



DEPARTMENT OF DEFENSE  
DEFENSE OFFICE OF HEARINGS AND APPEALS



In the matter of: )  
)  
) ISCR Case No. 10-07256  
)  
Applicant for Security Clearance )

**Appearances**

For Government: John Bayard Glendon, Esq., Deputy Chief Department Counsel  
For Applicant: *Pro se*

08/22/2013

**Decision**

CREAN, Thomas M., Administrative Judge:

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

**Statement of the Case**

On April 19, 2010, Applicant submitted an Electronic Questionnaire for Investigations Processing (e-QIP) to continue a security clearance required for a position with a defense contractor. After an investigation conducted by the Office of Personnel Management (OPM), the Department of Defense (DOD) issued Applicant interrogatories to clarify information in his background. After reviewing the results of the background investigation and Applicant's responses to the interrogatories, DOD could not make the affirmative findings required to continue his security clearance. DOD issued Applicant a Statement of Reasons (SOR), dated December 13, 2012, 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; DOD Directive 5220.6, *Defense Industrial Personnel*

*Security Clearance Review Program* (January 2, 1992), as amended (Directive); and the adjudicative guidelines (AG) effective in the DOD on September 1, 2006.

Applicant answered the SOR on February 20, 2013, admitting the allegations with explanations. He did not request a hearing. He submitted a timely request for a hearing on April 11, 2013. (Hearing Exhibit I) Department Counsel was prepared to proceed on June 5, 2013, and the case was assigned to me on June 6, 2013. DOD issued a Notice of Hearing on July 15, 2013, scheduling a hearing for August 7, 2013. I convened the hearing as scheduled. The Government offered eight exhibits that I marked and admitted into the record without objection as Government Exhibits (Gov. Ex.) 1 through 8. Applicant testified, and offered three exhibits that I marked and admitted into the record without objection as Applicant Exhibit (App. Ex.) A through C. I received the transcript of the hearing (Tr.) on August 14, 2013.

### **Findings of Fact**

After a thorough review of the pleadings, transcript, and exhibits, I make the following essential findings of fact.

Applicant is 56 years old. He served 21 years on active duty, from August 1979 until 2000, in the Army as an Apache helicopter pilot. He has been married for 33 years and has four adopted sons. In addition, his mother-in-law has recently moved into his household. He recently received a Master of Business Administration (MBA) degree. After retiring from the Army in 2000, he worked for two different defense contractors for about seven years. He was terminated in 2007 by the second defense contractor when the company decided to concentrate on civilian rather than military business. He formed his own consulting company in 2007, but he had to close it after only a few months because of a lack of business. He has been employed by his present employer for approximately four years. His annual salary is now approximately \$145,000. He also has annual military retired pay of approximately \$40,000. Applicant has held a security clearance for over 34 years. He was cleared for access to top secret classified information in 2007. (Tr. 23-24, 46-47, 49-55)

When Applicant formed his own company in 2007, he used his 401k account and his personal savings to start the company. He had recruited some clients before he formed the company. Shortly after forming the company, there was an economic downturn in the country and he lost a lot of the clients he had previously cultivated. One of his clients offered him employment in 2007, so he could have benefits for him and his family. He was unemployed for about three months before starting employment in approximately 2009 for his present employer. (Tr. 23-24, 49-54)

Applicant's financial challenges started in 2007. His annual income went from \$211,000 in 2004 to about \$185,000 today. However, his annual income was in the \$40,000 category for most of the period from 2007 until 2009. In over 75 months, his income was off \$392,000 from what he would have had at his highest earning level. His

current financial situation shows a monthly income of \$11,499, monthly expenses of \$9,937, with a monthly remainder of \$1,562. However, there may be expenses that have not been included in this tabulation. Applicant's present job pays well but is in a state other than where his family lives. The travel expenses and maintaining two households are additional expenses. (Tr. 19-23, 32-34, 46-47; Gov. Ex. 1, e-QIP, dated April 9, 2010; App. Ex. B, Briefing Slides, dated August 8, 2013)

Credit reports (Gov. Ex. 4, dated April 30, 2010; Gov. Ex. 5, dated December 7, 2011, and Gov. Ex. 6, dated November 12, 2012), Applicant's admissions (Response to SOR, dated February 20, 2013), and his responses to interrogatories (Gov. Ex. 2, and 3, dated March 28, 2012) establish the following delinquent debts or financial issues for Applicant: a Chapter 13 bankruptcy filed in October 2011 and dismissed in November 2011 (SOR 1.a); a judgment for a bank on a home equity loan of \$24,591 (SOR 1.b), a debt to a medical provider in collection for \$87 (SOR 1.c); a debt on a mortgage loan from a bank that has been foreclosed for \$422,000 (SOR 1.d); and a debt to the Internal Revenue Service for taxes owed for 2010 of \$1,645.31 (SOR 1.e).

Applicant presented sufficient information to show that he paid the \$87 medical debt at SOR 1.c in 2012. (Tr. 72; See Response to SOR, dated February 20, 2013) He presented sufficient information to establish he paid the 2010 IRS debt at SOR 1.e in 2012. (Tr. 72; See Gov. Ex. 8, Check, dated April 26, 2012). Applicant owed taxes because he did not make any mortgage interest payments in 2010. He also noted that he owed about \$7,500 in taxes for 2011 for the same reason. This debt is not included in the SOR. He has an agreed payment plan with the IRS of \$500 monthly on the 2011 tax debt. (Tr. 88-90) The remaining SOR allegations (SOR 1.b, and 1d) pertain to mortgage and home equity loans with two banks.

Applicant used credit cards to maintain his life style during periods of low income or unemployment. He had credit card debt of approximately \$45,000. Applicant learned from an attorney or financial adviser that his life insurance policies had a cash surrender value. He turned in the insurance policies for the cash surrender value and changed them to term insurance. He used the significant proceeds from the insurance policies to pay in full all but one of his credit card debts. He now has only one credit card debt remaining, a Discover card, with a balance of about \$2,300. He is paying Discover \$163 each month on the debt. He anticipates having the debt paid in full by the end of 2014. He and his wife no longer use credit cards. He also has approximately \$60,000 in student loans for his education that he is paying at \$350 monthly for approximately two years. He is current with these payments. (Tr. 33-34, 60-61, 73-75, 88-89)

Applicant retired from the Army in 2000 and purchased a home in 2002. He and his family still live in that house. His initial mortgage was for \$420,000 with monthly payments of \$3,100. By 2005, the mortgage principal was down to approximately \$380,000. He refinanced the house in 2005, taking some money from the equity to make improvements. The mortgage was again back at \$420,000. His income was sufficient in 2005 to permit him to make his mortgage payments. (Tr. 47-49)

Applicant's mortgage was initially with a mortgage company that was dissolved during the housing crisis in 2007. By that time, Applicant was having difficulty making his monthly mortgage payments because of his reduced income. He worked with the mortgage company's hardship division to restructure the mortgage, but they were unable to reach an agreement. The original mortgage company was purchased by a major national bank during the housing crisis, and Applicant started working with the hardship division of the bank. He was actively engaged with the financial institutions to mitigate or resolve the financial issues of his mortgage. He was told by the bank that even if he modified the mortgage and made payments, it might not prevent a foreclosure. After he started working for his present employer in October 2009, he attempted to make payments to the bank on the mortgage. But the bank refused to accept the payments since they had made a decision to foreclose on the mortgage loan. Applicant wrote letters to a senior bank executive concerning his account and their management of mortgages. Applicant determined that there was no desire by the bank at the time to resolve the debt. Applicant was in constant communication with the bank concerning a reinstatement of his mortgage. Since the bank refused to accept his payments or stop the foreclosure, Applicant decided it was best for him to not make any additional payments. Applicant's last attempt to make a mortgage payment was in January 2010. (Tr. 26-27, 56-59; See, Gov. Ex. 3, Applicant's Bank Correspondence)

The bank started many foreclosure actions after Applicant did not pay his mortgage. Applicant hired attorneys and was able to stop the foreclosures and continue with attempts at modification of the loan. In 2010, the bank again refused to modify his mortgage because his monthly salary was too much for such a modification. The bank did offer to modify the mortgage if Applicant made a \$52,000 payment to bring the debt current. Applicant did not have the funds to make such a payment. The bank continued to initiate foreclosures but Applicant was able to stop most of these foreclosure actions. (Gov. Ex. 3, Trustee Sale notification, at 94-106) As the bank was ready to foreclose in October 2011, at the advice and guidance of his attorney, Applicant filed a Chapter 13 bankruptcy, as listed at SOR 1.a, to stop the foreclosure. He was successful in stopping the foreclosure so he dismissed the Chapter 13 bankruptcy in November 2011. (Tr. 29-30, 70-71; Gov. Ex. 3, Bankruptcy documents at 79-93)

Applicant submitted his latest attempt to modify the mortgage on July 1, 2013. He submitted a Request for Mortgage Assistance (RMA) under the Making Home Affordable Program. He listed on the RMA his present gross monthly income of \$11,442, with monthly expense of \$9,937.29. This income is about 12% less than the highest income he made when he was paying his mortgage. Applicant testified that just before the hearing he was advised that his request had been denied since his income was very high and he could not pay the arrears in a lump sum and bring the mortgage current. (Tr. 64-70; App. Ex. C, Request for Mortgage Assistance, dated July 1, 2013)

Even though Applicant has not made a mortgage payment since January 2010, he has not put funds aside for mortgage payments. He stated he used his income to cover normal expenses, take care of his family, and pay down some other debts. He was also concerned that if he had a large saving fund it would negatively impact his

negotiations with the bank. He has pointed out to the bank that he has paid over \$330,000 towards his loan since he moved into the house over 11 years ago. He has chosen to stay in the house as long as he can with the hope that the bank will negotiate a modification with him. (Tr. 66-69, 91-92)

Applicant hired a number of attorneys and financial advisers during the entire process of dealing with the bank on his mortgage loan. They assisted him by providing advice, negotiating with the bank, and filing the bankruptcy. He paid significant legal bills. In addition, he gained financial insight while studying for the MBA degree. (Tr. 29-30, 57-58, 62-63, and 74-75)

Applicant believes the value of the house after the housing market slump is only \$350,000. The house is "under water" by approximately \$100,000, considering the original mortgage and the home equity mortgage. He has not made any payments on the primary mortgage since approximately 2009. He recently made payments on the home equity loan. (Tr. 94-101)

Applicant has also been negotiating with the bank that held his home equity debt of approximately \$25,000 as noted at SOR 1.b. The bank turned the debt over to a collection agency. The collection agency cited him for a default judgment. Applicant hired an attorney and opened discussions with the collection agency, but no agreement was reached. Since there was no agreement with the bank, Applicant started working directly with the collection agency. He decided to see if the collection agency would accept a payment on the debt. He sent the collection agency a good-faith payment of \$350 in July 2013, the amount previously agreed to by the bank. The collection agency has now accepted two payments. He plans to continue to make payments by automatic transfer from his bank account. (Tr. 36-38, 75-81; Gov. Ex. 7, Letter from Collection Agency, dated February 20, 2013)

Applicant's plan is to continue to work with the bank and the collection agency to reach a settlement on the mortgage loan and the home equity loan. He will continue to send the collection agency \$350 monthly. He has a payment schedule for his student loans which is current. He has stable employment and he foresees having a stable income. (Tr. 39-40)

Applicant's debt load is high. A review of his finances shows that he is now making almost as much as his highest previous income when he was making mortgage payments. His latest offer to the bank was to make mortgage payments of only between \$1,500 and \$2,000 monthly. The original mortgage payments were about \$3,100. He is in arrears on the mortgage and believes the bank wants monthly mortgage payments of approximately \$3,500. Applicant claims that he cannot offer to make this larger payment required by the bank. However, a review of his household expenses and his monthly bank debit statements show many expenses that indicate a frivolous lifestyle that can be cut or restructured to accommodate a higher mortgage payment. For example, there are significant expenses for maintaining horses on the property, and expenses for

eating out and store purchases. Applicant appears to be able to maintain a good lifestyle because he is not making a mortgage payment. Applicant has not shown any effort to change his lifestyle to have funds to make a mortgage payment. His income is almost at the level of his highest income year yet he considers his income as not adequate to make a sufficient mortgage payment. His lifestyle expenses have not been changed to accommodate the needs of his mortgage. Applicant spent most of his efforts fighting the bank for a mortgage payment he feels is adequate and not looking at his expenses so he could meet his mortgage financial obligation. Even without a mortgage payment, his monthly expenditures indicate he is very close to living beyond his means. (Tr. 89-92; Gov. Ex. 3, Response to Interrogatories, dated, March 28, 2012, at 107-129; App. Ex. B, Briefing Slides, dated August 8, 2013, at 4)

Applicant presented letters of support from his employers. The corporate vice-president for business development and strategy stated that Applicant is a valued employee of the company and the business development team. He always exhibited outstanding personal character. He does not see any risk to the company or the Government from Applicant's financial issues. He recommends that Applicant be granted eligibility for access to classified information. (App. Ex. A1, Letter, dated August 6, 2013)

Another company vice-president wrote that Applicant exhibits outstanding personal character. He has performed his duties with utmost integrity and awareness of security concerns. Any claims that Applicant may be a security risk is unfounded. He recommends that he continue to be granted eligibility for access to classified information. (App. Ex. A2, letter, dated August 6, 2013)

Another company vice-president wrote that he has worked closely with Applicant for over two years. Applicant is a model to emulate when it comes to managing classified information. He has never taken any action that raises the slightest concern about his strength of character or his ability to protect classified information. He recommends Applicant be granted eligibility for access to classified information.

## **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 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 in seeking 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 that 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. (AG ¶ 18) An individual who is financially overextended is at risk of having to engage in illegal acts to generate funds. However, the security concern is broader than the possibility that an individual might knowingly compromise classified information to raise money. It encompasses concerns about an individual’s self-responsibility, trustworthiness, and good judgment. A security clearance adjudication is based on an evaluation of an individual’s reliability and trustworthiness. It is not a debt-collection procedure. 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 at risk and inconsistent with the holding of a security clearance. Applicants are not required to be debt free, but are required to manage their finances in such a way as to meet their financial obligations.

Credit reports and Applicant's admissions show delinquent debts for a mortgage, a home equity loan, for federal income taxes, and a medical debt. Also a Chapter 13 bankruptcy filed and dismissed is listed as a security concern. Applicant admits the delinquent debts and the bankruptcy, raising Financial Considerations Disqualifying Conditions AG ¶ 19(a) (inability or unwillingness to satisfy debts); and AG ¶ 19(c) (a history of not meeting financial obligations). The evidence shows a history of both an inability and an unwillingness to satisfy the debt.

I considered Financial Considerations Mitigating Conditions 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); and 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). These mitigating conditions applied when Applicant first started having financial problems in 2007. Applicant incurred the delinquent debts when he lost employment in the economic downturn around 2007, and he did not have sufficient income to meet his financial obligations, particularly his mortgage. He initially acted responsibly. He cashed in his insurance policies, using the proceeds to pay almost all of his credit card debts. All of the SOR debts, except his mortgage and home equity loan, have been paid. He reached agreement on a payment plan on his home equity debt, and he is current with the agreed payments. He has made extensive attempts to negotiate a loan modification with the bank holding his mortgage loan. The conditions that caused the collapse were beyond his control, are unusual, and are unlikely to recur. Applicant acted reasonably and responsibly in attempting to resolve the debt with the bank. However, his present attitude towards resolving the debt shows irresponsible behavior and poor judgment.

Even though Applicant's financial difficulties initially arose, in whole or in part, due to circumstances outside his control, it must be determined if Applicant has since acted in a reasonable manner when dealing with his financial difficulties. (See ISCR Case No. 99-0012 (App. Bd. December 1, 1999) at 4; and ISCR Case No. 03-13096 (App. Bd. November 29, 2005) at 4) Applicant now has an income that is close to the income from his best income year when he was paying a mortgage. The amount of mortgage payment he has offered is low in comparison to his income. The bank has rejected his offer of a mortgage payment because the amount is not consistent with his high income. He stated he does not have the ability or funds to make a larger mortgage payment. However, he continues to use his income to maintain a lifestyle that he and



his family embraced because he was not paying a mortgage. He has not presented any information to show a change or a willingness to change the management of his finances to accommodate a mortgage payment in line with his income. He is not now acting reasonably and responsibly to pay his mortgage loan debt.

I also considered Financial Consideration Mitigating Condition AG ¶ 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). Applicant hired many lawyers and paid a lot of fees for them to advise and work for him in his attempts to stop foreclosures and negotiate with the bank. He also received excellent financial advice from a financial planner who suggested that Appellant use the cash surrender value of his life insurance policies to pay his credit card debts. He also gained financial knowledge while studying for his MBA degree. What is missing is a clear indication that the problem is being resolved or is under control.

I also considered AG ¶ 20(d) (the individual has initiated a good-faith effort to repay the overdue creditors or otherwise resolve debts). For 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. Good faith means acting in a way that shows reasonableness, prudence, and honest adherence to duty and obligation. 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.

Applicant initially demonstrated good faith in paying and resolving a significant number of his delinquent debts. He has debts that he is currently paying as agreed. However, he has not continued to act in good faith in trying to resolve his mortgage loan debt. He spent the majority of his efforts, and a lot of his resources to fight the mortgage lending bank to get a loan modification on his terms only. He and his family want to maintain the good lifestyle that they have become accustomed to since Applicant has not made a mortgage payments since January 2010. Since October 2009, Applicant has received a good high income, almost as much as he made in his best income year. He used that income to keep his good lifestyle and not meet his mortgage financial obligations. Acting in good faith means Applicant should be willing to make a monthly mortgage payment from his high income that matches what financial advisers and experts believe is reasonable and comfortable for a house payment. The bank rejected his mortgage modification application because his income is too high for the amount he is offering to pay on his mortgage loan. He believes his lifestyle requirements for him and his family prevented him from meeting his mortgage financial obligations. Applicant has not established that his offers on his mortgage are reasonable, prudent, and an honest adherence to his financial duty and obligation. He has not established his good-faith intent or shown a "meaningful track record" of debt payment on his mortgage.

Applicant's present management of his finances and his failure to pay his mortgage is a prime example of the financial consideration security concern. He has

shown a failure or inability to live within his means, satisfy debt, and meet his financial obligation. His present financial management reflects unfavorably on his trustworthiness, honesty, and good judgment. Based on all of the financial information available, I conclude that Applicant has failed to mitigate security concerns based on financial considerations.

### **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 that Applicant is a retired Army officer who devoted over 21 years of his life to serve as a helicopter pilot on active duty. I considered that he successfully held a security clearance for over 34 years and there is no evidence of a security violation. I also considered that Applicant was in a good financial position until the housing and economic crisis developed in about 2007. He lost his job, his income was drastically reduced, and he struggled to meet his financial obligations. He did many good things concerning his finances under these circumstances. He paid most of his debts and he continues to pay some of them. He attempted to negotiate a mortgage settlement with his mortgage lender.

However, he has not continued to act reasonably and responsibly towards his finances. He now has excellent income that is very close to the income he received when he was meeting his financial obligations. He has not made a mortgage payment since January 2010, but he continued to maintain a lifestyle for him and his family that they like. This is like wanting his cake, eating it too, and not paying for the cake. He and his family want to continue living in the house they have lived in for over 11 years without paying for it or even making a payment that is as reasonable as a rent payment. He has not shown a desire to lower his lifestyle cost so he can devote more of his

income to a reasonable and responsible mortgage payment. Applicant's management of his finances is unreasonable, irresponsible, and not a prudent adherence to his financial obligations. In sum, Applicant is not now taking reasonable action to resolve the debt and maintain his financial responsibility. His present financial track record does not provide confidence that he will continue to resolve the debt and be ready to make mortgage payments. His present irresponsible management of his financial obligations indicates he will not be concerned or act responsibly in regard to classified information. Overall, the record evidence leaves me with questions and doubts as to Applicant's judgment, reliability, trustworthiness, and eligibility and suitability for a security clearance. For all these reasons, I conclude that Applicant has not mitigated security concerns arising under the financial considerations guideline. Eligibility for access to classified information is denied.

### **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:	For Applicant
Subparagraph 1.c:	For Applicant
Subparagraph 1.d:	Against Applicant
Subparagraph 1.e:	For Applicant

### **Conclusion**

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

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THOMAS M. CREAN  
Administrative Judge