



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



In the matter of:)	
)	
-----)	ISCR Case No. 09-01793
SSN: -----)	
)	
Applicant for Security Clearance)	

Appearances

For Government: Pamela C. Benson, Esquire, Department Counsel
For Applicant: James Fleisher, Esquire

June 15, 2010

Decision

HOWE, Philip S., Administrative Judge:

On August 25, 2008, Applicant submitted his security clearance application (SF 86). On July 31, 2009, the Defense Office of Hearings and Appeals (DOHA) issued Applicant a Statement of Reasons (SOR) detailing security concerns under Guidelines C (Foreign Preference) and B (Foreign Influence). 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 adjudicative guidelines (AG) effective within the Department of Defense on September 1, 2006.

Applicant answered the SOR in writing on August 14, 2009, and requested a hearing before an administrative judge. DOHA issued a Notice of Hearing on October 7, 2009, setting the hearing for October 22, 2009. On October 14, 2009, the previously assigned administrative judge granted Applicant's request for a delay until he could hire counsel. DOHA issued a cancellation of that hearing on October 20, 2009.

I received the case assignment on October 21, 2009. DOHA issued a second Notice of Hearing on December 2, 2009, and I convened the hearing as scheduled on December 15, 2009. The Government offered Exhibits 1 through 3, which were received without objection. Applicant testified and submitted Exhibits A through F, which were received without objection. DOHA received the hearing transcript (Tr.) on January 4, 2010. I granted Applicant's request to keep the record open until January 5, 2010, to submit additional matters. On that day, he submitted Exhibits G-1 to G-4 and a revised Exhibit B, without objection from Department Counsel. The record closed on January 5, 2010. Based upon a review of the case file, pleadings, exhibits, and testimony, eligibility for access to classified information is denied.

Procedural and Evidentiary Rulings

Motion to Amend SOR

Department Counsel moved to amend the SOR by adding to ¶ 1.a "September 3, 2007," as the issuance date for Applicant's current Iranian passport, which is valid through "September 2, 2012." Applicant's counsel had no objection to this amendment and I granted the request. (Tr. 108, 109.)

Request for Administrative Notice

Department Counsel submitted a formal request that I take administrative notice of certain facts relating to Iran. (Tr. at 10-12.) The request and the attached documents were admitted into evidence as Hearing Exhibit 3. Applicant's counsel argued that Sub-Exhibits XIII, XIV and XV were irrelevant and immaterial because they pertain to certain individuals of Iranian origin who were prosecuted under United States laws for various crimes. (Tr. 18, 19.) The Department Counsel asserted that the information was offered to show that Iran is an active collector of classified information. I admitted the documents and allowed Applicant to submit other exhibits pertaining to Iran which were marked as Exhibits G-1 to G-4. The facts administratively noticed are set out in the Findings of Fact, below.

Findings of Fact

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

Applicant is 55 years old. He was born in Iran. His father is deceased and his mother is 80 years old. She is a citizen of Iran and lives there. Applicant telephones her once a month. He married his second wife in 2006 and has a child born on November 12, 2008, in the U.S. They live in the United States. Applicant departed Iran when he was 21 years old to obtain college and masters degrees in England. His current

employment is as a staff engineer for a defense contractor. (Tr. 24-28, 45, 81, 82, 84, 102; Exhibits 1, 2.)

Applicant came to the United States (U.S.) in 1997 after working in England since 1977. He is a mechanical engineer. During those 20 years, Applicant traveled to Iran annually or biennially to visit his mother and other family members. Applicant became a citizen of the United Kingdom (U.K.) in 1990. He has a British passport that expires in October 2015. Applicant wanted to immigrate to the United States to work in a better job market. He travelled to the United States on a work visa (H-1) in 1997. He then obtained a "green card" and later United States citizenship on February 7, 2007. Applicant obtained a U.S. passport on March 16, 2007. Applicant has tripartite citizenship with the U.K., Iran, and the U.S. He maintains his U.K. citizenship to obtain his pension benefits earned while working in the U.K. for 10 years. (Tr. 28-39, 66; Exhibits 1, 2, C-E.)

Applicant's spouse is 38 years old. Applicant's son has a U.S. passport. His spouse was born in Iran and has Iranian citizenship with a "green card" in the U.S. She came to the U.S. three years ago after they were married. He met her in Iran on one of his earlier trips to visit his family. They own a home in the U.S. and have their bank accounts in the U.S. They do not have any foreign investments or bank accounts. Her parents are alive and live in Iran. Applicant talks to his father-in-law several times a month when his wife telephones her parents. (Tr. 39-42, 62, 78, 88, 93, 94; Exhibits 1, 2, F.)

Applicant renewed his Iranian passport in September 2007, which is valid until September 2012. He originally obtained the passport when he was 18 years old. Applicant renewed the Iranian passport after he became a U.S. citizen, though he may have completed the application before he became a U.S. citizen. He did so, in order to enter Iran, which will not recognize any foreign passport for an individual born in Iran. He retains the passport so he can visit his family. Applicant traveled to Iran in June 2002 and 2003. Also, he went to Iran in June 2005, April 2006, July 2006, January 2007. After becoming a U.S. citizen, he used his Iranian passport to enter and exit Iran in the April and September 2009, after using his U.S. passport to fly to Europe. He has not used his Iranian passport for travel to any other country. Applicant traveled to Iran after he received the SOR in July 2009, knowing that his travels to Iran and possession of the Iranian passport were a security concern to the U.S. Government. (Tr. 51-59, 70-72.)

At the hearing, Applicant stated he was willing to relinquish and destroy the U.K. and Iranian passports, if necessary. Applicant surrendered his U.K. and Iranian passports to his company's security officer on September 8, 2009, after someone advised him to do so. Applicant did not state he would renounce either the U.K. or Iranian citizenships, just that he would allow the passports to be destroyed to obtain a security clearance. He asked his security officer if he could be allowed to retain the passports. Applicant is also willing to conduct his foreign travel using only his U.S. passport. He has no present plans to return to Iran in the future, except to attend his

mother's funeral when that event occurs. (Tr. 48, 49, 59, 61-64, 67-69, 89, 92, 98, 105-107, 113; Exhibits 1, 2, B, B-1, C, D, E.)

Applicant also has three sisters and three brothers still living. They were born in Iran. The oldest brother, the fourth brother, died several years ago. The youngest brother lives in England and Applicant has not seen or spoken to him in several years. Applicant's siblings are married to Iranian citizens, except for his youngest brother who lives in the U.K. Two brothers live in Iran. One brother and his wife are teachers, employed by the Iranian government. Applicant contacts them about every three months. Another brother works in an office and he is a widower. Applicant has not seen him for five years. Applicant's three sisters live in Iran. A sister is a housewife. He has not seen her since his wedding in 2007. That sister's husband may work in an Iranian Navy office. Applicant's second sister is a housewife married to a children's clothing manufacturer. His third sister is 60 years old. Her husband sold shoes for a living. Applicant's father-in-law is a tailor. He lives in Iran and is a citizen. Applicant's mother-in-law is a citizen and resident of Iran. He speaks with his siblings several times a year. (Tr. 82-88; Exhibits 1, 2.)

Applicant proclaimed his loyalty to the U.S. He does not have any financial interests outside the U.S. He acknowledged it is expensive to travel to Iran, even on his \$83,000 annual income. (Tr. 65, 93, 102)

I take administrative notice of the following facts regarding Iran:

Iran is a constitutional Islamic republic with a theocratic system of government in which Shi'a Muslim clergy dominate the key power structures, and ultimate political authority is vested in a learned religious scholar. The U.S. has not had diplomatic relations with Iran since 1980.¹

The U.S. Government has defined the areas of objectionable Iranian behavior as: (1) Iran's efforts to acquire nuclear weapons and other weapons of mass destruction; (2) Its support for and involvement in international terrorism; (3) Its support for violent opposition to the Middle East peace process; (4) Its dismal human rights record; and (5) Iran's intervention in the internal affairs of Iraq.² The U.S. has designated and characterized Iran as the most active state sponsor of terrorism. Iran provides critical support to non-state terrorist groups.³

The government of Iran has committed numerous, serious human rights abuses against the Iranian people. Abuses include political killings and incarceration; summary executions, including of minors; disappearances; religious persecution; torture; arbitrary

¹ U.S. Department of State, *Background Note: Iran*, dated March 2008 and 2009.

² *Id.*

³ U.S. Department of State, *State Sponsors of Terrorism*, April 30, 2009, and December 14, 2009.

arrest and detention, including prolonged solitary confinement; denial of due process; severe restrictions on civil liberties - speech, press, assembly, association, movement and privacy; severe restrictions on freedom of religion; official corruption; violence and legal and societal discrimination against women, ethnic and religious minorities, and homosexuals; trafficking in persons; and child labor.⁴

The State Department continues to warn U.S. citizens to consider carefully the risks of travel to Iran. U.S. citizens, who were born in Iran and are the children of Iranian citizens, even those without Iranian passports who do not consider themselves Iranian, are considered Iranian citizens by Iranian authorities, since Iran does not recognize dual citizenship. Therefore, despite the fact that these individuals hold U.S. citizenship, under Iranian law, they must enter and exit Iran on an Iranian passport, unless the Iranian government has recognized a formal renunciation or loss of Iranian citizenship. U.S.-Iranian dual nationals have been denied permission to enter and depart Iran using their U.S. passports; they even had their U.S. passports confiscated upon arrival or departure. U.S.-Iranian dual citizens have been detained and harassed by the Iranian government. Iranian security personnel may place foreign visitors under surveillance. Hotel rooms, telephones and fax machines may be monitored, and personal possessions in hotel rooms be searched.⁵

Policies

When evaluating an applicant's suitability for a security clearance, the administrative judge must consider the 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 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

⁴U. S. Department of State, *2009 Human Rights Report: Iran, Country Reports on Human Rights Practices*, dated February 25, 2009.

⁵ U.S. Department of State, *Travel Warning: Iran*, dated July 1, 2009.

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, and has the ultimate burden of persuasion as to obtaining a favorable clearance 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 C, Foreign Preference

Under AG ¶ 9 the security concern involving foreign preference arises:

When an individual acts in such a way as to indicate a preference for a foreign country over the United States, then he or she may be prone to provide information or make decisions that are harmful to the interests of the United States.

AG ¶ 10 describes four conditions that could raise a security concern and may be disqualifying:

(a) exercise of any right, privilege or obligation of foreign citizenship after becoming a U.S. citizen or through the foreign citizenship of a family member. This includes but is not limited to:

(1) possession of a current foreign passport;

(3) accepting educational, medical, retirement, social welfare, or other such benefits from a foreign country;

(4) residence in a foreign country to meet citizenship requirements;
and

(5) using foreign citizenship to protect financial or business interests in another country.

Applicant was born in Iran. He arrived in the United States in 1997 and became a naturalized U.S. citizen in February 2007. He obtained a U.S. passport on March 16, 2007. In September 2007, he renewed his previously issued Iranian passport, which he was able to do because he was born in that country. Renewing his passport was an action he took in order to obtain recognition of Iranian citizenship, so he could travel there. Between June 2002 and September 2009, he used that passport to enter and exit Iran for his own convenience, including after he became a U.S. citizen in 2007. He possesses that passport, which will not expire until September 2012, though he surrendered it to his security officer in September 2009. AG ¶ 10 (a)1 applies.

Applicant also has a U.K. passport because he is a citizen of the U.K. and lived there from 1977 to 1997. He retained that passport so he could continue the future opportunity to collect government retirement benefits from that government. As stated above, he renewed his Iranian passport to make it easier for him to enter Iran to visit his family. AG ¶ 10 (a) 3, (a) 4, and (a) 5 apply.

After the Government raised a potential disqualification, the burden shifts to Applicant to establish any appropriate mitigating condition. AG ¶ 11 provides four conditions that could mitigate security concerns:

(a) dual citizenship is based solely on parents' citizenship or birth in a foreign country;

(b) the individual has expressed a willingness to renounce dual citizenship;

(c) exercise of the rights, privileges, or obligations of foreign citizenship occurred before the individual became a U.S. citizen or when the individual was a minor; and

(e) the passport has been destroyed, surrendered to the cognizant security authority, or otherwise invalidated.

Applicant was born in Iran. His citizenship is derived from that circumstance. However, over the past 33 years he has renewed his Iranian passport at each opportunity to do so, even after he obtained U.K and U.S. citizenships. His dual citizenship is based on that action. AG ¶ 11(a) does not apply. Moreover, he moved voluntarily to the U.K. and lived there for 20 years. AG ¶ 11(a) does not apply to that citizenship.

Applicant recently expressed a willingness to relinquish his Iranian and U.K. passports, if it were necessary for him to do so to obtain a security clearance and maintain his employment. He did not state he would renounce both foreign citizenships. In fact, he asked his security officer if he could retain his passports and citizenships while having a U.S. security clearance. AG ¶ 11(b) does not apply.

Applicant accumulated U.K. pension credits before moving to the U.S. in 1997 and becoming a U.S. citizen in 2007. He wants to collect them in the future and intended to do so for the past three years after he became a U.S. citizen. AG ¶ 11(c) does not apply

Both of Applicant's foreign passports were surrendered to his security officer in September 2009. He surrendered them only after he was advised to do so. They have not been destroyed, though Applicant testified he is willing to have them destroyed and use only his U.S. passport for foreign travel. AG ¶ 11(e) partially applies .

Guideline B, Foreign Influence

AG ¶ 6 expresses the security concern regarding foreign influence:

Foreign contacts and interests may be a security concern if the individual has divided loyalties or foreign financial interests, may be manipulated or induced to help a foreign person, group, organization, or government in a way that is not in U.S. interests, or is vulnerable to pressure or coercion by any foreign interest. Adjudication under this Guideline can and should consider the identity of the foreign country in which the foreign contact or financial interest is located, including, but not limited to, such considerations as whether the foreign country is known to target United States citizens to obtain protected information and/or is associated with a risk of terrorism.

AG ¶ 7 describes four conditions that could raise a security concern and may be disqualifying:

(a) contact with a foreign family member, business or professional associate, friend, or other person who is a citizen of or resident in a foreign country if that contact creates a heightened risk of foreign exploitation, inducement, manipulation, pressure, or coercion;

(b) connections to a foreign person, group, government, or country that create a potential conflict of interest between the individual's obligation to protect sensitive information or technology and the individual's desire to help a foreign person, group, or country by providing that information;

(d) sharing living quarters with a person or persons, regardless of citizenship status, if that relationship creates a heightened risk of foreign inducement, manipulation, pressure, or coercion;⁶;

(e) a substantial business, financial, or property interest in a foreign country, or in any foreign-owned or foreign-operated business, which could subject the individual to heightened risk of foreign influence or exploitation.

Applicant's wife and five siblings are Iranian citizens and residents. His other brother is an Iranian citizen living in the U.K. Applicant's wife lives in the United States with him and their child. All of Applicant's siblings except one live in Iran. He has traveled to Iran eight times in the past twelve years, and seven trips occurred in the past six years. One of the latest trips occurred after Applicant received the SOR expressing the Government's concern about his foreign preferences and foreign influence. These frequent trips, coupled with the Iranian government's anti-American actions and statements, give rise to security concerns that if Applicant had access to classified information he could be subject to a heightened risk of foreign exploitation, inducement, manipulation, pressure, or coercion by the Iranian authorities. AG ¶ 7 (a) and (b) apply.

Applicant's mother and in-laws are also Iranian citizens and residents. Their presence in Iran and Applicant's work in the U.S. could create a heightened risk of foreign inducement, manipulation, pressure, or coercion by Iranian authorities based on their past human rights violations. The Iranian authorities could pressure Applicant's relatives to get Applicant to disclose classified information to keep them safe from criminal penalties or harassment by the Iranian authorities. AG ¶ 7(d) applies.

Applicant's pension benefits from the U.K. are a substantial financial interest in the U.K. Applicant could be subject to foreign influence or exploitation to keep access to those benefits. AG ¶ 7(e) applies.

After the Government raised a potential disqualification, the burden shifted to Applicant to establish any appropriate mitigating condition. AG ¶ 8 provides conditions that could mitigate security concerns:

(a) the nature of the relationships with foreign persons, the country in which these persons are located, or the positions or activities of those persons in that country are such that it is unlikely the individual will be

⁶ The mere possession of close family ties with a person in a foreign country is not, as a matter of law, disqualifying under Guideline B. However, if only one relative lives in a foreign country and an applicant has contacts with that relative, this factor alone is sufficient to create the potential for foreign influence and could potentially result in the compromise of classified information. See ISCR Case No. 03-02382 at 5 (App. Bd. Feb. 15, 2006); ISCR Case No. 99-0424 (App. Bd. Feb. 8, 2001).

placed in a position of having to choose between the interests of a foreign individual, group, organization, or government and the interests of the U.S.;

(b) there is no conflict of interest, either because the individual's sense of loyalty or obligation to the foreign person, group, government, or country is so minimal, or the individual has such deep and longstanding relationships and loyalties in the U.S., that the individual can be expected to resolve any conflict of interest in favor of the U.S. interest;

(c) contact or communication with foreign citizens is so casual and infrequent that there is little likelihood that it could create a risk for foreign influence or exploitation; and

(f) the value or routine nature of the foreign business, financial, or property interests is such that they are unlikely to result in a conflict and could not be used effectively to influence, manipulate, or pressure the individual.

Iran's bellicose statements and actions in recent years, and the lack of diplomatic relations with the U.S., coupled with Applicant's close familial relations with his mother and siblings, make it more likely than not that Applicant could be placed in a position of having to choose between the interests of his family and the theocratic government of Iran, and the interests of the United States. His frequent trips to Iran using his Iranian passport make him vulnerable to coercion by that government. AG ¶ 8 (a) does not apply.

Applicant lived in Iran for 18 years until moving to the U.K. for higher education degrees. He lived in the U.K. for 20 years and became a citizen while retaining his Iranian citizenship. Then, Applicant immigrated to the United States in 1997 for better economic and job opportunities. In 2007, he became a U.S. citizen while retaining for pension reasons his U.K. citizenship and passport, and his Iranian citizenship and passport for his personal travel convenience to Iran. Applicant owns a home in the United States and has no foreign financial interests except his U.K. pension benefits. His foreign pension and familial interests create a conflict of interest. He does not have a long-lasting and deep relationship to the United States. He has spent only the last 13 years in the United States, the least amount of time that he has lived in any of the three countries in which he holds citizenship. Therefore, he cannot be expected to resolve any conflict in favor of the U.S. AG ¶ 8(b) does not apply.

Applicant has frequent contacts with his mother in Iran. He also has frequent contacts with his siblings there, through telephone and travel over the years. Those contacts are not casual or infrequent. AG ¶ 8(c) does not apply.

Applicant's U.K. pension benefits exist. Applicant did not disclose the amount of those present or future benefits. The United Kingdom is a long-standing ally of the United States, dating back to before World War I. Those pension benefits are the usual

and common payments any worker could obtain with 20 years of work in the U.K. It is unlikely that they could result in a conflict of interest or be used to influence Applicant by the U.K. government, which does not engage in espionage against the United States. AG ¶ 8 (f) applies.

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):

(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.

AG ¶ 2(c) requires each case must be judged on its own merits. 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 Appeal Board requires the whole-person analysis address "evidence of an applicant's personal loyalties; the nature and extent of an applicant's family ties to the U.S. relative to his [or her] ties to a foreign country; his or her social ties within the U.S.; and many others raised by the facts of a given case." ISCR Case No. 04-00540 at 7 (App. Bd. Jan. 5, 2007).

I considered the potentially disqualifying and mitigating conditions in light of all facts and circumstances surrounding this case. Six circumstances weigh against Applicant in the whole-person analysis.

First, there is a significant risk of terrorism and human rights abuses in Iran. More importantly for security purposes, terrorists are hostile to the United States and actively seek classified information. Terrorists could attempt to use Applicant's mother, his siblings, and his in-laws to obtain such information.

Second, he had numerous connections to Iran before he immigrated to the U.K. and then the United States. Following his birth, he spent his formative years there until he was 18 years old.

Third, all of his family members are citizens of Iran. Only one brother lives outside of Iran.

Fourth, he visited family in Iran eight times in twelve years between 2002 and 2009 using his Iranian passport for two of those trips after becoming an American citizen.

Fifth, Applicant has lived in the United States for only 13 years, and has been a naturalized citizen for three years. These periods are the least amount of time he has spent in a country from which he holds a passport, and claims citizenship. The evidence shows that Applicant moves around the world for his economic benefit, not from any loyalty or love for the United States.

Sixth, and most importantly, he traveled to Iran in spite of being placed on notice by the Government that his possession of an Iranian passport and travel there created a potential security risk.

Applicant did not mitigate the foreign preference and foreign influence security concerns. Overall, the record evidence leaves doubt as to Applicant's present eligibility and suitability for a security clearance. I conclude the "whole-person" concept against Applicant.

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 C:	AGAINST APPLICANT
Subparagraph 1.a:	Against Applicant
Subparagraph 1.b:	Against Applicant
Subparagraph 1.c:	For Applicant
Paragraph 2, Guideline B:	AGAINST APPLICANT
Subparagraph 2.a:	Against Applicant
Subparagraph 2.b:	Against Applicant
Subparagraph 2.c:	Against Applicant
Subparagraph 2.d:	Against Applicant
Subparagraph 2.e:	Against Applicant
Subparagraph 2.f:	Against Applicant
Subparagraph 2.g:	Against Applicant

Conclusion

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

PHILIP S. HOWE
Administrative Judge