



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



In the matter of:)
)
) ISCR Case No. 09-02762
)
)
Applicant for Security Clearance)

Appearances

For Government: Gina Marine, Esquire, Department Counsel
For Applicant: Julio A Rossington, Esquire

December 10, 2010

Decision

CREAN, Thomas M., Administrative Judge:

Based on a review of the case file, pleadings, exhibits, and testimony, eligibility for access to classified information is denied.

On December 7, 2008, Applicant submitted an Electronic Questionnaires for Investigations Processing (e-QIP) to be granted access to classified information as required for a position with a defense contractor. After an investigation conducted by the Office of Personnel Management (OPM), the Defense Office of Hearings and Appeals (DOHA) issued a Statement of Reasons (SOR), dated March 8, 2010, to Applicant detailing security concerns for financial considerations under Guideline F. 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 acknowledged receipt of the SOR on March 11, 2010.

Applicant answered the SOR on March 25, 2010, admitting ten and denying four of the 14 factual allegations under Guideline F. He denied that the admitted factual allegations were a security concern. Department Counsel was prepared to proceed on May 26, 2010, and the case was assigned to me on August 11, 2010. DOHA issued a Notice of Hearing on September 2, 2010, scheduling a hearing for September 22, 2010. I convened the hearing as scheduled. The Government offered nine exhibits, marked and admitted into the record without objection as Government Exhibits (Gov. Ex.) 1 through 9. Applicant and two witnesses testified on his behalf. He offered four exhibits, marked and admitted into the record without objection as Applicant Exhibits (App. Ex.) A through D. The record was held open for Applicant to submit additional documents. Applicant timely submitted nine additional documents marked and admitted without objection as App. Ex. E through M. (Gov. Ex. 10, Memorandum of No Objection, dated October 12, 2010) DOHA received the transcript of the hearing (Tr.) on October 6, 2010.

Findings of Fact

Applicant admitted ten of the 14 factual allegations in the SOR. He denied that these facts raised a security concern. I include Applicant's admissions in my findings of fact. After a thorough review of the pleadings, transcript, and exhibits, I make the following essential findings of fact.

Applicant is 51 years old and has been an electronics technician for a defense contractor for approximately three years. Applicant has been married for over 26 years and has three grown children. He served 20 years on active duty in the United States Air Force as an avionics technician working on various military aircraft. He retired in 1997 as a master sergeant (E-7) with an honorable discharge. He served both overseas and in the continental United States and received numerous awards including awards of the good conduct medal. He held a security clearance during his entire active duty service. He also was awarded an Associate's degree from the College of the Air Force. Appellant has never been arrested or charged with a crime while in the Air Force or as a civilian. (Tr. 31-35; Gov. Ex. 1, e-QIP, dated December 7, 2008; App. Ex. A, Resume, undated; App. Ex. C, Criminal Justice report, dated September 22, 2010)

Appellant's present yearly salary with his employer is approximately \$63,667.09. He is making approximately \$15,000 to \$20,000 less per year from his top salary since he is not working overtime pending a decision on his access to classified information. His wife is employed as a GS-7 Education Specialist with a yearly salary of \$42,000. Applicant also receives \$20,000 annually in retired pay. The family's total yearly income is over \$120,000. Applicant's Personal Financial Statement lists his and his wife's combined monthly income as \$9,625 with monthly expense of \$5,633 leaving \$3,992 in disposable income. (Gov. Ex. 2, Response to Interrogatories, dated July 16, 2009, at 1) However at the hearing, Applicant revised these figures to show a monthly remainder in discretionary funds of \$1,500. The revision of the available discretionary funds is based on the approximately \$15,000 annually decrease in Applicant's income because he cannot work certain projects pending the determination of his access to classified

information. He has also received cash awards from his defense contractor employer. (Tr. 49-56, 141-143; App. Ex. B, Cash Award, dated March 26, 2009; App. Ex. C, Salary information, dated March 29, 2010) His wife also has over \$34,000 in a thrift savings account. (Tr. 81-83) Applicant and his wife purchased a used car in 2007 for approximately \$23,000. He is current with the monthly payments of \$575. Applicant and his wife purchased a used car in 2009 for over \$20,000 using a \$5,000 down payment. He is current with his \$517 monthly payment. The payments are included in the calculation of his monthly expenses. (Tr. 109-112)

Applicant worked as an electronics technician for a few months for an electronics firm after retiring from active duty in April 1997. He then started to sell life insurance in September 1997 for a prominent insurance company. For his first two years with the insurance company, he received both a salary and a commission from his sales. He attended classes, took examinations, and received the required certifications to sell both life insurance and financial services. He maintained his certifications by attending annual continuing education. (Tr. 35-38)

After his initial two years, Applicant's income was only from the commissions paid on sales. The company procedure was that sales representatives received a commission from the sale of a policy based on the potential premiums for the first 12 months. If the policy or payments lapsed in the first 12 months, the sales representative would be required to forfeit the 12 months premium commission that they had been paid. If the policy lapses or premiums not paid after the 12 months, the sales representative did not receive any continuing commission payments. Agents also had to sell a minimum number of policies. Applicant fell below the required threshold of sold policies to remain with the company. Applicant became an independent representative in January 2006, and received commissions based on his insurance policies and financial services sales. The percentage of commission was higher as an independent representative than as a company employee. (Tr. 38-41)

Applicant started to experience a large number of charge-backs from lapsed policies and unpaid premiums around February 2005. He spent a lot of effort to sell and maintain policies, but the circumstances of his clientele were such that most could not maintain the premium payments. His income from sales and commissions was sporadic and decreased over time. To maintain his income and support his family, Applicant had a second job delivering newspapers for about a year. His mother became sick in 2004 and he had to travel often to another state to care for her for periods of time. The time away contributed to his inability to sell and maintain policies and commission income. He was unable to maintain his income levels and incurred delinquent debts. (Tr. 41-47)

Applicant admits to financial problems stemming from his decision to enter and stay in the insurance sales business. Credit reports (Gov. Ex. 5, dated January 9, 2009, Gov. Ex. 6, dated September 24, 2009; Gov. Ex. 7, dated February 1, 2010; and Gov. Ex. 8, dated September 15, 2010) show that Applicant filed a Chapter 13 bankruptcy on January 8, 2004 which was dismissed on September 20, 2006. (SOR 1.a; Gov. Ex. 9, Bankruptcy records) The credit reports also show car repossession debt of \$4,425

(SOR 1.b); a delinquent medical debt for \$228 (SOR 1.c); a charged-off credit card debt for \$516 (SOR 1.d); an automobile car loan in collection for \$1,198 (SOR 1.e); a discount store account in collection for \$590 (SOR 1.f); a bank debt in collection for \$530 (SOR 1.g); three charged-off accounts for a finance company for \$2,510 (SOR 1.h), for \$1,962 (SOR 1.i), and for \$10,149 (SOR 1.j); a credit card bad debt for \$391 (SOR 1.k); a department store account in collection for \$97 (SOR 1.l); a second mortgage account in collection for \$16,763 (SOR 1.m); and a bank account past due over 120 days for \$1,018 on a balance of \$7,180 (SOR 1.n). Applicant admitted the bankruptcy at SOR 1.a, and the debts at SOR 1.b, through 1.e, and SOR 1.h through 1.m. He denied the delinquent debts at SOR 1.f, 1.g, 1.k, and 1.n. Applicant admits he has not had any financial counseling. (Tr. 87-88)

Applicant purchased his home in 1994 while he was on active duty for approximately \$132,000 using a Veteran's Administration (VA) loan. He took out a second mortgage to make home repairs and pay other debts in 1997 when he retired. His initial mortgage payments were \$1,200 monthly. The second mortgage in 1997 increased the monthly payments by \$300. At the time of the second mortgage, the house value had increased to approximately \$160,000. (Tr. 88-93)

When his insurance business income was unstable starting in approximately 2000, Applicant tried to keep up his mortgage payments but he could not meet his obligations because his income was not consistent. One week, he might receive little income and the next could be a good income. He initially tried a loan modification but it was refused. He kept up his efforts to obtain a loan modification but to no avail. In 2003, the mortgage was in danger of being foreclosed because his payments were 10 to 11 months behind. He consulted an attorney and was advised to file a Chapter 13 bankruptcy to protect his interest in the house. Under the bankruptcy wage-earners plan, he was required pay the trustee approximately \$1,300 monthly, and maintain his full mortgage payments. Applicant's mortgage was resold to another company and they offered a loan modification on the mortgage. Since he had a mortgage loan modification, Applicant stopped making the bankruptcy payments after approximately two years and the bankruptcy was dismissed in September 2006. (SOR 1.a) He only had approximately one year of bankruptcy payments remaining to complete his payment plan.

Applicant is now current with his monthly mortgage payments of \$1,423 for the initial mortgage and \$491 on the second mortgage. He does have an arrearage with the second mortgage but the mortgagor has added the arrearage to the end of the loan. The arrearage is \$6,862.20 and not the \$16,763 listed at SOR 1.m. (Tr. 57-61, 93-96, 100-107, 142-146; Gov. Ex. 3, Response to Interrogatories, dated July 16, 2009 at 1; App. Ex. M, Statement, dated January 15, 2010)

Applicant's debts were being paid by the Chapter 13 bankruptcy. Once the bankruptcy was dismissed these debts were no longer being paid. Applicant had a car loan with the financial subsidiary of a car manufacturer. The amount of the debt left on the car loan after the bankruptcy dismissal was approximately \$5,000. Applicant was

now working full time with the defense contractor so he tried to negotiate a payment plan with the creditor. The creditor would settle only for the full \$5,000 remaining on the loan. Since Applicant could not pay the \$5,000, the car was repossessed. After the car was sold, Applicant still had a debt of \$4,425. He has not made any payments on this debt nor made any attempt to contact the creditor or collection agency for the creditor. (SOR 1.b; Tr. 62-63, 83-87)

Applicant's strategy to resolve his delinquent debts is to pay his smaller debts first and then pay his larger debts after freeing funds. He states he disputed some debts but presents no information to support any disputes. He has a steady income now permitting him to resolve his debts. (Tr. 65-66) Applicant has provided adequate information to show he paid and resolved the debts listed at SOR 1.f (Tr. 125, 138-139; App. Ex. J, Letter, dated March 1, 2010), and SOR 1.g. (App. Ex. K, Letter, dated March 1, 2010)

The medical debt at SOR 1.c is for the remainder of a medical bill for Applicant's visit to an emergency room after payments were made by his work and military health insurance. Applicant made a \$100 payment on the debt after the hearing. (Tr. 126-127; App. Ex. H, Payment, dated October 7, 2010)

Applicant had not made contact or a payment on the charged-off credit card debt at SOR 1.d prior to the hearing. His last contact with the creditor had been in the summer of 2010. After the hearing, Applicant made a payment of \$78.50 on the debt as part of a payment plan. The plan requires six more monthly payments of \$74. (Tr. 125-126; App. Ex. I, message, dated October 6, 2010)

The debt to a car manufacturer at SOR 1.e is for the balance on a leased vehicle. Applicant has not paid this debt. (Tr. 126-127) The debts listed at SOR 1.h and 1.i were incurred by Applicant and his wife for furniture purchased prior to their bankruptcy filing in 2004. These debts have not been paid or resolved. The debt at SOR 1.j is a loan consolidation that was made prior to the 2004 bankruptcy filing and has not been paid or resolved. Applicant stated the credit card debt at SOR 1.k had been paid and resolved. There is documentation to establish at least one payment on the debt. The debt at SOR 1.l to a department store is not \$97 but actually over \$800. This debt also has not been paid or resolved. (Tr. 65-66, 127-129, 138-139; Gov. Ex. 4, Response to Interrogatories, at 9) Applicant notes that the debt at SOR 1.n is his wife's debt. His wife inquired about the debt with the creditor bank after the hearing but has not received a response. (App. Ex. G, Letter, dated October 7, 2010)

Applicant also admits other debts and loans not listed in the SOR that have been paid, are being paid, or are delinquent. He paid credit card debts to a discount store and the military store system. (Tr. 65) He had a state tax lien for tax year 2008 that has been paid and satisfied. (App. Ex. F, Tax Lien Satisfaction, dated June 16, 2010). He is in arrears on his homeowner's association dues for four years totaling \$1,600. After the hearing, he discussed the debt with the homeowner's association and agreed to pay \$200 monthly until the debt is resolved. The first payment was due November 15, 2010.

There is no documentation of any payments under this plan. (Tr. 120-122; App. Ex. L. Letter, dated October 1, 2010)

Applicant's pastor testified that he has known Applicant for over 16 years since he joined their church. Applicant was chosen to serve as a trustee and deacon because of his good character. He is also the head of the church community center. A trustee takes care of the church business to include church funds. A deacon is entrusted to take care of the needs of other church members and to assist them in time of need. As a deacon, he has access to sensitive personal information on church members. As leader of the community center, Applicant is directly involved with the funds for the center. The pastor has received only good comments on Applicant from other church members and he is pleased with Applicant's performance. There have not been any issues concerning the management of any funds under Applicant. (Tr. 19-24)

A fellow deacon testified that he is a retired police officer. He was chairman of the trustee council when Applicant was the secretary for the trustees. He believes Applicant is a trustworthy person. His opinion is based on their work together on a \$1,500,000 church building project requiring Applicant to manage a checking account and paying the building and contractor fees. He has loaned Applicant money in the past that has been repaid. He completely trusts Applicant. Even knowing about Applicant's personal financial issues has not changed his opinion of Applicant trustworthiness and integrity. (Tr. 25-29)

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 must be considered in evaluating an applicant's eligibility for access to classified information.

These guidelines are not inflexible rules of law. Instead, recognizing the complexities of human behavior, these guidelines are applied in conjunction with the factors listed in the adjudicative process. The administrative judge's 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.

Under Directive ¶ E3.1.14, the Government must present evidence to establish controverted facts alleged in the SOR. Under Directive ¶ E3.1.15, the applicant is responsible for presenting “witnesses and other evidence to rebut, explain, extenuate, or mitigate facts admitted by applicant or proven by Department Counsel. . . .” The applicant has the ultimate burden of persuasion to obtain a favorable security decision.

A person who seeks access to classified information enters into a fiduciary relationship with the Government predicated upon trust and confidence. This relationship transcends normal duty hours and endures throughout off-duty hours. The Government reposes a high degree of trust and confidence in individuals to whom it grants access to classified information. Decisions include, by necessity, consideration of the possible risk the applicant may deliberately or inadvertently fail to 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:

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. (AG ¶ 18) Similarly, an individual who is financially irresponsible may also be irresponsible, unconcerned, or careless in his or her obligations to protect classified information. Behaving responsibly or irresponsibly in one aspect of life provides an indication of how a person may behave in other aspects of life.

A person’s relationship with his creditors is a private matter until evidence is uncovered demonstrating an inability or unwillingness to repay debts under agreed terms. Absent evidence of strong extenuating or mitigating circumstances, an applicant with a history of serious or recurring financial difficulties is in a situation of risk inconsistent with the holding of a security clearance. An applicant is not required to be debt free, but is required to manage his finances in such a way as to meet his financial obligations.

Applicant's delinquent debts, as reported in credit reports and admitted by Applicant, are a security concern raising Financial Considerations Disqualifying Conditions (FC DC) AG ¶ 19(a) (inability or unwillingness to satisfy debts) and FC DC AG ¶ 19(c) (a history of not meeting financial obligations). Applicant incurred delinquent debts after he retired from Air Force active duty and commenced a career in insurance sales. The business was not lucrative and his sales commissions did not meet expectations. He incurred delinquent debt because he did not have sufficient income to meet his financial obligations. After he started work with a defense contractor at a good

salary, he did not take adequate action to pay or resolve his delinquent debts. Applicant's management of his finances shows both an inability and an unwillingness to satisfy debt.

I considered Financial Considerations Mitigating Condition (FC MC) AG ¶ 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). This mitigating condition does not apply. Applicant's financial problems started in 2000 when his insurance business income was limited. He has numerous delinquent debts which are recent since they have not been paid or resolved. The circumstance that caused his financial problems, a career that did not provide sufficient funds to maintain a lifestyle, could likely recur. His debts continue to cast doubt on his current reliability, trustworthiness, and judgment.

I considered FC MC AG ¶ 20(b) (the conditions that resulted in the financial problems 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). This mitigating condition only has limited application to Applicant's case. The condition causing Applicant financial issues was not largely beyond his control. It is clear his financial problems resulted from the lack of consistent income from his insurance sale business. The problem was exacerbated by the need to spend some time away from the business to care for his sick mother. However, Applicant himself admitted that he stayed with the business longer than he should after realizing the business financial problems. It was not beyond his control to change professions when he realized the business was not working to provided him needed income. He eventually did but it was too late for the state of his finances. Also, when he did gain good steady employment in 2007, he did not use his income to responsibly resolve his delinquent debts. He has only recently started to take reasonable action to resolve some of his past due obligations.

I have also considered FC MC ¶ 20(c) (the person has received or is receiving counseling for the problem and/or there are clear indications that the problem is being resolved or is under control). This mitigating condition does not apply. Applicant has not received financial counseling and his financial problems are not resolved and are not under control.

I considered FC MC AG ¶ 20(d) (the individual has initiated a good-faith effort to repay the overdue creditors or otherwise resolve debts). For FC MC AG ¶ 20(d) to apply, there must be an "ability" to repay the debts, the "desire" to repay, and "evidence" of a good-faith effort to repay. A systematic method of handling debts is needed. Applicant must establish a "meaningful track record" of debt payment. A "meaningful track record" of debt payment can be established by evidence of actual debt payments or reduction of debt through payment of debts. An applicant is not required to establish that he paid each and every debt listed. All that is required is that Applicant demonstrates an established plan to resolve his financial problems and show he has taken significant actions to implement that plan.

Applicant has not established a meaningful track record of debt payment for his delinquent debts. His filing a bankruptcy in 2004 is not a financial security concern since bankruptcy is a legal and permissible means of resolving debt and Applicant had a reason to discontinue making the payments to the trustee. This decision may not have been the most reasonable or responsible since with one more year of payments, he could have resolved his unsecured, non-priority debt at that time. He showed that he paid some of his smaller delinquent debts whether the debts were listed in the SOR or not. (SOR 1.c, 1.f, 1.g, 1.k, state tax lien, military store and discount store debts) He established that he is current with his primary mortgage payments and is paying the arrears on a second mortgage. He has shown two credit card debts are being paid under a payment plan. However, most his debts have not been resolved or are not being paid. Applicant's strategy is to pay smaller debts first before moving to pay larger debts. Applicant has substantial discretionary funds monthly but he has not shown he is using those funds in a reasonable and responsible manner to pay and resolve his delinquent debts. Some debts have been or are being paid but not many and not merely those that can be paid using available discretionary funds. He used funds for personal purchases and not for debt reduction. He has not established a meaningful track record of debt payment. Applicant did not present sufficient evidence to establish a good-faith effort to pay his creditors, and his finances are not under control. He has not mitigated security concerns for financial considerations.

I considered FC MC 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). This mitigating condition has only limited application. Applicant states he disputed some of his debts but presented no information to establish his disputes. He notes that the debt at SOR 1.n is his wife's debt and not his debt. He does show that she recently wrote the creditor inquiring about the account and its status.

Whole-Person Analysis

Under the whole-person concept, the administrative judge must evaluate an applicant's security eligibility by considering the totality of the applicant's conduct and all relevant circumstances. An 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.

Under AG ¶ 2(c), the ultimate determination of whether to grant a security clearance must be an overall commonsense judgment based upon careful consideration of the guidelines and the whole-person concept.

I considered the potentially disqualifying and mitigating conditions in light of all the facts and circumstances surrounding this case. I considered Applicant's 20 years of honorable service in the Air Force both overseas and in the United States. I considered that he held a security clearance for his entire Air Force service, does not have a criminal record, and has never been arrested. I considered the opinions of his pastor and fellow deacon that he is an honest, trustworthy, and ethical individual who established his trustworthiness by managing a large fund for his church. I considered that Applicant became an insurance agent and worked hard at this career.

Applicant has significant debt incurred during the time he tried to establish a career as an insurance salesman. He established a "meaningful track record" of debt payment, including evidence of actual debt reduction through payment of debts, for a limited amount of his delinquent debts. Applicant freely and willingly incurred delinquent debt by staying in the insurance sales business longer than he knew he should. He now has steady, significant income but he has not used enough of that income to help resolve his delinquent debts. He has purchased two cars in recent years using credit. He and his wife have significant discretionary funds each month but they use only a limited portion to pay delinquent debt. They also have savings that could be considered to use for debt reduction, if financially feasible.

While some of Applicant's financial problems were caused by circumstances beyond his control, he has not acted responsibly to resolve his debts. He paid only a small amount of his delinquent debt before the hearing. He had not contacted many of his creditors to find ways to resolve some of the debts. After the hearing, Applicant took some reasonable steps to resolve his debts. He has the potential of establishing a "meaningful track record" of debt payment. However, his efforts are only recent and more time is needed for him to establish the "meaningful track record" required to show his finances are not a security concern. If Applicant continues to take reasonable, responsible, and significant action in the near future, he can in time establish that his finances are not a security concern, and that he can be trusted with access to classified information. However at this time, Applicant has not mitigated financial considerations security concerns, and the management of his finances suggests he will not be concerned, responsible, and careful regarding classified information. Overall, the record evidence leaves me with questions and doubts about Applicant's present eligibility and suitability for a security clearance. For all these reasons, I conclude Applicant should not be granted access to classified information at this time.

Formal Findings

Formal findings for or against Applicant on the allegations set forth in the SOR, as required by section E3.1.25 of Enclosure 3 of the Directive, are:

Paragraph 1, Guideline F:	AGAINST APPLICANT
Subparagraph 1.a:	For Applicant
Subparagraph 1.b:	Against Applicant
Subparagraph 1.c:	For Applicant (paid after hearing)
Subparagraph 1.d:	For Applicant (paid after hearing)
Subparagraph 1.e:	Against Applicant
Subparagraph 1.f:	For Applicant
Subparagraph 1.g:	For Applicant
Subparagraph 1.h:	Against Applicant
Subparagraph 1.i:	Against Applicant
Subparagraph 1.j:	Against Applicant
Subparagraph 1.k:	For Applicant
Subparagraph 1.l:	Against Applicant
Subparagraph 1.m:	For Applicant
Subparagraph 1.n:	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.

THOMAS M. CREAN
Administrative Judge