



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



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| In the matter of: |) | |
| |) | |
| |) | ISCR Case No. 11-12513 |
| |) | |
| Applicant for Security Clearance |) | |

Appearances

For Government: Ray Blank, Esq., Department Counsel
For Applicant: *Pro se*

04/05/2013

Decision

HEINY, Claude R., Administrative Judge:

Applicant contests the Department of Defense’s (DoD) intent to deny his eligibility for a security clearance to work in the defense industry. His wife and son are citizens and residents of Thailand. He has five charged-off or collection accounts which total approximately \$14,500. The foreign influence security concerns have been resolved. However, the financial consideration security concerns have not been resolved or mitigated. Clearance is denied.

History of the Case

Acting under the relevant Executive Order and DoD Directive,¹ on September 14, 2012, the DoD issued an SOR detailing security concerns. DoD adjudicators could not find that it is clearly consistent with the national interest to grant or continue Applicant’s

¹ 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 within the DoD on September 1, 2006.

security clearance. On November 30, 2012, Applicant answered the SOR and requested a hearing. On January 21, 2013, I was assigned the case. On February 5, 2013, the Defense Office of Hearings and Appeals (DOHA) issued a Notice of Hearing for the hearing convened on February 26, 2013. I admitted Government's Exhibits (Ex) 1 through 3, without objection. Applicant testified at the hearing, but provided no documents. The record was held open to allow Applicant to submit additional information. No additional material was received. On March 7, 2013, DOHA received the hearing transcript (Tr.).

Procedural Rulings

Department Counsel (DC) requested administrative notice of facts concerning Thailand and provided supporting documents to show detail and context for those facts. Applicant agreed to the administrative notice request and the five documents were admitted as Hearing Exhibits (HEX) 1 parts I through V.²

Administrative or official notice is the appropriate type of notice used for administrative proceedings. See ISCR Case No. 05-11292 at 4 n.1 (App. Bd. Apr. 12, 2007); ISCR Case No. 02-24875 at 2 (App. Bd. Oct. 12, 2006) (citing ISCR Case No. 02-18668 at 3 (App. Bd. Feb. 10, 2004)); *McLeod v. Immigration and Naturalization Service*, 802 F.2d 89, 93 n.4 (3d Cir. 1986)). The most common basis for administrative notice at ISCR proceedings, is to notice facts that are either well known or from government reports. See Stein, *Administrative Law*, Section 25.01 (Bender & Co. 2006) (listing fifteen types of facts for administrative notice). I marked the documents as Ex. Exhibits I to V. See the Thailand section of the Findings of Fact of this decision, *infra*, for the facts accepted by administrative notice.

Findings of Fact

In Applicant's Answer to the SOR, he denied owing any delinquent child support (SOR 1.c, \$10,929). He admitted the remaining allegations. I incorporate Applicant's admissions as facts. After a thorough review of the pleadings, exhibits, and testimony, I make the following additional findings of fact:

Applicant is a 38-year-old electrician who has worked for a defense contractor since October 2010, and seeks to maintain a secret security clearance. Applicant was so concerned as to the early resolution of his case that he chose to drive more than 300 miles to attend the hearing. He also waived the 15-day notice requirement. (Tr. 7)

Applicant called no witnesses other than himself, and produced no work or character references. In July 1995, Applicant married and in April 2010, he divorced. That marriage ended due to a lack of communication and long periods of separation

² DC also submitted 14 documents related to the People's Republic of China (China). (HEX. 2, parts I through XIV) The material related to China was made a hearing exhibit, but was not considered because Applicant, his spouse, and in-laws have no connection to China.

resulting from his frequent and lengthy overseas employment.³ He had two daughters from the prior marriage and is obligated to pay \$996 twice monthly for child support, which was automatically deducted from his pay when working. (Ex. 2, Tr. 27). Between jobs, he would fall behind on his support obligation. Since the divorce, Applicant has paid \$8,905 in child support directly to his ex-wife without going through the state child support office. (Ex. 2) When the money was sent directly to his wife, the child support office listed no payment and asserted he owed \$10,929 (SOR 1.c) in delinquent child support.

When back in the United States, Applicant went to the local child support office and completed an affidavit of direct payments. His ex-wife acknowledged she had received approximately \$9,000 in June 2011 and approximately \$7,000 in November 2012. (Ex. 2, SOR Response) The state agreed he does not owe any delinquent support.

In September 2010, Applicant remarried. His second wife is a citizen and resident of Thailand. (Ex. 1) In January 2011, he petitioned the U.S. Government for an alien registration for his spouse and her daughter. (Ex. 2) His wife currently resides with her parents in Thailand. In April 2011, he went to Thailand to live with his wife and in-laws. (Ex. 2) He stayed with them until June 2011. When working, he sent \$1,000 every two weeks to the account to provide for his wife and son's living expenses. (Ex. 2) At the time of the hearing, he had reduced the amount to \$200 weekly. (Tr. 20, 22)

While married, Applicant would stay with his wife in Thailand three or four months and then leave to go back to work. (Tr. 21) Sometimes he would only stay two or three weeks in Thailand before returning to work. On his last overseas job he would spend two or three days every other weekend in Thailand. (Tr. 21) He was last in Thailand in February 2012, when his son was born. (Tr. 21)

Applicant is separated from his second wife. He stated the reason for the failure of his second marriage was because he was traveling all the time and differences between them. (Tr. 21) Before Applicant can file for divorce, he needs to address his son's dual citizenship and resolve the custody issues. (Tr. 22, 31) He has a Thai attorney assisting him in these matters. (Tr. 22)

In July 2011, Applicant had a personal subject interview in which Applicant's wife, foreign travel, and his finances were discussed. (Ex. 2) At that time, a delinquent gym membership fee in the amount of \$1,507 (SOR 1.d) was discussed. He said he intended to settle the account by making payments when he returned to work. When Applicant and his first wife experienced marital problems he moved out and obtained a six-month lease on an apartment. After three months, they reconciled and he returned home. When he broke the lease to move home, he was notified he owed \$1,815 (SOR 1.e). (Ex. 2) He was unsuccessful in his attempts to settle the debt, stating in July 2011 that

³ From December 2008 to March 2010, Applicant worked in Afghanistan. From March 2010 to September 2010, he worked in Iraq and from October 2010 to April 2011, Applicant worked in India. From 2011 to December 2012, he was in Serbia. (Ex. 2, Tr. 33)

he intended to pay it when he returned to work. He owes a \$179 cable bill (SOR 1.a). At the time of his interview, he stated he intended to contact the communications company and pay the debt. (Ex. 2) He asserted he had not paid some of the SOR debts because his ex-wife was supposed to pay them, but never did. (Tr. 30)

In the early 2000s, Applicant purchased a vehicle. His ex-wife kept the truck when they separated and said she would make the monthly payments. (Tr. 25) When she failed to do so, it was repossessed. Following the vehicle's sale, he was informed he owed \$10,870 (SOR 1.f). (Ex. 2) He asserted, but failed to provide documentation, that his former spouse settled and paid this debt in 2008. (Ex. 2)

In July 2011, Applicant stated that during his last period of employment his monthly income was \$6,750 and his monthly expenses were \$4,483, which included approximately \$2,000 for child support and \$2,000 sent to his wife. His net monthly remainder (monthly income less expenses) was \$2,267. His last annual salary, with overtime, was \$86,000. (Tr. 19)

At the hearing, Applicant stated he had filed his tax returns for 2009, 2010, 2011, and 2012 in January 2013. (Tr. 18, 29) He had been delayed in filing his tax returns because he had been working overseas in Afghanistan, Iraq, India, and Serbia. (Tr. 18) He had given his brother a power-of-attorney to file his taxes, but his brother failed to do so. (Tr. 29) He stated he intended to use his \$27,000 income tax refund to pay all the SOR debts. (Tr. 19, 30) He provided no documentation showing payment has been made on any of his debts.

Applicant was born and raised in the United States as were his parents, brothers, and sister. (T. 34) His father is deceased and his mother and siblings live in the United States.

Thailand

Thailand is a constitutional monarchy headed by a civilian government.⁴ In 2006, a military coup overthrew the government, repealed the constitution, and abolished Parliament. In 2007, free and fair elections restored the democratic government. Approximately 95 percent of the population is ethnically Thai and Buddhist, with Muslim and Christian minorities.⁵

In its majority Muslim southern provinces, Thailand has endured a persistent separatist insurgency with a history of separatist violence.⁶ There is no evidence that international terrorist groups are directly involved in attacks within Thailand, nor was

⁴ *U.S. Relations with Thailand*, U.S. Department of State, dated July 31, 2012, page 1. (HEX. 1 I)

⁵ *Thailand Country Specific Information*, U.S. Department of State, dated October 31, 2011, page 1.(HEX. 1 II)

⁶ *Thailand: Background and U.S. Relations*, Congressional Research Service, dated June 5, 2012, page 9. (HEX. 1 III)

there evidence of operational linkages between the southern Thai insurgent groups and international terrorist networks.⁷ The groups that have led this surge in violence are generally poorly understood, and their motives are difficult to characterize. The Thai Government has a poor understanding of the diverse groups active in the south.⁸

Thailand is a key U.S. security ally in Asia, and the country's stability and growth are important to the maintenance of peace in the region. Since World War II, the United States and Thailand have significantly expanded diplomatic and commercial relations.⁹

Thailand has been an American treaty ally since 1954 and has long been praised as an economic and democratic success story. The U.S. – Thai relationship, solidified during the Cold War, strengthened on the basis of shared economic and strategic interest . . . Access to military facilities and sustained military-to-military cooperation made Thailand an important element of U.S. strategic presence in the Asia – Pacific.¹⁰

Thailand's human rights record has been criticized by U.S. officials and international groups.¹¹ Security forces continue at times to use excessive force against criminal suspects, and there have been reports that police torture, beat, and otherwise abuse suspects, detainees, and prisoners.¹²

The State Department is concerned that there is a continued risk of terrorism in Southeast Asia, including Thailand.¹³ The political environment in Thailand remains beset by deep political divisions.¹⁴

Policies

When evaluating an applicant's suitability for a security clearance, the administrative judge must consider the adjudicative guidelines. In addition to brief

⁷ *Chapter 2. Country Reports: East Asia and Pacific Overview*, U.S. Department of State, dated July 31, 2012, page 1. (HEX. 1.V)

⁸ *Thailand: Background and U.S. Relations*, Congressional Research Service, dated June 5, 2012, page 9. (HEX. 1 III)

⁹ *Thailand Country Specific Information*, U.S. Department of State, dated October 31, 2011, page 1. (HEX. 1 II)

¹⁰ *Thailand: Background and U.S. Relations*, Congressional Research Service, dated June 5, 2012, page 1. (HEX. 1 III)

¹¹ *Id.*, page 16.

¹² *2010 Human Rights Report: Thailand*, U.S. Department of State, dated April 8, 2011, p. 1. (HEX. 1 IV)

¹³ *Thailand Country Specific Information*, U.S. Department of State, dated October 31, 2011, page 3. (HEX. 1 II)

¹⁴ *Id.*

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 interests of 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 to obtain a favorable security decision.

A person who seeks access to classified information enters into a fiduciary relationship with the Government predicated upon trust and confidence. This relationship transcends normal duty hours and endures throughout off-duty hours. The Government reposes a high degree of trust and confidence in individuals to whom it grants access to classified information. Decisions include, by necessity, consideration of the possible risk the applicant may deliberately or inadvertently fail to safeguard classified information. Such decisions entail a certain degree of legally permissible extrapolation of potential, rather than actual, risk of compromise of classified information.

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

Analysis

Guideline B, Foreign Influence

AG ¶ 6 explains the Government's security concern regarding 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 U.S. interests, 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 considerations 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 ¶ 7 describes four conditions that could raise a security concern and may be disqualifying in this case:

- (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;¹⁵
- (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;
- (d) sharing living quarters with a person or persons, regardless of citizenship status, if that relationship creates a heightened risk of foreign inducement, manipulation, pressure, or coercion; and
- (e) a substantial business, financial, or property interest in a foreign country, or in any foreign-owned or foreign-operated business, which could subject the individual to heightened risk of foreign influence or exploitation.

Applicant has contact with his wife and her relatives, who are resident citizens of Thailand. He last had contact with his in-laws in February 2012, when his son was born. His son is a dual U.S. – Thai citizen living in Thailand. He anticipates filing for divorce as soon as arrangements are made concerning custody of his son. His connections to his son creates a potential conflict of interest because the relationship is sufficiently close in nature and could raise a security concern over his desire to help his son. Applicant also maintains a joint bank account in Thailand, which raises a security concern, albeit a limited concern, given the small amount of money involved.

¹⁵ The mere possession of close family ties with a person in a foreign country is not, as a matter of law, disqualifying under Guideline B. However, if only one relative lives in a foreign country and an applicant has contacts with that relative, this factor alone is sufficient to create the potential for foreign influence and could potentially result in the compromise of classified information. See ISCR Case No. 03-02382 at 5 (App. Bd. Feb. 15, 2006); ISCR Case No. 99-0424 (App. Bd. Feb. 8, 2001).

The Government produced substantial evidence of those four disqualifying conditions and the burden shifted to Applicant to produce evidence and prove mitigation. Four of the mitigating conditions under AG ¶ 8 are potentially applicable:

(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.;

(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 and loyalties in the U.S., that the individual can be expected to resolve any conflict of interest in favor of the U.S. interest;

(c) contact or communication with foreign citizens is so casual and infrequent that there is little likelihood that it could create a risk for foreign influence or exploitation; and

(f) the value or routine nature of the foreign business, financial, or property interests is such that they are unlikely to result in a conflict and could not be used effectively to influence, manipulate, or pressure the individual.

AG ¶ 8(a) and 8(c) applies to Applicant's relationships with his spouse and in-laws. None of those relatives are in positions connected with the Thai government or engaged in activities that would likely cause Applicant to be exploited or placed in a position of having to choose between them and the United States. His last in-person contact with his wife and in-laws, who are farmers, occurred when his son was born in February 2012. His contacts with his in-laws are infrequent; however his love for his son is not so casual that it does not create any risk of foreign influence.

In applying AG ¶ 8(a) the country in which these persons are located must be considered. Thailand is a key U.S. security ally. Since World War II, the United States and Thailand have significantly expanded diplomatic and commercial relations and have sustained military-to-military cooperation.

There are terrorists in Thailand. In southern Thailand there is a separatist insurgency with a history of violence. There is no evidence that international terrorist groups are directly involved in attacks within Thailand, nor was there evidence of operational linkages between the southern Thai insurgent groups and international terrorist networks. The groups that have led this surge in violence are generally poorly understood, and their motives are difficult to characterize. Applicant's spouse, son, and in-laws do not live in southern Thailand.

Applicant established the application of AG ¶ 8(b). Applicant was born and raised in the United States. His mother, brothers, and sister are citizen and residents of the United States. In September 2010, he married a Thai citizen who he last saw in February 2012. His relationship with his wife is such that divorce proceeds will commence shortly. AG ¶ 8(b) applies because Applicant's sense of loyalty or obligation to his wife and in-laws is so minimal and he has such deep and longstanding relationships and loyalties in the U.S., that Applicant can be expected to resolve any conflict of interest in favor of the U.S. interest.

Applicant also established the application of AG ¶ 8(f) to the security concern. He maintains a bank account in Thailand, but only to facilitate providing his son with proper support. The money is used as soon as it enters the account. The likelihood that this account creates a conflict for him is miniscule.

Guideline F, Financial Considerations

Adjudicative Guideline (AG) ¶ 18 articulates the security concerns relating to financial problems:

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.

Additionally, an individual who is financially irresponsible may also be irresponsible, unconcerned, negligent, or careless in properly handling and safeguarding 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 as agreed. Absent substantial evidence of extenuating or mitigating circumstances, an applicant with a history of serious or recurring financial difficulties is in a position of risk that is inconsistent with holding a security clearance. An applicant is not required to be debt free, but is required to manage his finances to meet his financial obligations.

Applicant has a history of financial problems. Applicant owes approximately \$11,000 on a vehicle repossession. He has one charged-off account and three collection accounts, which total less than \$4,000. Two of Applicant's debts are approximately \$200 or less. A delinquent child support obligation was also alleged, but Applicant adequately addressed the matter. Disqualifying Conditions AG ¶ 19(a),

“inability or unwillingness to satisfy debts” and AG ¶ 19(c), “a history of not meeting financial obligations,” apply.

Five 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 was able to address the largest of the SOR debts his delinquent child support obligation (SOR 1.c, \$10,929). His ex-wife filed an affidavit indicating he had paid her the required amount of child support. I find for him as to SOR 2.c.

In April 2010, Applicant and his first wife divorced. She had agreed to continue making payments on the truck and to pay some of the other debt. This she failed to do. In July 2011, he was questioned about his debts and said he intended to contact his creditors, verify his debts, and pay what he owed. At the time, he was making approximately \$86,000 a year. The debts are old and even the two small obligations of approximately \$200 each have yet to be paid. More than two-and-a-half months have passed since filing and he has yet to show any payment on his debts. He asserts he will pay all of his outstanding obligations with his \$27,000 income tax refund. This assertion is merely speculation as to future plan to address his debts. In July 2011, he said he was going to pay various SOR debts when he returned to work. He did return to work, but the debts remain unpaid.

Applicant meets none of the mitigating factors for financial considerations. His financial difficulties are both recent and multiple. He produced no evidence of

circumstances beyond his control, and he has not acted responsibly in addressing his debts. He has received no credit or financial counseling, nor has he demonstrated that his financial problems are under control, or that he has a plan to bring them under control. He has not made a good-faith effort to satisfy his debts. I conclude Guideline F against Applicant.

Whole-Person Concept

Under the whole-person concept, the administrative judge must evaluate an applicant's eligibility for a security clearance by considering the totality of the applicant's conduct and all relevant circumstances. The administrative judge should consider the nine adjudicative process factors listed at AG ¶ 2(a):

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

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

I considered the potentially disqualifying and mitigating conditions in light of all the facts and circumstances surrounding this case. Applicant's one-year-old son is a dual U.S. – Thai citizen residing in Thailand. Because of Applicant's deep and longstanding relationships and loyalties in the U.S., coupled with the fact that Thailand is a key ally of the United States, Applicant can be expected to resolve any conflict of interest in favor of the U.S. interest. There are terrorists in Thailand, but this is insufficient to overcome the close cooperation, diplomatic, and commercial relations between the United States and Thailand. However, he has yet to address his delinquent debts, which he should have been aware raised a security concern when he was asked about these delinquent accounts in July 2011.

The issue is not simply whether all Applicant's debts have been paid – they have not – it is whether his financial circumstances raise concerns about his fitness to hold a security clearance. (See AG ¶ 2(a)(1).) Applicant asserted he will pay his delinquent debt, but has not done so. 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 has not mitigated the security concerns arising from his financial considerations.

This decision should not be construed as a determination that Applicant cannot or will not attain the state of true reform and rehabilitation necessary to justify the award of a security clearance. The awarding of a security clearance is not a once in a lifetime occurrence, but is based on applying the factors, both disqualifying and mitigating, to the evidence presented. Under Applicant's current circumstances, a clearance is not recommended. Should Applicant be afforded an opportunity to reapply for a security clearance in the future, having paid the delinquent obligations, established compliance with a repayment plan, or otherwise addressed the obligations, he may well demonstrate persuasive evidence of his security worthiness. However, a clearance at this time is not warranted.

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:

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| Paragraph 1, Foreign Influence: | FOR APPLICANT |
| Subparagraphs 1.a – 1.e: | For Applicant |
| Paragraph 2, Financial Considerations: | AGAINST APPLICANT |
| Subparagraphs 2.a and 2.b: | Against Applicant |
| Subparagraph 2.c: | For Applicant |
| Subparagraphs 2.d – 2.f: | 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 a security clearance. Eligibility for access to classified information is denied.

CLAUDE R. HEINY II
Administrative Judge