



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



In the matter of:)
)
) ISCR Case No. 10-03749
)
Applicant for Security Clearance)

Appearances

For Government: Alison O’Connell, Esq., Department Counsel
For Applicant: David P. Price, Esq.

June 9, 2011

Decision

LOUGHRAN, Edward W., Administrative Judge:

Applicant has not mitigated financial considerations and personal conduct security concerns. Eligibility for access to classified information is denied.

Statement of the Case

On November 16, 2010, the Defense Office of Hearings and Appeals (DOHA) issued a Statement of Reasons (SOR) to Applicant detailing security concerns under Guideline F, financial considerations. The action was taken under Executive Order (EO) 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) implemented by the Department of Defense on September 1, 2006.

Applicant answered the SOR on February 10, 2011, and requested a hearing before an administrative judge. On February 24, 2011, DOHA amended the SOR adding an additional allegation under Guideline F and two allegations under Guideline E, personal conduct. The case was assigned to me on March 18, 2011. DOHA issued a

notice of hearing on March 28, 2011, and the hearing was convened as scheduled on April 19, 2011. DOHA received the hearing transcript (Tr.) on April 27, 2011.

Procedural and Evidentiary Rulings

Notice

Applicant affirmatively waived his right under ¶ E3.1.8 of the Directive to 15 days notice before the hearing.

Evidence

The Government offered Exhibits (GE) 1 through 7, which were received without objection. Applicant testified and submitted Exhibits (AE) 1.a through 1.q, and 2 through 10, which were admitted without objection. The record was held open until May 27, 2011, for Applicant to submit additional information. Applicant's request for additional time to submit evidence was granted. Applicant submitted documents that were marked AE 11 through 18 and admitted without objection. The e-mail correspondence about the post-hearing evidence is marked Hearing Exhibits (HE) I through III.

Motion to Amend SOR

On my own motion and without objection, I amended the SOR by adding an additional allegation under Guideline E, as follows:

2.c. You intentionally provided false information on your questionnaire for national security positions, dated September 18, 2009, when you stated that you left employment at the county hospital in [location] because you "resigned due to conflict with management," when, in fact, you had been terminated from that position.

Findings of Fact

Applicant is a 37-year-old employee of a defense contractor. He is applying for a security clearance. He served on active duty in the United States military from 1996 until he was honorably discharged in 2000. He attended college for a period but did not earn a degree. He has never been married and has no children.¹

Applicant has been interested in computers and information technology (IT) since before he joined the military. He owned several computers and had multiple systems and computer equipment. After he was discharged from the military, he obtained a job as a government employee on the military facility where he was stationed before his discharge. He worked throughout the facility in IT and network support. He was responsible for 38 buildings and worked with numerous pieces of computer equipment.²

¹ Tr. at 24, 69-71, 107; GE 2; AE 11, 12.

² Tr. at 25-28, 41-43; GE 2, 6.

In 2003, Applicant was offered a good job with a substantial salary at a county hospital in another geographic location. He had a short period to accept the job, resign from his government position, and move to the new location. In September 2003, he rented a truck and moved his household goods. He placed his goods in storage for several weeks at his new location until he found a place to live. When he moved to the new location, he took several pieces of computer equipment that belonged to the U.S. Government.³

Applicant's girlfriend at the time moved with him to the new geographic location. They started having problems. On December 5, 2003, she contacted military investigators at the local military facility and reported that Applicant stole three computer systems from his old facility. She consented to a search of their residence. Applicant had numerous pieces of computer equipment in a room. The investigators seized the equipment, much of which could not be identified as government property. However, two computer central processing units (CPU) and three monitors were identified as government property.⁴

Applicant was interviewed over the telephone by a military investigator in April 2005. The investigator told Applicant that computer equipment was missing from the facility where Applicant used to work. Applicant told the investigator that he knew nothing about missing computers, and that he had not been employed at the facility since 2003. The investigator referenced the computer equipment found at the ex-girlfriend's home. Applicant stated that he knew nothing about what was in her home or about any computer equipment.⁵

Applicant admitted at the hearing that several of the items seized were government property. He denied stealing any of the items. He stated they were accidentally shipped when he moved to the new location. He stated he discovered the items in about October 2003, when he unpacked the shipment. He stated he called his old supervisor and told him that he had the equipment and would return it. Applicant stated he planned to return the equipment, but because of a busy schedule, he did not get around to it before the items were seized. The supervisor was interviewed as part of the investigation. He did not mention a phone call from Applicant. Applicant was never charged with anything related to the stolen computer equipment.⁶ I did not find Applicant's testimony credible. I find that he stole computer equipment from the military facility.

Applicant ex-girlfriend also told the military investigators that Applicant was physically abusive, and she was afraid he would harm her if he found out about her cooperation with the investigation. The investigator convinced her to report Applicant to

³ Tr. at 28-35, 44, 76; GE 2, 3, 6.

⁴ Tr. at 30, 36-41; GE 3, 6.

⁵ GE 6.

⁶ Tr. at 43-64, 71-74, 98-100, 103-107; GE 6, 7.

the local police. Applicant was arrested on December 5, 2003, and charged with assault causing bodily injury against a family member and terroristic threat. A protective order was also issued. The ex-girlfriend alleged that Applicant pointed a handgun at her and stated that if she said anything about what happened there or about the computers, he would kill her. Applicant permitted the arresting officers to search his vehicle for a handgun. A .25 caliber semiautomatic pistol with a clip and a leather case was discovered in his vehicle. Applicant testified that he never owned or had a handgun. He stated that he did not know how the handgun got in his vehicle, but he speculated that his ex-girlfriend may have planted it.⁷

Applicant was arrested on December 18, 2003, and charged with violating the protective order. He pleaded guilty under a deferred adjudication to violating the protective order, and the assault and terroristic threat charges were dismissed. He was sentenced to probation for one year, a fine, and court costs.⁸

Applicant was terminated by his hospital employer in December 2003. He testified that his ex-girlfriend called the hospital, told them he had been arrested, and sent them copies of the police reports.⁹ He was unemployed for several months before he was able to obtain a job at a lesser salary than he earned before the hospital ended his employment. He was unable to pay all his bills on his reduced salary, and a number of debts became delinquent.¹⁰

The SOR alleges 17 delinquent debts totaling about \$37,000. Except as specifically stated below, the allegations were established through credit reports and Applicant's admissions. The delinquent debts raising security concerns in Applicant's case are addressed in the table below.

SOR	AMOUNT	STATUS	EVIDENCE
1.a. Collection company/ telephone company	\$689	Paid February 3, 2011.	Tr. at 64-65, 80-83; AE 1.a.
1.b. Collection company/ department store	\$1,554	Paid \$1,752 balance April 11, 2011.	Tr. at 65, 83; AE 1.b, 2, 13, 14.
1.c. Collection company/credit card	\$487	Paid \$495 balance April 11, 2011.	Tr. at 65, 83-84; AE 1.c, 2, 13.

⁷ Tr. at 36-41, 74-80; GE 3, 6, 7.

⁸ Tr. at 37-41, 74-78; GE 3, 7.

⁹ Tr. at 76-77, 91.

¹⁰ Tr. at 91-94; GE 2, 3.

1.d. Collection company/computer company	\$2,495	Paid \$2,588 balance April 11, 2011.	Tr. at 66, 83-84; AE 1.d, 2, 13.
1.e. Bank	\$11,269	Paid \$1,500 in May 2011. Discussed further below.	Tr. at 66-67, 86; GE 1; AE 1.e, 17.
1.f. Student loan	\$4,763	Settled for \$2,500 April 2011.	Tr. at 67, 86-87; GE 1; AE 1.f, 15.
1.g. Auto loan	\$12,372	Payment agreement. Four \$650 payments made between March and June 2011. Discussed further below.	Tr. at 67, 87-88; GE 1; AE 1.g, 16.
1.h. Bank	\$976	Paid April 11, 2011.	Tr. at 67, 88; AE 1.h, 18.
1.i. Collection company	\$540	Disputed. Deleted from credit report.	Tr. at 67-68, 88-89; GE 4; AE 10.
1.j. Collection company	\$867	Disputed. Deleted from credit report.	Tr. at 68, 89-90; GE 4; AE 10.
1.k. Collection company	\$382	Paid April 11, 2011.	Tr. at 68, 90; AE 1.k, 2, 13.
1.l. Collection company	\$171	Paid April 11, 2011.	Tr. at 68, 90; AE 1.l, 2, 13.
1.m. Collection company	\$39	Paid April 11, 2011.	Tr. at 68; AE 1.m, 2, 13.
1.n. Collection company/utility company	\$31	Paid April 11, 2011.	Tr. at 68; AE 1.n, 2, 13.
1.o. Collection company	\$24	Paid April 11, 2011.	Tr. at 68; AE 1.o, 2.
1.p. Collection company	\$596	Disputed. Deleted from credit report.	Tr. at 68, 90-91; GE 4; AE 10.
1.q. Collection company	\$99	Disputed. Deleted from credit report.	Tr. at 68-69, 90-91; GE 4; AE 10.

In summary, Applicant paid or settled 11 debts, he successfully disputed 4 debts, and he has payments plans in effect for 2 debts.

Applicant's stepfather cosigned a student loan with Applicant. His stepfather declared bankruptcy. SOR ¶ 1.e alleges this debt with a balance of \$11,269. On April

13, 2011, Applicant and the collection company entered an agreement to settle the balance of \$17,046 with payments of \$3,000 on April 26, 2011, and \$7,492 on May 24, 2011. Applicant testified that he would have no problems making the two payments. On April 29, 2011, Applicant and the collection company entered a new agreement to settle the balance of \$17,548 for \$11,268, with a payment of \$1,500 on April 29, 2011, followed by monthly payments of \$1,628. Applicant paid \$750 on May 2, 2011, and another \$750 on May 9, 2011.¹¹

SOR ¶ 1.g alleges a \$12,372 delinquent debt to a financial institution for the deficiency owed on a car loan after the car was repossessed. In March 2011, Applicant agreed to a stipulated judgment with the creditor to pay \$650 per month until the debt was paid. He agreed to pay \$14,176, plus \$893 court costs, and \$500 attorney's fees. Interest would accrue at 21.99% until paid. The first payment was due March 1, 2011. Applicant made four \$650 payments between March and June 2011.¹²

In February 2010, Applicant asked a coworker to be his financial manager. Her responsibilities included "paying his bills in a timely manner, working with a financial advisor to monitor the progress of his investments into his mutual funds . . . , preparing his annual tax returns as well as monitoring and repairing his credit." On March 2010, Applicant contracted with a credit consulting company to assist him with his credit report and provide financial counseling. Applicant's current job pays a high salary. He earns enough to pay his current debts and continue with the payments toward his delinquent debts.¹³

Applicant submitted a questionnaire for national security positions (SF 86) in September 2009. Under the employment section, he listed that his employment at the hospital ended in December 2003, because he "[r]esigned due to conflict with management." Applicant admitted that was a false answer. He stated the "job that [he] was working at was a [military] contract and [he] didn't really want to bring that to light as far as what was going on." Applicant submitted a copy of his resume as an exhibit. The resume reports that he worked for the military until December 2003, and it does not list his employment for the county hospital.¹⁴ I find that Applicant intentionally falsified the SF 86 when he wrote that he resigned from the hospital.

Applicant submitted character letters attesting to his excellent job performance, leadership, work ethic, professionalism, trustworthiness, and reliability.¹⁵

¹¹ Tr. at 66-67, 86; GE 1; AE 1.e, 17.

¹² Tr. at 67, 87-88; GE 1; AE 1.g, 16.

¹³ Tr. at 94-99, 102-103; GE ; AE 3-5.

¹⁴ Tr. at 91-93; GE 2, 3; AE 6. Any false information that was not specifically alleged in the SOR will not be used for disqualification purposes. It will be used in assessing Applicant's credibility, in the application of mitigating conditions, and in analyzing the "whole person."

¹⁵ GE 1, 3; AE 7-9.

Policies

When evaluating an applicant's suitability for a security clearance, the administrative judge must consider the adjudicative guidelines. In addition to brief introductory explanations for each guideline, the adjudicative guidelines list potentially disqualifying conditions and mitigating conditions, which are to be used 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, administrative judges apply the guidelines 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 the 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 of potential, rather than actual, risk of compromise of classified information.

Section 7 of EO 10865 provides that adverse 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 E, Personal Conduct

The security concern for personal conduct is set out in AG ¶ 15:

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

AG ¶ 16 describes conditions that could raise a security concern and may be disqualifying. The following are potentially applicable:

(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;

(c) credible adverse information in several adjudicative issue areas that is not sufficient for an adverse determination under any other single guideline, but which, when considered as a whole, supports a whole-person assessment of questionable judgment, untrustworthiness, unreliability, lack of candor, unwillingness to comply with rules and regulations, or other characteristics indicating that the person may not properly safeguard protected information; and

(e) personal conduct, or concealment of information about one's conduct, that creates a vulnerability to exploitation, manipulation, or duress, such as . . . engaging in activities which, if known, may affect the person's personal, professional, or community standing.

Applicant intentionally falsified his SF 86 when he misrepresented how his employment at the hospital ended in December 2003. AG ¶ 16(a) is applicable.

Applicant's conviction for violating a protective order could have been alleged under the criminal conduct guideline. That conduct supports a whole-person assessment of questionable judgment, untrustworthiness, unreliability, and unwillingness to comply with rules and regulations. It is also created a vulnerability to exploitation, manipulation, and duress. AG ¶¶ 16(c) and 16(e) are applicable.

SOR ¶ 2.a cross-alleges the information in SOR ¶ 1.a, which alleged that Applicant was delinquent on a \$689 debt to a collection company on behalf of a

telephone company.¹⁶ That debt was paid in February 2011. That debt is insufficient to raise personal conduct security concerns. SOR ¶ 2.a is concluded for Applicant.

AG ¶ 17 provides conditions that could mitigate security concerns. The following are potentially applicable:

- (a) the individual made prompt, good-faith efforts to correct the omission, concealment, or falsification before being confronted with the facts;
- (b) the refusal or failure to cooperate, omission, or concealment was caused or significantly contributed to by improper or inadequate advice of authorized personnel or legal counsel advising or instructing the individual specifically concerning the security clearance process. Upon being made aware of the requirement to cooperate or provide the information, the individual cooperated fully and truthfully;
- (c) the offense is so minor, or so much time has passed, or the behavior is so infrequent, or it happened under such unique circumstances that it is unlikely to recur and does not cast doubt on the individual's reliability, trustworthiness, or good judgment;
- (d) the individual has acknowledged the behavior and obtained counseling to change the behavior or taken other positive steps to alleviate the stressors, circumstances, or factors that caused untrustworthy, unreliable, or other inappropriate behavior, and such behavior is unlikely to recur; and
- (e) the individual has taken positive steps to reduce or eliminate vulnerability to exploitation, manipulation, or duress.

Applicant provided false information on his SF 86 about how his employment with the county hospital ended. He submitted a copy of his resume as an exhibit. The resume is false in that it does not include his job with the hospital, and it shows him working for the military during the months he was working at the hospital. He was untruthful at his hearing about the theft of government computer equipment. His testimony about the circumstances surrounding the domestic violence allegations by his ex-girlfriend was not credible. Applicant has not learned that the security clearance process demands absolute honesty. There are no mitigating conditions applicable to the personal conduct concerns.

¹⁶ It appears from Department Counsel's argument that the Government intended to cross-allege the theft of the government computer equipment that was alleged under SOR ¶ 1.r, instead of the debt alleged under SOR ¶ 1.a.

Guideline F, Financial Considerations

The security concern 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. Three are potentially applicable in this case:

- (a) inability or unwillingness to satisfy debts;
- (c) a history of not meeting financial obligations; and
- (d) deceptive or illegal financial practices such as embezzlement, employee theft, check fraud, income tax evasion, expense account fraud, filing deceptive loan statements, and other intentional financial breaches of trust.

Applicant accumulated a number of delinquent debts and was unable or unwilling to pay his financial obligations. The evidence is sufficient to raise AG ¶¶ 19(a) and 19(c). Applicant stole computer equipment from his place of employment. AG ¶ 19(d) is also established.

Conditions that could mitigate financial considerations security concerns are provided under AG ¶ 20. The following are potentially applicable:

- (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;
- (b) the conditions that resulted in the financial problem were largely beyond the person's control (e.g., loss of employment, a business downturn, unexpected medical emergency, or a death, divorce or separation), and the individual acted responsibly under the circumstances;
- (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;

(d) the individual initiated a good-faith effort to repay overdue creditors or otherwise resolve debts; and

(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.

Applicant attributed his financial problems to the loss of his job at the county hospital. He testified that his ex-girlfriend called the hospital, told them he had been arrested, and sent them copies of the police reports. Applicant's unemployment does not qualify as a condition that was outside his control, because it was caused by his conduct. AG ¶ 20(b) is not applicable.

Applicant received financial counseling and retained a company to assist him with his credit report. The first part of AG ¶ 20(c) is applicable. He paid or settled 11 debts, which totaled about \$11,600 of the \$37,000 alleged in the SOR. AG ¶ 20(c) is applicable to those debts. He successfully disputed four debts totaling about \$2,100. AG ¶ 20(e) is applicable to those debts.

Applicant has payment plans for the two remaining debts. On April 13, 2011, he entered an agreement to settle the debt alleged in SOR ¶ 1.e, which had a balance of \$17,046, with payments of \$3,000 on April 26, 2011, and \$7,492 on May 24, 2011. Applicant testified that he would have no problems making the two payments. He entered a new agreement to settle the debt with a payment of \$1,500 on April 29, 2011, followed by monthly payments of \$1,628. Applicant paid \$750 on May 2, 2011, and another \$750 on May 9, 2011. In March 2011, Applicant agreed to a stipulated judgment with the SOR ¶ 1.g creditor to pay \$650 per month until paid. He agreed to pay \$14,176, plus \$893 court costs, and \$500 attorney's fees. He made the first four \$650 payments. Applicant paid a total of \$4,100 toward these two debts. According to his payment agreements, he still has more than \$22,000 to be paid on the two debts.

A security clearance adjudication is not a debt collection procedure. It is a procedure designed to evaluate an applicant's judgment, reliability, and trustworthiness. See ISCR Case No. 09-02160 (App. Bd. Jun. 21, 2010). An applicant is not required, as a matter of law, to establish resolution of every debt alleged in the SOR. An applicant need only establish a plan to resolve the financial problems and take significant actions to implement the plan. There is no requirement that an applicant make payments on all delinquent debts simultaneously, nor is there a requirement that the debts alleged in the SOR be paid first. See ISCR Case No. 07-06482 at 2-3 (App. Bd. May 21, 2008).

I have considered Applicant's total efforts to pay his delinquent debts, including when they were paid. I considered his payments to the two remaining debts, and the amounts left to be paid. I also considered that Applicant testified that the debt in SOR ¶ 1.e would be completely settled by the close of the record, with the first payment to be made one week after the hearing. He did not make that payment. His renegotiated payment plan is not unreasonable; it is simply not what he testified he would do.

Applicant was not truthful about other matters. His statements that he will continue with his payment plans carry little weight under the circumstances. I find there are no mitigating conditions applicable to the debts alleged in SOR ¶¶ 1.e and 1.g. Those debts continue to cast doubt on Applicant's current reliability, trustworthiness, and good judgment.

Applicant provided false testimony about the theft of government computer equipment. Despite the passage of time since the theft, I am unable to determine that behavior is unlikely to recur. It continues to cast doubt on Applicant's current reliability, trustworthiness, and good judgment. There are no mitigating conditions applicable to the security concerns raised by Applicant's theft of government property.

Whole-Person Concept

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

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.

I considered the potentially disqualifying and mitigating conditions in light of all the facts and circumstances surrounding this case. I have incorporated my comments under Guidelines F and E in my whole-person analysis. Some of the factors in AG ¶ 2(a) were addressed under those guidelines, but some warrant additional comment.

I considered Applicant's honorable service to this country in the U.S. military. Applicant addressed 15 of the 17 debts alleged in the SOR. However, all his payments came after he received the SOR, and he still has to pay more than \$22,000. He stole government property; he pleaded guilty under a deferred adjudication to violating a protective order; he intentionally falsified his SF 86; and he provided false testimony at his hearing. I have significant unresolved doubts about Applicant's honesty, judgment, and trustworthiness.

Overall, the record evidence leaves me with questions and doubts as to Applicant's eligibility and suitability for a security clearance. I conclude Applicant has not mitigated financial considerations and personal conduct security concerns.

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
Subparagraphs 1.a-1.d:	For Applicant
Subparagraph 1.e:	Against Applicant
Subparagraph 1.f:	For Applicant
Subparagraph 1.g:	Against Applicant
Subparagraphs 1.h-1.q:	For Applicant
Paragraph 2, Guideline E:	AGAINST APPLICANT
Subparagraph 2.a:	For Applicant
Subparagraph 2.b:	Against Applicant
Subparagraph 2.c:	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.

Edward W. Loughran
Administrative Judge