



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



In the matter of:)	
)	
)	ISCR Case No. 11-05450
)	
Applicant for Security Clearance)	

Appearances

For Government: Kathryn D. MacKinnon, Esq., Deputy Chief Department Counsel
For Applicant: *Pro se*

06/27/2013

Decision

CREAN, Thomas M., Administrative Judge:

Based on a review of the case file and pleadings, I conclude that Applicant failed to provide adequate information to mitigate security concerns under Guideline F for financial considerations, Guideline J for criminal conduct, Guideline B for foreign influence, and Guideline E, for personal conduct. Eligibility for access to classified information is denied.

Statement of the Case

On October 6, 2010, Applicant submitted an Electronic Questionnaire for Investigation Processing (e-QIP) to obtain a security clearance for his employment with a defense contractor. (Item 3) He was interviewed by security investigators on June 4, 2012. He made some changes to the interview summary but otherwise verified the accuracy of the summary on November 27, 2012. (Item 4) On March 6, 2013, the Department of Defense (DOD) issued a Statement of Reasons (SOR) to Applicant detailing security concerns for criminal conduct under Guideline J, financial considerations under Guideline F, foreign influence under Guideline B, and personal conduct under guideline E. (Item 1) The action was taken under Executive Order 10865, *Safeguarding Classified Information within Industry* (February 20, 1960), as amended;

Department of Defense Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (January 2, 1992), as amended (Directive); and the adjudicative guidelines (AG) effective in the DOD on September 1, 2006.

Applicant answered the SOR on April 8, 2013. He basically denied the criminal conduct factual allegations with explanation while admitting some minor factual elements. He denied the financial considerations allegation. He admitted the foreign influence factual allegations with explanation. He denied the personal conduct allegations with explanation. Applicant elected to have the matter decided on the written record. (Item 2) Department Counsel submitted the Government's written case on April 25, 2013. Applicant received a complete file of relevant material (FORM) on May 7, 2013, and was provided the opportunity to file objections and to submit material to refute, extenuate, or mitigate the disqualifying conditions. Applicant did not provide any additional information in response to the FORM. The case was assigned to me on June 21, 2013.

Findings of Fact

I thoroughly reviewed the case file and the pleadings. I make the following findings of fact.

Applicant is 46 years old. He served on active duty in the Navy as an electricians mate from October 1988 until he retired with an honorable discharge in December 2008. Most of his service was during his assignment on a ship in Japan. He has been employed by a defense contractor in Japan since his retirement. He is married. He lists one child on his e-QIP, but he has another child not listed on the e-QIP by a woman not his wife. (Item 3)

All of the allegations against Applicant stem from his activities while on active duty in the Navy in Japan from approximately 2005 to 2008. The allegations involve his activities with organized crime elements in Japan of money laundering and human trafficking, activities and relations with foreign nationals, and his responses to questions from Naval Criminal Investigative Services (NCIS) agents, and security investigators, as well as his answers to question on the e-QIP.

Applicant, while on active duty, was investigated for criminal and other activity by NCIS. He was interviewed by NCIS criminal investigators on April 6, 2007, and admitted to criminal and other conduct. His statement to NCIS is a detailed account of his criminal conduct with the Japanese organized crime organization, Yakuza. Applicant admitted that in approximately 2001, he was going to clubs and bars in Tokyo. He became friendly with some local national men. One Japanese national asked Applicant if he would wire money for him to a girlfriend in Europe from the Western Union office on the U.S. military base. Applicant wired approximately \$1,000 for the individual to a female in a European country for the Japanese national. He admitted that in over more than six years he wired to different females in Europe between \$74,000 and \$92,500 for the Japanese national. He believes he made approximately 40 to 50 transfers of

between \$1,200 and \$2,500 per transfer. He received approximately \$200 for each transfer, so he collected fees of between \$8,000 and \$10,000. Applicant also admitted that he wired on his own approximately \$3,000 to a female in a European country.

Applicant also admitted to NCIS criminal investigators that he had relationships with many European women. Most had come to Japan from Europe to work in the clubs and bars. In 2004, he had a long intimate relationship with a Polish national female. He rented an apartment for her in Japan and took her on a trip to see his family in another foreign country. The woman returned to her native country and gave birth to a boy fathered by Applicant. The boy continued to live in his mother's native country but has also visited and lived with Applicant's father in a foreign country. Applicant admitted that he visited his former girlfriend and his son in Poland. The girlfriend worked with him in the money wiring scheme which allowed Applicant to wire money to her brother and other females in Europe at the request of the Japanese national.

Applicant told NCIS agents that the Japanese national and other Japanese national men threatened Applicant with death or bodily harm if he did not continue to transfer money for them. They told Applicant they knew where his wife worked and the car his son drove. They threatened to harm his family if he did not continue transferring money for them.

Applicant also told NCIS agents that the Japanese national asked him to pick up some girls coming to Japan to work in the clubs and bars. On at least two occasions, he picked up some females from the airport and drove them to locations in the club and bar area of Tokyo.

Applicant admitted to NCIS criminal investigators that he made money selling used cars on the military base. He bought cars at auction or from people leaving Japan. He sold approximately 74 cars since 2004 making about \$800 to \$1,000 per car per sale. He also exported cars to a foreign country and made a profit from the sale of the cars in that country. He did not report either the \$8,000 to \$10,000 received from the wire transfers or the car sales on his federal income tax returns since he believed the money was considered overseas income and did not have to be reported.

In approximately April 2006, Applicant met an individual who picked up girls arriving from Europe for the Japanese National. At the same time, Applicant received training and information from the Navy concerning human trafficking activities in Japan. The Japanese nationals continued to threaten Applicant if he did not continue transferring money for them. Applicant knew that the money was sent to Europe to be used to import European girls into Japan to work as bar girls. He knew that he was laundering money. He knew he was involved in illegal activities. He continued to launder the money. He did not participate in selecting the girls to come to Japan or find jobs or other positions for them in Japan. In February or March 2007, he was advised by the Japanese national that NCIS was watching him. He continued to transfer money to Europe until he was interviewed and apprehended by NCIS in April 2008. (Item 6)

After apprehending Applicant, NCIS seized a computer from an off-base house Applicant shared with the female who was the mother of his son in Poland. Applicant stated that the female attended school in her native country studying web design and came to Japan on school breaks to work and make money. She used his computer to do some of her school work. NCIS seized the computer and found fraudulent documents that were used to sponsor females to come to Japan. (Item 4)

On April 16, 2008, Applicant was given non-judicial punishment by his commander based on the NCIS investigation. Applicant was charged with three allegations of false official statements and forgery for the documents found on the computer and submitted to the Japanese consulate to sponsor females to come to Japan, and one allegation of obstruction of justice for asking a fellow sailor not to talk to NCIS criminal investigators. He received punishment of 30 days restriction to base, 30 days extra duty, forfeiture of \$1,354 pay for one month, and reduction from pay grade E-6 to pay grade E-5. (Item 5)

Applicant was interviewed by another government agency in November 2010 concerning foreign influence. He did not disclose to the investigators his involvement in money transfer, human trafficking, his son in a foreign country, his trips to the foreign country, or his contacts with foreign nationals. (Item 7)

Applicant completed the e-QIP requesting a security clearance in October 2010. He did not list his son in Poland as a relative. He listed only one foreign country that he visited. He failed to list his trip to Poland. He did not disclose any foreign contacts or foreign activities. He listed the non-judicial punishment but only as a violation of the general article for violations of good order and discipline. He noted a 30-day restriction and the forfeiture of one month's pay. He did not list this as a felony when listing criminal convictions. He failed to list his business of buying and selling cars in Japan and another foreign country. He failed to list the documents used to sponsor foreign nationals to come to Japan.

Applicant was interviewed by security investigators in June 2012. Applicant admitted that he frequented the bars and clubs in a certain location in Japan. Applicant stated that in 2006, he went to bars and clubs with a Japanese national who had money that he used to make purchases at the clubs and bars. Since Applicant was with the individual, the workers, especially foreign women, thought he was wealthy with connections and money. In one of the bars he met a female Polish national and started a relationship with her. He rented an apartment where they both resided. At the time, Applicant was married, having marital problems, and not living at home. Applicant denies that he told NCIS investigators he had sexual relations with many European women.

Applicant stated that at the time of the interview he was heavily medicated because of back pain. He does not recall his statement to NCIS. Applicant told the security investigators that he transferred money as a favor for some of the foreign women to their relatives in European countries because it was cheaper and easier for

him. He did not know who the money was going to or that it was used to bring other women to Japan to work in clubs and bars. He denied involvement in transferring money for a foreign organized crime element or participating knowingly in human trafficking.

Subject stated that he was initially charged by his commander with money laundering, human trafficking, and fraud because of the transfer of funds for women. NCIS also believed that he was working to bring women to Japan because of the documents found on his computer. He states he did not know if the charges were for felonies. These charges were dismissed. He stated that the only charge in the non-judicial proceeding was for obstruction of justice because a fellow sailor claimed he told him not to talk to NCIS. The non-judicial punishment documents show charges for false official statement, forgery, and obstruction of justice. The punishment imposed with 30 days restriction and extra duty, forfeiture of \$1,354, and reduction from E-6 to E-5. (Item 5)

The security investigators asked Applicant about his April 2007 statement to NCIS admitting his involvement with Japanese organized crime in money laundering and human trafficking. Applicant stated that he had no recollection of his statement to NCIS. He stated he was under heavy medication at the time for a back injury. He was confused by NCIS and paranoid. He does not know why he gave a statement to NCIS that he now strongly contradicts. He was unable to read his NCIS statement thoroughly and signed the sworn statement and initialed each paragraph without reading the statement because he trusted the NCIS agents and wanted the experience to end.

Applicant denied to security investigators that he knew the money he sent to Europe was for organized crime to bring females to Japan. He denied picking up women at the airport. When confronted with his statement to NCIS, he admitted to picking up a woman one time for a girlfriend and taking her to the girlfriend's house. He never saw the woman again. Applicant admits that he traveled to Poland in the fall of 2007 for approximately a week to meet his newly-born son. He admits he had telephone contact with the child's mother before and after the birth of his son. He admits he had contact in Japan with females from European countries but denies seeing them since 2007. (Item 4)

Policies

When evaluating an applicant's suitability for a security clearance, the administrative judge must consider the adjudicative guidelines (AG). In addition to brief introductory explanations for each guideline, the adjudicative guidelines list potentially disqualifying conditions and mitigating conditions, which 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 for obtaining 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.

Analysis

Criminal Conduct

Criminal activity creates doubt about a person’s judgment, reliability, and trustworthiness. By its very nature it calls into question a person’s ability or willingness to comply with laws, rules, and regulations (AG ¶ 30). Applicant provided NCIS criminal investigators with a detailed rendition of his money laundering and human trafficking activities with Japanese organized crime. He received non-judicial punishment from his commander for these offenses, fraud, and obstruction of justice. This information raises Criminal Conduct Disqualifying Conditions AG ¶ 31(a) (a single serious crime or multiple lesser offenses), and AG ¶ 31(c) (allegation or admission of criminal conduct, regardless of whether the person was formally charged, formally prosecuted or convicted). Applicant’s criminal actions raise questions about his ability and willingness to comply with laws, rules, and regulations.

I have considered all of the mitigating conditions under criminal conduct especially Mitigating Conditions AG ¶ 32(a) (so much time has elapsed since the criminal behavior happened, or it happened under such unusual circumstances that it is unlikely to recur and does not cast doubt on the individual's reliability, trustworthiness, or good judgment); and AG ¶ 32(d) (there is evidence of successful rehabilitation; including but not limited to the passage of time without recurrence of criminal activity, remorse or restitution, job training or higher education, good employment record, or constructive community involvement).

No criminal conduct mitigating condition applies. The admitted criminal actions did not happen under any unusual circumstances since Applicant admits he knowingly and freely entered into and continued his actions with the organized crime enterprises. There is ample evidence in Applicant's detailed statement to NCIS that he committed the offenses. Applicant did not present evidence of successful rehabilitation or remorse. In fact, Applicant continues to minimize or deny his involvement in the criminal activities with Japanese organized crime. Applicant's actions show a repeated course of conduct for not following rules and regulations that is likely to recur. There does not appear to be any evidence of rehabilitation or an understanding by Applicant of his criminal conduct. His conduct continues to cast doubt on his reliability, trustworthiness, and good judgment.

Financial Consideration

Failure or inability to live within one's means, satisfy debt, and meet financial obligations may indicate poor self-control, lack of judgment, or unwillingness to abide by rules and regulations, thereby raising questions about an individual's reliability, trustworthiness, and ability to protect classified information. (AG ¶ 18) An individual who is financially irresponsible may also be irresponsible, unconcerned, or careless in his 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. An applicant with a history of serious financial issues is in a situation of risk inconsistent with the holding of a security clearance.

Applicant admitted to NCIS criminal investigators the he received between \$8,000 and \$10,000 for sending money to people in Europe for Japanese organized crime. This information raises Financial Consideration Disqualifying Conditions AG ¶ 19(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).

I considered all of the Financial Considerations Mitigating Conditions especially 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(f) (the affluence resulted from a legal source of income). These mitigating conditions do not apply. Applicant received income from illegal activities. His criminal activity of money

laundering can recur. It casts substantial doubt on his reliability, trustworthiness, and good judgment.

Foreign Influence

Foreign contacts and interests may be a security concern if the individual has divided loyalties or foreign financial interests, may be manipulated or induced to help a foreign person, group, organization, or government in a way that is not in the U.S. interest, or is vulnerable to pressure or coercion by any foreign interest. Adjudication under this guideline can and should consider the identity of the foreign country in which the foreign contact or financial interest is located, including but not limited to, such consideration as whether the foreign country is known to target United States citizens to obtain protected information and/or is associated with a risk of terrorism. (AG ¶ 6)

Applicant admitted to NCIS investigators that he had contact with many foreign individuals, to include women brought to Japan to work in clubs and bars and members of Japanese organized crime. These contacts and relationships are a security concern and raise Foreign Influence Disqualifying Conditions AG ¶ 7(a) (contact with a foreign family member, business or professional associate, friend, or other person who is a citizen of or resident in a foreign country if that contact creates a heightened risk of foreign exploitation, inducement, manipulation, pressure, or coercion); and AG ¶ 7(b) (connections to a foreign person, group, government, or country that create a potential conflict of interest between the individual's obligation to protect sensitive information or technology and the individual's desire to help a foreign person, group, or country by providing that information).

The mere existence of foreign relationships and contacts is not sufficient to raise the above disqualifying conditions. The nature of Applicant's contacts and relationships must be examined to determine whether it creates a heightened risk of foreign exploitation, inducement, manipulation, pressure, or coercion. "Heightened" is a relative term denoting increased risk compared to some normally-existing risk that can be inherent anytime there are foreign contacts and relationships. The mere fact that Applicant's contacts are with an ongoing organized criminal enterprise is sufficient to provide a heightened risk for Applicant.

I considered all of the Foreign Influence Mitigating Conditions, especially Mitigating Conditions AG ¶ 8(a) (the nature of the relationships with foreign persons, the country in which these persons are located, or the positions or activities of those persons in that country are such that it is unlikely the individual will be placed in a position of having to choose between the interests of a foreign individual, group, organization, or government and the interests of the U.S.); AG ¶ 8(b) (there is no conflict of interest, either because the individual's sense of loyalty or obligation to the foreign person, group, government, or country is so minimal, or the individual has such deep and longstanding relationships in the U.S., that the individual can be expected to resolve any conflict of interest in favor of the U.S. interest); and AG ¶ 8(c) (contact or communication with foreign citizens is so casual or infrequent that there is little

likelihood that it could create a risk of foreign influence or exploitation). None of these mitigating conditions apply.

Applicant's foreign contacts are with foreign organized crime and criminal elements. In spite of serving on active duty in the Navy for 20 years, Applicant has little sense of loyalty to anyone except himself. His only purpose is to gain money for his own use and have a steady stream of female companions. Applicant's contact with organized crime creates a strong likelihood of a risk of foreign influence or exploitation. Applicant may be placed in a position where he would have to choose between his organized crime contacts and his loyalty to the United States. Applicant has only a strong sense of loyalty to himself. He cannot be expected to resolve any conflict in favor of the interests of the United States. His contacts with foreign individuals are such that they can be used to induce, pressure, or coerce him to take action against U.S. interests.

Personal Conduct

A security concern is raised by Applicant's false and misleading responses to numerous questions on his e-QIP, as well as his failure to provide full and complete information to security investigators and to another government agency. Personal conduct is a security concern because conduct involving questionable judgment, untrustworthiness, unreliability, or unwillingness to comply with rules and regulations can raise questions about an individual's reliability, trustworthiness, and ability to protect classified and sensitive information. Of special interest is any failure to provide truthful and candid answers during the process to determine eligibility for access to classified information or any other failure to cooperate with this process (AG ¶ 15). Personal conduct is always a security concern because it asks whether the person's past conduct justifies confidence the person can be trusted to properly safeguard classified or sensitive information. Authorization for a security clearance depends on the individual providing correct and accurate information. If a person conceals or provides false information, the security clearance process cannot function properly to ensure that granting access to classified or sensitive information is in the best interest of the U. S. Government.

Applicant's failure to list on his security clearance application all of his foreign travels, the birth of his son in a foreign country to a foreign national mother, the extent and nature of his criminal actions shown by non-judicial punishment, and his foreign financial interests from money laundering and car sales in foreign countries raise a security concern under Personal Conduct Disqualifying Conditions AG ¶ 16(a) (the deliberate omission concealment, or falsification of relevant and material facts from any personnel security questionnaire, personal history, or similar form used to conduct investigations, to determine security eligibility or trustworthiness). Applicant's failure to disclose the full extent of his criminal actions in a foreign country to both another government agency security investigators and DOD security investigators raises AG ¶ 16(b) (deliberately providing false or misleading information concerning relevant facts to an employer, investigator, security official, competent medical authority, or other official

government representative). Applicant's criminal conduct in Japan also raises AG ¶ 16(e) (personal conduct, or concealment of information about one's conduct, that creates a vulnerability to exploitation, manipulation, or duress, such as (1) engaging in activities which, if know, may affect the person's personal, professional, or community standing, or (2) while in another country, engaging in any activity that is illegal in that country or that is legal in the country but illegal in the United States and may serve as a basis for exploitation or pressure by the foreign security or intelligence service or other group).

I considered personal conduct mitigating conditions AG ¶ 17(a) (the individual made prompt, good-faith efforts to correct the omission, concealment, or falsification before being confronted with the facts); AG ¶ 17(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 is unlikely to recur and does not cast doubt on the individual's reliability, trustworthiness, or good judgment); AG ¶ 17(d) (the individual has acknowledged the behavior and obtained counseling to change the behavior or taken positive steps to alleviate the stressors, circumstances, or factors that caused untrustworthy, unreliable, or otherwise inappropriate behavior, and such behavior is unlikely to recur; AG ¶ 17(3e) (the individual has taken positive steps to reduce or eliminate vulnerability to exploitation, manipulation, or duress); and AG ¶ 17(g) (association with person involved in criminal activity has ceased or occurs under circumstances that do not cast doubt upon the individual's reliability, trustworthiness, judgment, or willingness to comply with rules and regulation). These mitigating conditions do not apply.

Applicant intentionally and deliberately failed to provide accurate information in response to questions on the security clearance application. He failed to list his foreign travel to Poland, a son born and living in Poland, his relationship with foreign women and criminal elements in Japan, and the full extent of his criminal record. His omission was not because of any mistaken belief that the information need not be provided. It was a deliberate attempt to hide any information that may affect his being granted access to classified information. Deliberately failing to provide full and complete information or deliberately providing wrong responses to security clearance questions or security investigators are not minor issues, and may happen again. The only truthful information Applicant provided was his detailed and expansive interview with NCIS criminal investigators. That is the only information that has any indicia of accuracy and reliability. It outlines in great detail his criminal actions of money laundering, human trafficking, and fraud. After his statement to NCIS, his responses are replete with lies, omissions, obfuscations, and misleading explanations.

Whole-Person Concept

Under the whole-person concept, an administrative judge must evaluate an applicant's eligibility for access to classified information 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 access to classified information must be an overall commonsense judgment based upon careful consideration of the guidelines and the whole-person concept.

I considered the potentially disqualifying and mitigating conditions in light of all the facts and circumstances surrounding this case. I considered Applicant 20 years of active service in the Navy and his honorable discharge. Other than that service, there is little to show that Applicant is reliable, trustworthy, and exercises good judgment. His personal life is replete with character issues that establish he cannot be trusted. He had sexual relations with numerous women other than his wife and showed no remorse. He fathered a son with a foreign woman and did not list him as a relative on his security clearance application. He helped support his son's mother and laundered money with her. He willingly and knowingly engaged in criminal activity of money laundering and human trafficking with a foreign organized crime element. He continually lied about his actions to security investigators. It is difficult to tell when Applicant tells the truth since he provided so many false and misleading statements.

Applicant has not demonstrated any responsible or truthful conduct. His lack of truthfulness and responsible conduct and his criminal actions indicate he may not be concerned or act responsibly in regard to classified information. Overall, the record evidence leaves me with many questions and doubts about Applicant's judgment, reliability, and trustworthiness. He has not established his suitability for access to classified information. For all these reasons, I conclude Applicant has not mitigated the security concerns arising from his criminal conduct, financial considerations, foreign influence, and personal conduct. 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 J:	AGAINST APPLICANT
Subparagraphs 1.a – 1.e:	Against Applicant
Paragraph 2, Guideline F:	AGAINST APPLICANT

Subparagraph 2.a:	Against Applicant
Paragraph 3, Guideline B:	AGAINST APPLICANT
Subparagraphs 3.a – 3.c:	Against Applicant
Paragraph 4, Guideline E:	AGAINST APPLICANT
Subparagraphs 4.a – 4.j:	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 access to classified information. Eligibility for access to classified information is denied.

THOMAS M. CREAN
Administrative Judge