



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



In the matter of: )  
)  
) ISCR Case No. 10-05575  
)  
Applicant for Security Clearance )

**Appearances**

For Government: Candace Le'i Garcia, Esquire, Department Counsel  
For Applicant: *Pro se*

06/26/2012

**Decision**

ANTHONY, Joan Caton, Administrative Judge:

After a thorough review of the pleadings and exhibits in this case, I conclude that Applicant failed to mitigate security concerns under Guideline F, Financial Considerations, and Guideline E, Personal Conduct. Her eligibility for a security clearance is denied.

**Statement of the Case**

On March 22, 2010, Applicant completed and certified an Electronic Questionnaire for Investigations Processing (e-QIP). On November 17, 2011, the Defense Office of Hearings and Appeals (DOHA) issued Applicant a Statement of Reasons (SOR) detailing security concerns under Guideline F, Financial Considerations, and Guideline E, Personal Conduct. DOHA acted 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 for SORs issued after September 1, 2006.

Applicant provided an answer, with attachments, to the SOR, dated February 15, 2012. She also requested that her case be determined on the record in lieu of a hearing. The Government compiled its File of Relevant Material (FORM) on May 2, 2012. The FORM contained documents identified as Items 1 through 9. On May 3, 2012, DOHA forwarded a copy of the FORM to Applicant, with instructions to submit any additional information and/or objections within 30 days of receipt. Applicant received the file on May 6, 2012. Her response was due on June 6, 2012. Applicant timely filed additional information in response to the FORM. Department Counsel did not object to Applicant's response to the FORM. On June 21, 2012, the case was assigned to me for a decision, and I marked Applicant's submission as Item A and entered it in the record.

### **Findings of Fact**

The SOR contains eight allegations of disqualifying conduct under Guideline F, Financial Considerations (SOR ¶¶ 1.a. through 1.h.), and one allegation of disqualifying conduct under Guideline E, Personal Conduct (SOR ¶ 2.a.). In her Answer to the SOR, Applicant admitted all Guideline F allegations. She denied the Guideline E allegation. Applicant's admissions are entered as findings of fact. (Item 1; Item 3.)

The facts in this case are established by the record provided by the Government and the Applicant. In addition to Applicant's response to the FORM, the record evidence includes Applicant's 2010 e-QIP; official investigation and agency records; Applicant's responses to DOHA interrogatories;<sup>1</sup> and Applicant's credit reports of April 13, 2010, September 13, 2011, and May 1, 2012. The three credit reports establish the eight debts alleged in the SOR. Five of the eight alleged debts had been turned over to collection agencies for resolution. (See Items 4 through 9; Item A.)

Applicant is 50 years old, married, and the mother of four adult sons. She immigrated to the United States from Mexico, and she attended a U.S. high school for two years. She became a naturalized U.S. citizen in 1983. (Item 4.)

Applicant has worked as a production specialist for her current employer, a government contractor, since 2009. From 1989 to 2009, she was employed by a company that manufactured navigation systems. She seeks a security clearance for the first time. (Item 4.)

Applicant's mother-in-law and father-in-law are U.S. citizens who were born in Mexico. They live in Mexico for part of the year, and they reside with Applicant and her

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<sup>1</sup> Applicant was interviewed by an authorized investigator from the U.S. Office of Personnel Management (OPM) on May 3, 2010. On October 4, 2011, in response to DOHA interrogatories, Applicant signed a notarized statement in which she declined to agree that the investigator's summary accurately reflected her interview. She did not specifically change any facts in the interview; instead, she provided additional information amplifying her family circumstances and financial commitments. (Item 5.)

husband for two to six months each year. In 2011, Applicant and her husband claimed his parents as dependents on their federal income tax return. (Item 1; Item A.)

Applicant's husband earned his living as a truck driver. In about 2006, Applicant's husband was injured when he fell off his truck. His injuries required him to stay at home. At the time, Applicant's sons were in adolescence and also living at home. The sons upset their parents with their irresponsible behavior: as teenagers, they fathered children out of wedlock and they did not work to support them. (Item 5.)

Applicant lent one of her sons \$5,000 so that he could try to obtain custody of his child who was born out of wedlock. The son did not repay Applicant. Applicant apparently borrowed approximately \$15,000 to lend to another son so that he could start a business. The business was not established, and the son did not return the money to his parents. In her interview with an authorized investigator, Applicant identified the debt identified at SOR ¶ 1.d. as the debt resulting from the unpaid loan to her son.<sup>2</sup> (Item 5.)

One of Applicant's sons purchased a 2001-2002 Jaguar automobile. Applicant co-signed the purchase and payment agreement with her son. The son then lost his job and was unable to pay the debt. Applicant, as co-signer, is responsible for two debts associated with the son's failure to satisfy the automobile debt. These debts are alleged at SOR ¶¶ 1.c. (\$12,680) and 1.g. (\$381). The debt alleged at SOR ¶ 1.c. was in charged-off status. In her answer to the SOR, Applicant provided credible evidence that the \$381 debt alleged at SOR ¶ 1.g. had been satisfied. (Item 1; Item 3; Item 5.)

Applicant and her husband own at least three homes, two in State B and one in State A. During their sons' adolescence, Applicant and her family were living in their State A house. Applicant's husband's health declined, and he and Applicant elected to move to a property they owned in State B. They then permitted three of their sons to live in the State A home, provided that they paid rent and utilities. The sons did not pay rent to their parents, and the \$437,948 mortgage on the property went into arrears. At the time of her personal subject interview in May 2010, Applicant reported that she was \$15,000 behind in her mortgage payments on the State A house. The property went into foreclosure in 2011. This debt is alleged at SOR ¶ 1.h. In her answer to the SOR, Applicant provided a trustee's deed reciting that the home had been sold at auction in April 2011. The price paid at auction was \$290,100. In response to the FORM, Applicant provided a copy of Federal Form 982, filed with her 2011 Federal income tax return, in which she and her husband claimed \$153,850 in discharged indebtedness excluded from gross income. Applicant provided no additional documentation to support this claim. (Item 1; Item 3; Item 5; Item 6; Item A.)

Applicant acknowledged a \$3,574 debt to a creditor for a delinquency owed on an apartment she and her husband had rented. The debt appears in collection status on

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<sup>2</sup> In her answer to the SOR, Applicant stated that the debts alleged at SOR ¶¶ 1.c. and 1.d. represented the delinquent automobile loan she co-signed for her son. (Item 3.)

her May 1, 2012, credit report. This debt is alleged at SOR ¶ 1.b. and has not been satisfied. (Item 1; Item 3; Item 6; Item 9.)

In her interview with an authorized investigator, Applicant was unsure of the nature of a \$452 debt, shown on her April 2010 credit report as in collection status. She stated that she would investigate the debt and, if it was valid, pay it. In response to DOHA financial interrogatories, she stated that she was “working with” one of her sons to persuade him to assume his responsibility in paying the debt. This debt is alleged at SOR ¶ 1.e. The record does not reflect that the debt has been satisfied. (Item 5; Item 6; Item 7.)

In her answer to the SOR, Applicant provided credible documentation to establish that she had satisfied the \$66 delinquent debt to a communication company alleged at SOR ¶ 1.a. She also provided documentation corroborating payment of \$85.23 to the same communication company, and she asserted that this payment satisfied the debt alleged at SOR ¶ 1.f. (Item 1; Item 3; Item 7; Item 8; Item 9.)

Applicant completed and certified an e-QIP on March 22, 2010. Section 26g on the e-QIP asks: “[In the last 7 years], [h]ave you had bills or debts turned over to a collection agency?” Applicant responded “No” to Section 26g. She did not reveal that the debts alleged at SOR ¶¶ 1.a., 1.b., 1.d., 1.e., and 1.f. had been turned over to collection agencies by her initial creditors. Applicant’s failure to reveal this information is alleged as a deliberate falsification in SOR ¶ 2.a. (Item 1; Item 4.)

Section 26h on the e-QIP asks: “[In the last seven years], [h]ave you had any account or credit card suspended, charged-off, or cancelled for failing to pay as agreed?” Applicant responded “No” to Section 26h. She did not reveal the charged-off account alleged at SOR ¶ 1.c. Applicant’s failure to reveal this information is alleged as a deliberate falsification in SOR ¶ 2.a. (Item 1; Item 4.)

Section 26m on the e-QIP asks: “[In the last seven years], [h]ave you been over 180 days delinquent on any debt(s)?” Section 26n on the e-QIP asks: “Are you currently over 90 days delinquent on any debts?” Applicant answered “No” to Section 26m and Section 26n. She did not reveal the delinquent debts later alleged on the SOR. Her failure to reveal this information is alleged as a deliberate falsification in SOR ¶ 2.a. (Item 1; Item 4.)

On March 22, 2010, after completing her e-QIP, Applicant signed the following certification:

My statements on this form, and any attachments to it, are true, complete, and correct to the best of my knowledge and belief and are made in good faith. I have carefully read the foregoing instructions to complete this form. I understand that a knowing and willful false statement on this form can be punished by fine or imprisonment or both (18 U.S.C. 1001). I understand that intentionally withholding, misrepresenting, or falsifying information

may have a negative effect on my security clearance, employment prospects, or job status, up to and including denial or revocation of my security clearance, or my removal and debarment from Federal service.

In May 2010, when she was interviewed by an authorized investigator, Applicant recited a number of hardships that she and her husband faced: his injury, difficulties with their four sons, her employment changes, and their problems with paying the mortgage on their State A home. She did not acknowledge her financial delinquencies until after she was questioned about them by the investigator. She also told the investigator that she was current on all of her debts and was meeting all of her financial obligations. She stated in her answer to the SOR that she answered the financial questions on her e-QIP to the best of her knowledge. She also stated that she was not in the habit of checking her credit report, and she attributed her failure to acknowledge her delinquent debts to carelessness. (Item 3; Item 5)

Applicant provided a personal financial statement in response to DOHA interrogatories. She reported that her net monthly salary was \$2,376 and her husband's net monthly income was \$1,198. Additionally, she reported that she and her husband received \$4,450 each month from three rental properties in State B.<sup>3</sup> Applicant's total net monthly income is \$8,024. (Item 6.)

Applicant reported \$1,190 in fixed monthly expenses, as follows: rent, \$500; groceries, \$200; clothing, \$15; utilities, \$200; car expenses, \$175, and miscellaneous, \$100. She reported the following debt payments: \$1,520 on a total mortgage debt of \$140,000; \$180 on a total credit card debt of \$7,500; \$75 on a total credit card debt of \$2,600; and \$87 on an outstanding loan of \$1,839. The record does not reflect that Applicant has a payment plan to address the debts alleged on the SOR. (Item 6.)

Applicant's monthly net remainder is \$4,972. She reported real estate assets of \$605,000, bank savings of \$16,500, and a vehicle or vehicles valued at \$35,250. (Item 6.)

### **Policies**

The U.S. Supreme Court has recognized the substantial discretion of the Executive Branch in regulating access to information pertaining to national security, and it has emphasized that "no one has a 'right' to a security clearance." *Department of the Navy v. Egan*, 484 U.S. 518, 528 (1988). As Commander in Chief, the President has the authority to control access to information bearing on national security and to determine whether an individual is sufficiently trustworthy to have access to such information." *Id.* at 527. The President has authorized the Secretary of Defense or his designee to grant Applicant's eligibility for access to classified information "only upon a finding that it is

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<sup>3</sup> Applicant reported taxes and insurance paid on the three rental properties, but she did not specify other associated business expenses. (Item 6.)

clearly consistent with the national interest to do so.” Exec. Or. 10865, *Safeguarding Classified Information within Industry* § 2 (Feb. 20, 1960), as amended.

When evaluating an applicant’s suitability for a security clearance, an administrative judge must consider the revised adjudicative guidelines (AG). In addition to brief introductory explanations for each guideline, the adjudicative guidelines list potentially disqualifying conditions and mitigating conditions, which are 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, the administrative judge applies these 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 applicant or proven by Department Counsel. . . .” The applicant has the ultimate burden of persuasion in seeking 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 protect or safeguard classified information. Such decisions entail a certain degree of legally permissible extrapolation as to potential, rather than actual, risk of compromise of classified information.

Section 7 of Executive Order 10865 provides that decisions shall be “in terms of the national interest and shall in no sense be a determination as to the loyalty of the applicant concerned.” See *also* EO 12968, Section 3.1(b) (listing multiple prerequisites for access to classified or sensitive information).

## Analysis

### Guideline F, Financial Considerations

The security concern relating to the guideline for Financial Considerations is set out in AG ¶ 18:

Failure or inability to live within one's means, satisfy debts, and meet financial obligations may indicate poor self-control, lack of judgment, or unwillingness to abide by rules and regulations, all of which can raise questions about an individual's reliability, trustworthiness and ability to protect classified information. An individual who is financially overextended is at risk of having to engage in illegal acts to generate funds.

The guideline notes two conditions that could raise security concerns in this case. Under AG ¶ 19(a), an "inability or unwillingness to satisfy debts" is potentially disqualifying. Similarly under AG ¶ 19(c), "a history of not meeting financial obligations" may raise security concerns.

Despite a personal financial statement that recites total assets of over \$650,000 and a net monthly remainder of nearly \$5,000, Applicant is responsible for several long-standing unresolved debts. This evidence is sufficient to raise security concerns under AG ¶¶ 19(a) and 19(c).

The guideline also includes examples of conditions that could mitigate security concerns arising from financial difficulties. Several Guideline F mitigating conditions could apply to the security concerns raised by Applicant's financial delinquencies. Unresolved financial delinquency might be mitigated if it "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." (AG ¶ 20(a)). Additionally, unresolved financial delinquency might be mitigated if "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." (AG ¶ 20(b)). Still other mitigating circumstances that might be applicable include evidence that "the person has received or is receiving counseling for the problem and/or there are clear indications that the problem is being resolved or is under control" (AG ¶ 20(c)) or "the individual initiated a good faith effort to repay overdue creditors or otherwise resolve debts" (AG ¶ 20 (d)). Finally, security concerns related to financial delinquencies might be mitigated if "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." (AG ¶ 20 (e)).

Applicant has a history of financial delinquency. The record reflects that her delinquencies are ongoing and cast doubt on her good judgment and trustworthiness. Applicant attributed her delinquencies to problems associated with her adult children and what she concluded was their lack of responsibility. However, this was not a situation entirely beyond Applicant's control. She lent money to her children, when she knew them to be unreliable. She trusted them to pay rent to her when they lived in her State A house, even though she knew they had no history of acting responsibly. While her children's individual acts were beyond Applicant's management and control, she was not reasonable in expecting they would behave as responsible adults.

Applicant reports a net worth of over \$650,000. She has over \$16,000 in savings accounts, and she reports a net remainder of almost \$5,000 each month. To her credit, she satisfied three of the eight debts on the SOR, one for \$66, one for \$85.23, and another for \$381. However, several substantial debts remain unresolved. Additionally, it is not clear whether Applicant will owe any further obligations associated with the foreclosure of her mortgage and the creditor's auction sale of her State A home. The record does not reflect that Applicant has had financial credit counseling.

A review of Applicant's personal financial statement reveals she has sufficient resources to pay her delinquent debts but has not done so. I conclude that none of the Guideline F mitigating conditions fully apply to the facts of this case.

### **Guideline E, Personal Conduct**

AG ¶ 15 explains why personal conduct is a security concern:

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

When Applicant completed and certified her e-QIP in March 2010, she failed to provide truthful answers to queries about her financial delinquencies. The SOR alleged that Appellant's "No" responses to Sections 26g, 26h, 26m, and 26n were deliberate falsifications. Applicant denied intentionally falsifying her answers and attributed her false answers to carelessness.

DOHA's Appeal Board has cogently explained the process for analyzing falsification cases:

(a) when a falsification allegation is controverted, Department Counsel has the burden of proving falsification; (b) proof of an omission, standing alone, does not establish or prove an applicant's intent or state of mind when the omission occurred; and (c) a Judge must consider the record



evidence as a whole to determine whether there is direct or circumstantial evidence concerning the applicant's intent or state of mind at the time the omission occurred. [Moreover], it was legally permissible for the Judge to conclude Department Counsel had established a prima facie case under Guideline E and the burden of persuasion had shifted to the applicant to present evidence to explain the omission.

ISCR Case No. 03-10380 at 5 (App. Bd. Jan. 6, 2006) (citing ISCR Case No. 02-23133 (App. Bd. June 9, 2004)).

Applicant's false answers raise a security concern under AG ¶ 16(a), which reads: "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."

Applicant is a mature adult with many years of experience in the workplace. The record reflects that she was likely aware of her mortgage delinquency when she completed her e-QIP in March 2010. She also had reason to know that, as a co-signatory, she had an unpaid financial obligation for her son's automobile debt. She was provided with written information which informed her that she was required to answer all questions on the e-QIP truthfully. She knew that her financial problems were serious and long-standing. She also knew when she applied for a security clearance as a government contractor that her background would be investigated thoroughly.

Applicant wanted to receive a security clearance. She had good reason to know that her current financial delinquencies might prevent her from receiving a security clearance. Instead of revealing these matters on her e-QIP, Applicant chose to conceal these matters from the Government.

Several Guideline E mitigating conditions might apply to the facts of this case. Applicant's disqualifying personal conduct might be mitigated under AG ¶ 17(a) if "the individual made prompt, good-faith efforts to correct the omission, concealment, or falsification before being confronted with the facts." If "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 process" and "[u]pon being made aware of the requirement to cooperate or provide information, the individual cooperated fully and completely," then AG ¶ 17(b) might apply. If "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," then AG ¶ 17(c) might apply.

AG ¶ 17(d) might apply if "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.” AG ¶ 17(e) might apply if “the individual has taken positive steps to reduce or eliminate vulnerability to exploitation, manipulation, or duress.”

Applicant argued that her failure to provide truthful answers to the financial sections on the e-QIP was the result of carelessness. She denied intentionally falsifying her answers to the e-QIP questions. These assertions lack credibility when viewed against Applicant’s age, education, and work experience. She knew, or should have known, the importance of telling the truth to the Government. Moreover, Applicant’s statements that carelessness caused her to falsify her answers on her e-QIP raise concerns about her judgment, reliability, and trustworthiness. The interests of the Government in protecting classified information are not well-served when individuals entrusted with security clearances cannot be relied upon to be accurate and careful.

Applicant falsified material facts on the e-QIP which she executed and certified as true in 2010. Nothing in the record suggests that she took prompt good faith action to correct the omissions, concealments, or falsifications before she was confronted with the facts. Nothing in the record suggests that her failure to report her several financial delinquencies was caused or significantly contributed to by improper or inadequate advice specifically about the security clearance process from authorized individuals or legal counsel. (AG ¶ 17(b).) When she executed her security clearance application, Applicant knew or should have known that she had a record of financial delinquency. As a mature adult, she knew that her financial problems were not minor, so remote in time, so infrequent, or had occurred under such unique circumstances that they would not seriously impact her eligibility for a security clearance. (AG 17(c).) Applicant failed to provide documentation that she obtained counseling or had taken other positive steps that might alleviate the circumstances that caused her unreliable conduct and, as a result, such behavior was unlikely to recur. (AG ¶ 17(d).) Nothing in the record suggests that Applicant took positive steps to reduce or eliminate the vulnerability to exploitation, manipulation, or duress that her behavior caused. (AG ¶ 17(e).) I conclude, therefore, that none of the applicable personal conduct mitigating conditions applies to the facts of Applicant’s case. I also conclude that Applicant’s falsifications on her 2010 e-QIP were deliberate.

### **Whole-Person Concept**

Under the whole-person concept, an 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.

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. Applicant deliberately falsified her answers on the e-QIP she completed and certified in 2010. She failed to reveal that she had multiple long-standing debts that were delinquent and had been referred to collection agencies for resolution. Despite a comfortable net worth and a sizeable monthly remainder, Applicant had no plan in place to resolve the delinquent debts alleged in the SOR. Additionally, Applicant's lack of candor in reporting her financial delinquencies on her 2010 e-QIP raises concerns about her judgment, trustworthiness, and reliability.

Overall, the record evidence leaves me with serious doubts about Applicant's eligibility and suitability for a security clearance. For these reasons, I conclude that Applicant failed to mitigate security concerns about her financial considerations and personal conduct.

### **Formal Findings**

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

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

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Joan Caton Anthony  
Administrative Judge