and find that none apply in this case.

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 an applicant's conduct and all relevant circumstances. The administrative judge should consider the nine adjudicative process factors listed at AG ¶ 2(a):

²⁵See ISCR Case No. 03-09483 at 4 (App. Bd. Nov. 17, 2004)(explaining holding in ISCR Case No. 02-23133 at 5 (App. Bd. Jun. 9, 2004)).

²⁶Default judgments are entered against parties who do not appear for court proceedings as required.

(1) the nature, extent, and seriousness of the conduct; (2) the circumstances surrounding the conduct, to include knowledgeable participation; (3) the frequency and recency of the conduct; (4) the individual's age and maturity at the time of the conduct; (5) the extent to which participation is voluntary; (6) the presence or absence of rehabilitation and other permanent behavioral changes; (7) the motivation for the conduct; (8) the potential for pressure, coercion, exploitation, or duress; and (9) the likelihood of continuation or recurrence.

Under AG ¶ 2(c), the ultimate determination of whether to grant eligibility for a security clearance must be an overall commonsense judgment based upon careful consideration of the guidelines and the whole person concept. The decision to grant or deny a security clearance requires a careful weighing of all relevant factors, both favorable and unfavorable. In so doing, an administrative judge must review all the evidence of record, not a single item in isolation, to determine if a security concern is established and then whether it is mitigated. A determination of an applicant's eligibility for a security clearance should not be made as punishment for specific past conduct, but on a reasonable and careful evaluation of all the evidence of record to decide if a nexus exists between established facts and a legitimate security concern.

The evidence in support of denying a security clearance to applicant under the whole person concept is more substantial than the evidence in support of granting or reinstating his security clearance. Applicant has held a security clearance without any violations for many years. In reaching a conclusion, I considered the potentially disqualifying and mitigating conditions under Guidelines F and E, supra, in light of all the facts and circumstances surrounding this case. Applicant's desire and efforts to provide guidance and support to young people through his church is commendable and laudable. Unfortunately, he received little financial support from outside sources to achieve his goal. He used his personal income to support his church to his financial detriment.

Applicant has a long history of financial difficulties, which appear to be worsening. He was unemployed from his full-time job for one year, but has been working for more than two years. His financial problems continued to deteriorate after he returned to work. He contacted a financial counselor one week before the hearing. After the hearing, he developed a payment plan for five debts with another financial counselor, but has not yet made a payment under this plan. He does not have a track record for debt payment. His new budget does not provide money to repay his old debts. His financial issues are significant and not being resolved. Applicant knew about his financial problems when he completed his security clearance application, but was not forthright in his answers. He failed to be honest about his debts when completing his security clearance application, conduct which raises concerns about his trustworthiness and judgment.

Overall, the record evidence leaves me with questions or doubts as to Applicant's eligibility and suitability for a security clearance. For all these reasons, I conclude Applicant has not mitigated the security concerns arising from his finances and personal conduct.

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
Subparagraph 1.d:	For Applicant
Subparagraph 1.e:	Against Applicant
Subparagraph 1.f:	Against Applicant
Subparagraph 1.g:	Against Applicant
Subparagraph 1.h:	For Applicant
Subparagraph 1.i:	Against Applicant
Subparagraph 1.j:	Against Applicant
Subparagraph 1.k:	For Applicant
Subparagraph 1.l:	For 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
Paragraph 2, Guideline E:	AGAINST APPLICANT
Subparagraph 2.a:	For Applicant
Subparagraph 2.b:	For Applicant
Subparagraph 2.c:	Against Applicant
Subparagraph 2.d:	Against Applicant
Subparagraph 2.e:	Against Applicant
Subparagraph 2.f:	For 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.

MARY E. HENRY
Administrative Judge