



DEPARTMENT OF DEFENSE
DEFENSE OFFICE OF HEARINGS AND APPEALS



In the matter of:)
)
 1) ISCR Case No. 11-07068
)
 Applicant for Security Clearance)

Appearances

For Government: Robert Kilmartin, Esq., Department Counsel
For Applicant: *Pro se*

11/30/2012

Decision

DUFFY, James F., Administrative Judge:

Applicant failed to mitigate the security concerns arising under Guideline F (Financial Considerations). Eligibility for access to classified information is denied.

Statement of the Case

On August 20, 2012, the Defense Office of Hearings and Appeals (DOHA) issued Applicant a Statement of Reasons (SOR) detailing security concerns under Guideline F. This action was taken under Executive Order (EO) 10865, *Safeguarding Classified Information within Industry* (February 20, 1960), as amended; Department of Defense Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (January 2, 1992), as amended (Directive); and the adjudicative guidelines (AG) implemented on September 1, 2006.

¹ Applicant's first name in the caption varies from his first name in the Statement of Reasons. At the hearing, he confirmed that his first name as reflected in the caption is his actual name.

On August 31, 2012, Applicant answered the SOR and requested a hearing. The case was assigned to me on October 22, 2012. DOHA issued a notice of hearing on November 2, 2012, and the hearing was convened as scheduled on November 14, 2012. At the hearing, Department Counsel offered Government's Exhibits (GE) 1 through 5 that were admitted into evidence without objection. Applicant testified and offered Applicant's Exhibits (AE) A and B, which were admitted into evidence without objection. DOHA received the hearing transcript (Tr.) on November 26, 2012.

Procedural Matters

At the hearing, Applicant affirmatively waived the 15-day notice requirement in Paragraph E3.1.8 of the Directive.²

Findings of Fact

Applicant is a 36-year-old employee of a federal contractor. He has been working for his current employer for over three years. He earned a bachelor's degree in business administration in April 2009 and an associate's degree in computer information technology in May 2010. He married in August 2002 and divorced in February 2003. He has one child who is nine years old. He currently lives with another woman and her child, and he helps support them. This is the first time that he has applied for a security clearance; however, he has held a public trust position for about three years without incident.³

The SOR alleged that Applicant received a Chapter 7 bankruptcy discharge in July 2003 (SOR ¶ 1.a); that he had a mortgage loan foreclosed in June 2008 (SOR ¶ 1.g); that he had two vehicles repossessed in 2007, which may have outstanding balances (SOR ¶¶ 1.l and 1.u); and that he had 13 other delinquent debts totaling about \$136,219. In his Answer, Applicant admitted five of the allegations (SOR ¶¶ 1.a, 1.g, 1.h, 1.j, and 1.u). His admissions are incorporated herein as findings of fact.⁴

Applicant attributed his current financial problems to a business that failed due to an economic downturn, his divorce, and a period of unemployment. He operated the failed business from May 2006 to September 2007. From September 2007 to February 2009, he worked for a private employer. After that private employer laid him off, he was unemployed until he obtained his current job in August 2009. During an Office of Personnel Management (OPM) interview in December 2010, he acknowledged that all of his bills eventually went into collection. In his Answer to the SOR, he indicated that many of the alleged debts were inaccurate. On May 5, 2012, he mailed letters to each

² Tr. at 12.

³ Tr. at 6-7, 27-29, 70, 72-73; GE 1, 3.

⁴ Applicant's Answer to the SOR; GE 3-5.

of the creditors asking them to verify the debts. He stated that many had been removed from his credit reports because they were found to be invalid.⁵

SOR ¶ 1.a – bankruptcy. In February 2003, Applicant filed Chapter 7 bankruptcy. During his OPM interview, he stated that he and his ex-wife overspent and the debts became overwhelming. He also noted that his income was not sufficient to support their lifestyle. He estimated that the debts discharged in the bankruptcy totaled about \$50,000. In his Answer to the SOR, he attributed his pre-bankruptcy financial problems to his ex-wife not working for several months after the birth of their child and to unforeseen expenses in having a child. Additionally, at the time of this bankruptcy, he was going through his divorce. He received a bankruptcy discharge in July 2003.⁶

SOR ¶ 1.b – collection account for \$1,383. Applicant denied this debt. In his Answer to the SOR, he claimed it did not appear on any credit reports, and he had no knowledge of it. In a hearing exhibit, he also indicated this debt was no longer listed on his credit report. However, his most recent credit report listed the underlying debt and indicated that it was in collection or charged off.⁷

SOR ¶ 1.c – charged-off account for \$459. Applicant denied this debt. In his Answer to the SOR, he indicated that he disputed it. He provided a credit report showing this account was deleted from his credit file.⁸

SOR ¶ 1.d – collection account for \$615. Applicant denied this debt. In his Answer to the SOR, he stated that he had no knowledge of this debt and had disputed it. During his earlier OPM interview, however, he stated that this debt was a credit card account from a retail store. In a hearing exhibit, he presented a document indicating that this debt was in dispute and was unverified. His most recent credit report listed this debt and indicated that it had a balance of \$845. At the hearing, he testified that this debt was recently verified, that it was from a home improvement store, and that he was negotiating a settlement agreement.⁹

SOR ¶ 1.e – collection account for \$1,401. Applicant denied this debt. In his Answer to the SOR, he stated that he had no knowledge of this debt and had disputed it. In a hearing exhibit, he indicated that it was in dispute and was unverified. His most recent credit report listed this debt and indicated that it had a balance of \$1,422.¹⁰

⁵ Tr. at 31-32, 37-42, 45, 73-79; Applicant's Answer to the SOR; GE 2.

⁶ Tr. at 30-31, 40, 73-75; Applicant's Answer to the SOR; GE 1, 2, 3, 4; AE A at 3, 37.

⁷ Tr. at 40-42, 44; Applicant's Answer to the SOR; GE 2, 4, 5; AE A at 3, 29.

⁸ Tr. at 44; Applicant's Answer to the SOR; GE 2, 4, 5; AE A at 3, 21.

⁹ Tr. at 37, 46-47; Applicant's Answer to the SOR; GE 2, 4, 5; AE A at 3, 21, 36.

¹⁰ Tr. at 37, 47-48; Applicant's Answer to the SOR; GE 2, 5; AE A at 3, 36.

SOR ¶ 1.f – collection account for \$1,151. Applicant denied this debt. In his Answer to the SOR, he stated that he had no knowledge of this debt and had disputed it. In a hearing exhibit, he indicated that this debt was in dispute and was unverified. In that exhibit, he also provided a portion of a credit report that revealed the underlying debt was verified as belonging to him. At the hearing, he testified that this was a valid debt and that he was working on a payment arrangement.¹¹

SOR ¶ 1.g – foreclosed mortgage loan. Applicant admitted this debt. In his Answer to the SOR, he indicated that he attempted to contact the creditor, but has not yet received a response. He stated he will continue in his efforts to contact the creditor and will make payment arrangements when his financial situation has improved. In a hearing exhibit, he indicated that the balance (amount unknown) was disputed, and this debt was part of the national mortgage settlement.¹²

SOR ¶ 1.h – charged-off account for \$5,932. Applicant admitted this debt. This debt was for a loan on a voluntarily repossessed vehicle. In his Answer to the SOR, he indicated that he attempted to contact the creditor, but has not yet received a response. He stated he will continue in his efforts to contact the creditor and will make payment arrangements when his financial situation improves. In a hearing exhibit, he indicated that this debt was disputed and had a zero balance. That exhibit, however, also contained a portion of a credit report that indicated this debt was verified as belonging to him and was charged off. At the hearing, he testified that he still owed \$3,000 on this debt.¹³

SOR ¶ 1.i – charged-off account for \$402. Applicant denied this debt. In his Answer to the SOR, he stated that he had no knowledge of this debt and had disputed it. In a hearing exhibit, he provided proof that he settled and paid this debt for \$241 in October 2012.¹⁴

SOR ¶ 1.j – judgment for \$3,841. Applicant admitted this debt. It arose from his failed business. After this judgment was filed in September 2009, he tried unsuccessfully to settle it. He indicated that he will approach the creditor with a new settlement offer when he has the ability to pay. In a hearing exhibit, he indicated that the amount of this debt was in dispute.¹⁵

¹¹ Tr. at 38, 48; Applicant's Answer to the SOR; GE 2, 4, 5; AE A at 3, 21, 26, 35-36.

¹² Tr. at 32-35, 48, 85-86; Applicant's Answer to the SOR; GE 1, 2, 4, 5; AE A at 3, 24, 26, 35.

¹³ Tr. at 35-37, 43-44, 49; Applicant's Answer to the SOR; GE 1, 2, 5; AE A at 3, 22, 29, 35-36.

¹⁴ Tr. at 39, 49-50; Applicant's Answer to the SOR; GE 2, 4, 5; AE A at 3-5, 29.

¹⁵ Tr. at 51-53; Applicant's Answer to the SOR; GE 1, 2, 3, 4; AE A at 3, 37.

SOR ¶ 1.k – collection account for \$3,572. Applicant denied this debt. In his Answer to the SOR, he stated that he had no knowledge of this debt. In a hearing exhibit, he indicated that it was no longer listed on his credit report.¹⁶

SOR ¶ 1.l – repossessed vehicle. Applicant denied this debt. In his Answer to the SOR, he stated that he had no knowledge of this debt and had disputed it. In a hearing exhibit, he provided a portion of a credit report reflecting that this debt was deleted from his credit file.¹⁷

SOR ¶ 1.m – collection account for \$866. This was a telephone service account. Applicant denied this debt. In his Answer to the SOR, he stated that he had no knowledge of this debt. During his earlier OPM interview, however, he stated that this debt was probably due to an early termination of a telephone service contract for his failed business. In a hearing exhibit, he indicated that this debt was no longer listed on his credit report.¹⁸

SOR ¶ 1.n – over 120 days past-due account for \$424. Applicant denied this debt. In his Answer to the SOR, he stated that he had no knowledge of this debt. During his earlier OPM interview, however, he stated that this debt was a credit card account. In a hearing exhibit, he provided proof that this debt was settled and paid for \$250 in November 2012.¹⁹

SOR ¶ 1.o – collection account for \$743. Applicant denied this debt. In his Answer to the SOR, he stated that he had no knowledge of this debt. During his earlier OPM interview, however, he stated that this debt was a credit card account that was turned over to the collection agency. In a hearing exhibit, he stated that this account was no longer listed on his credit report, but that exhibit also contained a portion of a credit report that revealed this debt was verified as belonging to him and was charged off.²⁰

SOR ¶ 1.p – collection account for \$24,999. Applicant denied this debt. In his Answer to the SOR, he stated that he had no knowledge of this debt. In a hearing exhibit, he indicated that it was no longer listed on his credit report.²¹

¹⁶ Tr. at 53-54; Applicant's Answer to the SOR; GE 2, 4; AE A at 3.

¹⁷ Tr. at 35-37, 54-55; Applicant's Answer to the SOR; GE 2, 4; AE A at 3, 22.

¹⁸ Tr. at 55-56; Applicant's Answer to the SOR; GE 2, 4; AE A at 3.

¹⁹ Tr. at 56-57; Applicant's Answer to the SOR; GE 2, 4; AE A at 3, 6-9, 26.

²⁰ Tr. at 57-59; Applicant's Answer to the SOR; GE 2; AE A at 3, 21, 26.

²¹ Tr. at 59-60; Applicant's Answer to the SOR; GE 2, 4; AE A at 3. See also note 27, below, and accompanying text.

SOR ¶ 1.g – collection account for \$1,970. Applicant denied this debt. In his Answer to the SOR, he stated that he had no knowledge of this debt. During his OPM interview, however, he indicated that this debt may have been an account used to purchase a computer for his business. In a hearing exhibit, he indicated that this debt was not listed on his credit report. He also provided a letter from the computer company indicating that it could not locate an account for him based on the information he provided and asked him to provide an account number or order number in future requests for assistance. His most recent credit report listed this debt under a collection agency, and he noted in the margin of that credit report that this debt was being disputed and was unverified.²²

SOR ¶ 1.r – over 180 days past-due account \$74,155. Applicant denied this debt. In his Answer to the SOR, he stated that he had no knowledge of this debt. During his earlier OPM interview, however, he stated that this debt was a second mortgage on his foreclosed home, but he thought the amount past-due was \$50,000. He noted the home was sold at a short sale, and he was never received a deficiency notice. In a hearing exhibit, he indicated that it was no longer listed on his credit report. At the hearing, he testified that this debt might be the first mortgage on his house.²³

SOR ¶ 1.s – collection account for \$1,176. Applicant denied this debt. In his Answer to the SOR, he stated that he had no knowledge of this debt. In a hearing exhibit, he indicated that it was no longer listed on his credit report.²⁴

SOR ¶ 1.t – collection account for \$2,130. Applicant denied this debt. In his Answer to the SOR, he stated that he had no knowledge of this debt and had disputed it. In a hearing exhibit, he indicated that it was unverified. This debt, however, is listed on his most recent credit report.²⁵

SOR ¶ 1.u – repossessed vehicle. Applicant admitted this debt. In his Answer to the SOR, he indicated that he attempted to contact the creditor, but has not yet received a response. He stated that he will continue in his efforts to contact the creditor and will make payment arrangements when he is in a better financial situation. In a hearing exhibit, he indicated that this debt was verified, and he was working towards a settlement.²⁶

SOR ¶ 1.v – collection account for \$11,000. Applicant denied this debt. In his Answer to the SOR, he stated that he had no knowledge of this debt. During his earlier OPM interview, however, he stated that he was aware that he had a credit card debt for

²² Tr. at 60; Applicant's Answer to the SOR; GE 2, 4, 5; AE A at 3, 23, 35-36.

²³ Tr. at 60-62; Applicant's Answer to the SOR; GE 2, 4; AE A at 3.

²⁴ Tr. at 62-63; Applicant's Answer to the SOR; GE 2, 4, 5; AE A at 3.

²⁵ Tr. at 63; Applicant's Answer to the SOR; GE 2, 4; AE A, 3 and 28.

²⁶ Tr. at 35-37, 63-64; Applicant's Answer to the SOR; GE 2, 4; AE A at 32.

between \$11,000 and \$12,000 with this creditor. None of the credit reports admitted into evidence listed more than one account with this creditor. This allegation apparently was derived from his OPM interview. This debt is most likely a duplicate of the one alleged in SOR ¶ 1.p.²⁷

In May 2012, Applicant submitted a Personnel Financial Statement (PFS) that reflected his net monthly income was \$2,548, his monthly expenses totaled \$1,300, and his monthly debt payments totaled \$775, which left him a net monthly remainder \$473. At the hearing, he indicated that he had approximately \$50,000 in student loans. He is paying \$50 per month on one student loan of \$2,500. All of his remaining student loans are deferred. As early as March 2012, he consulted with a credit counseling service that was assisting him in verifying the debts on his credit report. The credit counseling service indicated that, once the debts are verified, it would help him establish a debt consolidation program. He also noted that he completed financial counseling, money management, and budgeting courses through the credit counseling service. He also consulted with an attorney about filing bankruptcy for his most recent debts, but decided against doing so.²⁸

At the hearing, Applicant presented a debt resolution plan. The plan has six steps. He has completed the first three steps. These are Step One – obtain copies of credit reports; Step Two – identify negative accounts; and Step Three – write creditors asking them to verify the debts. He has completed 50% of Step Four – seek financial counseling and enter into debt consolidation program; and Step Five – seek assistance from a credit service to remove non-validated accounts. He has completed 25% of Step Six – pay smaller debts (two paid), propose settlements if possible, and make payment arrangements for larger accounts.²⁹

Applicant provided letters of reference. His supervisor described him as an honest and trustworthy employee and recommended him for a security clearance without reservation. A coworker stated that Applicant displayed a high degree of integrity, responsibility, and ambition. His ex-wife indicated that he is a great father and has always provided for his family's needs. She also noted he is an honest and trustworthy person. He received a letter of appreciation from a chief of police for rendering valuable assistance that led to the apprehension of a suspect involved in multiple vehicle burglaries. He also provided documents showing he attained the dean's list at a local college in 2010 and 2011 and has obtained a number of professional qualifications.³⁰

²⁷ Tr. at 64-65; Applicant's Answer to the SOR; GE 2, 4, 5; AE A at 3.

²⁸ Tr. at 41-43, 57-59, 65-72, 76-79; GE 3; AE A at 10-12.

²⁹ Tr. at 41-43, 57-59, 65-72, 76-79; GE 3; AE A at 10-12.

³⁰ AE A, B.

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 that are to be used in evaluating an applicant's eligibility for access to classified information.

These guidelines are not inflexible rules of law. Instead, recognizing the complexities of human behavior, administrative judges apply the guidelines in conjunction with the factors listed in the adjudicative process. The administrative judge's overarching adjudicative goal is a fair, impartial, and commonsense decision. According to AG ¶ 2(c), the entire process is a conscientious scrutiny of a number of variables known as the "whole-person concept." The administrative judge must consider all available, reliable information about the person, past and present, favorable and unfavorable, in making a decision.

The protection of the national security is the paramount consideration. AG ¶ 2(b) requires that "[a]ny doubt concerning personnel being considered for access to classified information will be resolved in favor of national security." In reaching this decision, I have drawn only those conclusions that are reasonable, logical, and based on the evidence contained in the record.

Under Directive ¶ E3.1.14, the Government must present evidence to establish controverted facts alleged in the SOR. Under Directive ¶ E3.1.15, the applicant is responsible for presenting "witnesses and other evidence to rebut, explain, extenuate, or mitigate facts admitted by the applicant or proven by Department Counsel." The applicant has the ultimate burden of persuasion to obtain a favorable 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 about potential, rather than actual, risk of compromise of classified information.

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

Analysis

Guideline F, Financial Considerations

The security concern for Financial Considerations is set out in AG ¶ 18 as follows:

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

The guideline notes several conditions that could raise security concerns under AG ¶ 19. Three are potentially applicable in this case:

- (a) inability or unwillingness to satisfy debts;
- (c) a history of not meeting financial obligations; and
- (e) consistent spending beyond one's means, which may be indicated by excessive indebtedness, significant negative cash flow, high debt-to-income ratio, and or other financial analysis.

Applicant received a Chapter 7 bankruptcy discharge in 2003. During an OPM interview, he indicated that he was spending beyond his means before that bankruptcy. Since that bankruptcy, he accumulated other debts that he was unable or unwilling to satisfy for an extended period. This evidence is sufficient to raise the above disqualifying conditions.

Several Financial Considerations mitigating conditions under AG ¶ 20 are potentially applicable:

- (a) the behavior happened so long ago, was so infrequent, or occurred under such circumstances that it is unlikely to recur and does not cast doubt on the individual's current reliability, trustworthiness, or good judgment;
- (b) the conditions that resulted in the financial problem were largely beyond the person's control (e.g., loss of employment, a business downturn, unexpected medical emergency, or a death, divorce or separation), and the individual acted responsibly under the circumstances;

(c) the person has received or is receiving counseling for the problem and/or there are clear indications that the problem is being resolved or is under control;

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

(e) the individual has a reasonable basis to dispute the legitimacy of the past due debt which is the cause of the problem and provides documented proof to substantiate the basis of the dispute or provides evidence of actions to resolve the issue.

Applicant had a business that failed in September 2007. He was unemployed from February 2009 to August 2009. Both of those events were conditions beyond his control that contributed to his financial problems. To obtain full credit under AG ¶ 20(b), however, both prongs of that mitigating condition, *i.e.*, conditions beyond the individual's control and responsible conduct, must be established. Applicant has had steady employment since August 2009. Only recently has he instituted action to resolve his debts. He has settled and paid two relatively small debts (SOR ¶¶ 1.i and 1.n). He mailed letters to each of the creditors asking them to verify the debts. Some of the debts were verified. If he did not receive a response from the creditor, he considered the debt unverified even though it still appeared on his recent credit reports. The absence of a response from a creditor does not establish that a debt is invalid. In fact, two of the debts he initially claimed were unverified (SOR ¶¶ 1.d and 1.f) and then later acknowledged they were verified. For the debts that he claimed were unverified but still appeared on his credit report, he failed to provide documentary proof to substantiate a legitimate basis of disputing them. Eleven of his delinquent debts (SOR ¶¶ 1.b, 1.d, 1.e, 1.f, 1.g, 1.h, 1.j, 1.o, 1.q, 1.t, and 1.u) remain unresolved. He presented a plan for resolving those debts, but he has failed to provide any track record of payments towards them. Based on his inconsistent and contradictory statements about the debts, it was apparent that he had a poor grasp of his financial situation. From the evidence presented, I cannot find that he has acted responsibly under the circumstances or that his financial problems are unlikely to recur. His ongoing delinquent debts continue to cast doubt on his current reliability, trustworthiness, and good judgment. AG ¶¶ 20(a), 20(b), 20(c), and 20(d) partially apply, but do not mitigate the security concerns arising under Guideline F.

As noted above, Applicant has disputed some debts. The debts in SOR ¶¶ 1.c, 1.k, 1.l, 1.m, 1.p, 1.r, and 1.s have been either expressly deleted from his credit reports or no longer appear on them. Additionally, the debt in SOR ¶ 1.v is a duplicate of the one in SOR ¶ 1.p. AG ¶ 20(e) applies to the debts in SOR ¶¶ 1.c, 1.k, 1.l, 1.m, 1.p, 1.r, 1.s, and 1.v.

Whole-Person Concept

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

conduct and all relevant circumstances. The administrative judge should consider the nine adjudicative process factors listed at AG ¶ 2(a):

- (1) the nature, extent, and seriousness of the conduct;
- (2) the circumstances surrounding the conduct, to include knowledgeable participation;
- (3) the frequency and recency of the conduct;
- (4) the individual's age and maturity at the time of the conduct;
- (5) the extent to which participation is voluntary;
- (6) the presence or absence of rehabilitation and other permanent behavioral changes;
- (7) the motivation for the conduct;
- (8) the potential for pressure, coercion, exploitation, or duress; and
- (9) the likelihood of continuation or recurrence.

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

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

Applicant had worked for a government contractor for the past three years. He is a responsible father and a valued employee. Nevertheless, he has a history of financial problems. He received a bankruptcy discharge in 2003 and thereafter incurred additional delinquent debts. Many of his debts remain unresolved. Insufficient evidence has been presented to establish that his current debts will be resolved or that his financial problems are unlikely to recur. In short, he has failed to establish that he is financially responsible. Overall, the record evidence leaves me with questions and doubts about Applicant's eligibility and suitability for a security clearance. For all these reasons, I conclude Applicant failed to mitigate the security concerns arising under Guideline F.

Formal Findings

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

Paragraph 1, Guideline F:	AGAINST APPLICANT
Subparagraphs 1.a – 1.b:	Against Applicant
Subparagraph 1.c:	For Applicant
Subparagraphs 1.d – 1.h:	Against Applicant
Subparagraph 1.i:	For Applicant
Subparagraph 1.j:	Against Applicant
Subparagraphs 1.k – 1.n:	For Applicant
Subparagraph 1.o:	Against Applicant
Subparagraph 1.p:	For Applicant

Subparagraphs 1.q:	Against Applicant
Subparagraphs 1.r – 1.s:	For Applicant
Subparagraphs 1.t – 1.u:	Against Applicant
Subparagraph 1.v:	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.

James F. Duffy
Administrative Judge