



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



In the matter of:

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ISCR Case No: 14-06521

Applicant for Security Clearance

For Government: Gina Marine, Esq., Department Counsel
For Applicant: Sean Bigley, Esq.

01/26/2017

Decision

DAM, Shari, Administrative Judge:

Applicant mitigated the foreign influence security concerns arising from his connections to Israel. He did not mitigate the foreign preference security concerns relating to his Israeli passport or the financial security concerns arising from failing to file income tax returns for nine years. The personal conduct security concerns are found in his favor, as they were adequately addressed under the financial guideline. Eligibility for access to classified information is denied.

Statement of the Case

On December 18, 2013, Applicant submitted an electronic Questionnaire for Investigations Processing (e-QIP), as part of a re-investigation for a security clearance. On January 26, 2015, the Department of Defense (DOD) issued Applicant a Statement of Reasons (SOR) detailing security concerns under the following: Guideline B, Foreign Influence; Guideline C, Foreign Preference; Guideline F, Financial Considerations; and Guideline E, Personal Conduct. The action was taken under DOD Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (January 2, 1992), as

amended (Directive); and the *Adjudicative Guidelines for Determining Eligibility for Access to Classified Information* effective within the DOD on September 1, 2006.

Applicant answered the SOR in writing (AR) on February 9, 2015, and requested that his case be decided by an administrative judge on the written record without a hearing. (Item 2.) On January 5, 2016, Department Counsel submitted the Government's written case. A complete copy of the File of Relevant Material (FORM), containing nine Items, was mailed to Applicant on January 6, 2016, and received by him on January 11, 2016. The FORM notified Applicant that he had an opportunity to file objections and submit material in refutation, extenuation, or mitigation within 30 days of receipt of the FORM. He timely submitted a Response to the FORM, along with attachments, marked as Applicant Exhibits (AE) A through I.¹ Department Counsel did not object to those exhibits, and they are admitted into the record. The Defense Office of Hearings and Appeals (DOHA) assigned the case to me on December 13, 2016.

Procedural and Evidentiary Rulings

Objection to the Admission of Exhibits

In his Response to the FORM, Applicant objected to the admissibility of GE 4, which is a summary of a March 2014 background interview of Applicant, and GE 5, which is a summary of a March 2009 background interview of Applicant. He asserted that the interviews were incomplete and inaccurate. Department Counsel did not reply to Applicant's filed objections. Hence, both summary interviews of GE 4 and GE 5 are inadmissible. However, attached to GE 4 are Federal and state tax-related documents provided to the Government by Applicant. Those are admissible, some of which were submitted with Applicant's Response.

Request for Administrative Notice

In its FORM, Department Counsel submitted a Request for Administrative Notice (Request) of certain facts relating to Israel. I marked the Request and supporting documents pertinent to Israel as Hearing Exhibit (HE) 1. Department Counsel also submitted with said request an Augmentation of Administrative Notice, which I marked as HE 1(A). In his Response, Applicant objected to the Government's supporting documents included in HE 1, and submitted his Motion for Administrative Notice (Motion), along with supporting documents. I marked his Motion as HE 2. Department Counsel did not file objections to the Motion. Both Department Counsel's Request and Applicant's Motion are granted. The facts administratively noticed are limited to matters of general knowledge pertinent to Israel, and not subject to reasonable dispute. The facts administratively noticed are set out in the findings of fact, below.

Findings of Fact

¹At the time Applicant answered the SOR, he was not represented by counsel. On January 21, 2016, Applicant retained Counsel, who subsequently filed the Response to the SOR.

Applicant admitted the allegations contained in the SOR ¶¶ 1.a and 1.b. He denied the allegation in SOR ¶ 1.c. He admitted the allegations in SOR ¶ 2, SOR ¶ 3, and SOR ¶ 4. Those admissions are incorporated into these findings of fact.

Applicant is 66 years old. He was born in Israel. He attended high school there and earned an associate's degree from an Israeli university in 1970. He was conscripted into the Israeli army from 1970 until 1974, and received an honorable discharge. He immigrated to the United States in 1975 and became a naturalized U.S. citizen in 1981. He earned a bachelor's degree from a U.S. university in 1977 and a master's degree in 1989. He has worked for a federal contractor since 1986 and has held a security clearance for many years. Applicant is divorced since 2004. He and his former wife, a U.S. citizen, have two children, who were born in the United States and are residents. (Item 3.)

Applicant submitted a performance evaluation for 2014. His manager noted that he is a "solid performer." (Response: AE A.) Applicant provided four letters of recommendation. His manager since 2009 strongly recommends Applicant for a security clearance. He stated that Applicant "is extremely meticulous in adhering to the protocols for handling and communicating classified information." (Response: AE B.) Applicant's colleague for ten years stated that Applicant has "shown great dedication to his job and most of all this country, which he proudly calls home." (Response: AE B.) Two friends also submitted character references for Applicant. (Response: AE B.)

Foreign Influence

Applicant's parents are deceased. Both were citizens and residents of Israel. His sister is a citizen and resident of Israel. His sister is not an employee of the Israeli government. Applicant has monthly contact with his sister and visits her annually. He has a niece and a cousin who are citizens and residents of Israel. He visits them when he travels to Israel, and emails them at the holidays. He has three friends who are citizens and residents of Israel. Applicant sees them during his visits, and emails them at the holidays. (Response.)

Applicant inherited an interest in a condominium owned by his mother. The property was sold after her death and Applicant received about \$143,000 in 2014, which was deposited into his U.S. account. He does not have any property or financial interests in Israel. (Item 2; Response.)

Foreign Preference

Applicant is an Israeli citizen by birth. He has a current Israeli passport that expires in 2024.² He maintains and uses it to travel to Israel because Israel requires "its citizens to enter and exit the country using their Israeli passports." (Items 2, 3.) He

²Applicant has maintained an active Israeli passport since becoming a U.S. citizen. (Response.)

travels there once or twice a year to visit family and friends. (Items 2, 3, 7.) In accordance with the U.S. Defense Security Service's regulations, Applicant's facility security officer (FSO) maintains that passport in a secure area. Applicant retrieves the passport when he travels to Israel and surrenders it to the FSO on his return. (Response: AE F.) He receives foreign briefings before he departs for Israel and has debriefings after he returns. He is willing to renounce his Israeli citizenship, but has not done so because of the inconvenience and expense of traveling to an Israeli embassy or consulate. (Item 2; Response.) He strongly asserted his loyalty to the United States. (Item 2.)

Financial Considerations

Applicant admitted that he did not timely file Federal and state income tax returns or pay taxes for tax years 2001 through 2009. His unpaid taxes for those eight years totaled about \$87,634. The IRS filed liens for those tax years over the course of several years. Applicant completed all Federal tax payments for those taxes in May 2012. Applicant's unpaid state taxes for those years totaled about \$14,000. He resolved the state liens by 2012. (Item 8: Attachments; Response.) He attributed his tax problems to three factors: a difficult divorce that was finalized in 2004; paying his children's college expenses and support; and gambling between 2002 and 2005, resulting in losses of \$37,000. (Items 2, 3, 7.)

Although not alleged in the SOR, the IRS filed a Federal tax lien for \$8,642 for tax year 1999 in 2004. That lien was paid in 2011. In 2004 the IRS filed a Federal tax lien for \$9,091 for tax year 2000. That lien was paid in 2005.³

Applicant accepts full responsibility for not timely filing Federal and state income tax returns and paying taxes. He acknowledged that he made a serious mistake. He has timely filed all returns and resolved all taxes for tax years 2010 thru 2014.⁴ (Item 2; Response: AE I.) He sought treatment for his gambling addiction in 2005 and no longer has a problem. (Item 3; Response.)

Israel

Israel is a parliamentary democracy whose prime minister heads the government and exercises executive power. It has a diversified, technologically advanced economy with a strong high technology sector. The major industrial sectors include high-technology electronic and biomedical equipment, metal products, chemicals, and transportation equipment. The United States is Israel's largest single trading partner and Israel is the largest recipient of U.S. aid since World War II.

³These two tax years and liens were not alleged in the SOR; hence, they will not be considered in the analysis of disqualifying conditions. However, they may be considered in the analysis of mitigating conditions, whole person, and credibility.

⁴The FORM was issued in January 2016, at which time 2015 taxes were not due.

The United States and Israel have a close friendship based on common democratic values, religious affinities, and security interests. However, they have different policies on other important issues. The United States is concerned with Israeli military sales, inadequate Israeli protection of U.S. intellectual property, and espionage-related cases. They have regularly discussed Israel's sale of sensitive security equipment and technology to various countries, including China. Israel reportedly is China's second major arms supplier, after Russia. Israel is also an active collector of propriety information. It has been identified as targeting multiple U.S. Government organizations since at least 1997. Israeli military officers have been implicated in this type of technology collection in the United States. There have also been cases involving illegal export, or attempted illegal export of U.S. restricted and dual use technology to Israel.

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 (AG) list potentially disqualifying and mitigating conditions, which are useful 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 AG ¶ 2(a), describing 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. Likewise, I have avoided drawing inferences grounded on mere speculation or conjecture.

According to Directive ¶ E3.1.14, the Government must present evidence to establish controverted facts alleged in the SOR. Under Directive ¶ E3.1.15, an "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, and has the ultimate burden of persuasion as to obtaining a favorable clearance decision."

A person who seeks access to classified information enters into a fiduciary relationship with the Government predicated upon trust and confidence. This relationship transcends normal duty hours and endures throughout off-duty hours. The Government reposes a high degree of trust and confidence in individuals to whom it grants access to classified information. Decisions include, by necessity, consideration of the possible risk the applicant may deliberately or inadvertently fail to protect or safeguard classified information. Such decisions entail a certain degree of legally permissible extrapolation as to potential, rather than actual, risk of compromise of classified information. Section 7 of Executive Order 10865 provides that an adverse decision shall be “in terms of the national interest and shall in no sense be a determination as to the loyalty of the applicant concerned.”

Analysis

Guideline B, Foreign Influence

The security concerns relating to the guideline for foreign influence are set out in AG ¶ 6:

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 three 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;⁵
- (b) connections to a foreign person, group, government, or country that create a potential conflict of interest between the individual's obligation to

⁵The 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).

protect sensitive information or technology and the individual's desire to help a foreign person, group, or country by providing that information; 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.

Most nations with substantial military establishments seek classified and sensitive information from the United States because it has the largest military industrial complex and most advanced military establishment in the world. Israeli military officials could potentially seek or accept classified information from U.S. citizens with access to this material. Applicant's access to classified information and his connection and contacts with his relatives and friends residing in Israel could create a potential conflict of interest, if they were taken hostage or otherwise threatened if he did not cooperate and disclose protected information. The evidence establishes both AG ¶¶ 7(a) and (b) disqualifying conditions. Applicant provided proof that he no longer has any financial interest in Israel; thus, the evidence does not establish a disqualifying condition under AG ¶ 7(e).

AG ¶ 8 provides three conditions that could mitigate security concerns. Those with potential application in this case are:

(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; and

(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.

The nature of a nation's government, its relationship with the United States, and its human rights record are relevant in assessing the likelihood that an Applicant's family members are vulnerable to government coercion. The risk of coercion, persuasion, or duress is significantly greater if the foreign country has an authoritarian government; a family member is associated with or dependent upon the government; the country is known to conduct intelligence operations against the United States; or there is a serious

problem in the country with crime or terrorism. Israel's close, friendly relationship to the United States, its adherences to human rights standards and rule of law, its leading role in the suppression of terrorists, and the lack of evidence that Israel uses coercive tactics in its espionage targeting of the United States, all tend to negate a concern that Appellant's relationship with his family residing in Israel poses a security risk.

Based on those facts, it is unlikely that Applicant will be forced to choose between loyalty to the United States and his relationship with his sister, cousin and niece living in Israel. With the peaceful, long-standing alliance between Israel and the United States, it is improbable that Israeli intelligence officials would use coercion or pressure against a U.S. citizen living in the United States, such as Applicant, in an attempt to gather valuable or classified information from the United States. In addition, none of Applicant's family members in Israel are involved in the government or military. Only their physical presence creates the potential that their interests could be threatened to the point that Applicant would be confronted with a choice between their interest and those of the United States. Hence, AG ¶ 8(a) has some application.

Applicant produced significant evidence establishing AG ¶ 8(b). Based on his relationship and depth of loyalty to the U.S., he can be expected to resolve any conflict of interest in favor of the United States. He has lived in the United States since 1975. His children are U.S. citizens, residing in the United States. He holds bank accounts in the United States. He attended U.S. universities. Since 1986, he has successfully worked for a federal contractor, and has the support of his manager and colleagues. He does not own property in Israel. There is no evidence that he has connections or contact with any people in Israel other than three relatives and three friends. He strongly asserts his loyalty to the United States.

Applicant maintains ongoing communication, both in person and via email, with his sister, niece, cousin and friends in Israel. Hence, AG ¶ 8(c) does not apply, as those contacts are sufficiently frequent and not casual.

Guideline C, Foreign Preference

AG ¶ 9 security concerns involving foreign preference are:

When an individual acts in such a way as to indicate a preference for a foreign country over the United States, then he or she may be prone to provide information or make decisions that are harmful to the interests of the United States.

AG ¶ 10 describes conditions that could raise a security concern and may be disqualifying:

(a) exercise of any right, privilege or obligation of foreign citizenship after becoming a U.S. citizen or through the foreign citizenship of a family member. This includes but is not limited to:

(1) possession of a current foreign passport; and

(b) action to acquire or obtain recognition of a foreign citizenship by an American citizen.

Applicant was born in Israel. He became a U.S. citizen in 1987. He has maintained an Israeli passport since becoming a U.S. citizen, in order to enter and exit Israel more easily, and as required by Israel for any person holding Israeli citizenship. He regularly used and renewed the passport over the years to enter Israel to visit family and friends there. His current passport does not expire until 2024. The Government produced sufficient evidence to establish a disqualifying condition under AG ¶¶ 10(a)(1) and 10(b), and the burden shifts to Applicant to rebut, explain, extenuate or mitigate these facts and the resulting security concerns.

The guideline includes two conditions in AG ¶ 11 that could mitigate security concerns arising from Applicant's foreign passport:

(b) the individual has expressed a willingness to renounce dual citizenship; and

(e) the passport has been destroyed, surrendered to the cognizant security authority, or otherwise invalidated.

Applicant expressed his willingness to renounce his Israeli citizenship in his Answer to the SOR; however, he has not taken any steps to effectuate that. He maintains an active Israeli passport, which he uses for traveling to Israel on an annual basis. The evidence does not establish mitigation under AG ¶ 11(b) or AG ¶ 11(e).

Guideline F, Financial Considerations

The security concerns relating to the guideline for financial considerations are set out in AG ¶ 18:

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

AG ¶ 19 notes two disqualifying condition that could potentially raise security concerns in this case:

(c) a history of not meeting financial obligations;

(g) failure to file annual Federal, state, or local income tax returns as required or the fraudulent filing of the same.

Applicant has a nine-year history of not timely filing Federal and state income tax returns, and failing to pay income taxes. The evidence is sufficient to raise the above disqualifying conditions.

AG ¶ 20 sets out four conditions that could potentially mitigate financial security concerns under this guideline:

(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; and

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

Applicant's tax problems spanned a period of eight years from 2001 to 2009. Because that time frame was not so distant and included multiple years, AG ¶ 20(a) does not apply. Applicant established limited mitigation under AG ¶ 20(b), as there is some evidence to conclude that Applicant's marital issues contributed to his tax problems, which may have been circumstances beyond his control. However, Applicant's failure to file his Federal and state income tax returns began in 2001, three years before his divorce, and continued for five years after. He also testified that he was paying his children's college expenses and acknowledged that he had a gambling problem, both of which contributed to his problems and was within his control. There is no evidence indicating that he acted responsibly during those years.

Applicant presented evidence that he completed payments on all outstanding tax liens in 2012. He timely filed Federal and state income tax returns and paid required taxes for the years 2010 through 2014. He also participated in counseling for his gambling addiction. There is an indication that his tax and financial problems are under control at this time, establishing some mitigation under AG ¶ 20(c).

Applicant did not establish mitigation under AG ¶ 20(d). The Federal and state governments filed tax liens for years 2001 through 2009. In addition, the Federal government filed tax liens for 1999 and 2000. As a consequence of those legal actions, Applicant began resolving his tax debts, rather than initiating good-faith efforts. Applicant's explanation that his divorce affected his finances does not adequately explain why he failed to file returns for the years preceding the divorce or subsequent to it.

Guideline E, Personal Conduct

AG ¶ 15 expresses the security concern pertaining to personal conduct:

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

AG ¶ 16 describes conditions that could generate security concerns and may be disqualifying. While Applicant's failure to file income tax returns for nine years demonstrates a serious lack of judgment under this guideline, those security concerns, as alleged in the SOR, were adequately analyzed and addressed under the financial considerations guideline. This guideline is found in Applicant's favor.

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). They include the following:

(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) 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 include 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 facts and circumstances

surrounding this case. Applicant is an intelligent, 66-year-old, who has been a U.S. citizen since 1981, and has successfully worked for a defense contractor since 1986.

In regard to Guideline B cases, the Appeal Board requires the whole-person analysis address “evidence of an applicant’s personal loyalties; the nature and extent of an applicant’s family ties to the U.S. relative to his [or her] ties to a foreign country; his or her social ties within the U.S.; and many others raised by the facts of a given case.” ISCR Case No. 04-00540 at 7 (App. Bd. Jan. 5, 2007). In this instance, Applicant demonstrated strong relationship, financial, and professional ties to the United States, sufficient to mitigate his connections to six Israeli resident citizens. These are positive factors in this case.

However, the adverse factors in this case outweigh those facts. Applicant has maintained an Israeli passport since becoming a citizen in 1981. Although he asserted he would renounce his Israeli citizenship, thereby relinquishing his passport, he has not done so, despite being placed on notice in January 2015 that it created a security concern. Also troubling is the fact that between 2001 and 2009, Applicant failed to timely file Federal and state income tax returns and pay taxes for reasons that involved poor judgment and gambling. Tax liens were also filed for unpaid taxes for 1999 and 2000. Applicant completed payments of all owed taxes in 2012 and has timely filed his 2010, 2012, 2013, and 2014 returns. While he is establishing a track record of complying with tax laws, his actions to date are not sufficient to offset a 10-year history of non-compliance with a fundamental legal obligation to timely file tax returns and pay taxes. The DOHA Appeal Board has held that:

Failure to file tax returns suggests that an applicant has a problem with complying with well-established government rules and systems. Voluntary compliance with these things is essential for protecting classified information. ISCR Case No. 14-04437 at 3 (App. Bd. Apr. 15, 2016). Someone who fails repeatedly to fulfill his or her legal obligations does not demonstrate the high degree of good judgment and reliability required of those granted access to classified information. See, e.g., ISCR Case No. 14-01894 at 5 (App. Bd. Aug. 18, 2015). See *Cafeteria & Restaurant Workers Union Local 473 v. McElroy*, 284 F.2d 173, 183 (D.C. Cir. 1960), *aff’d*, 367 U.S. 886 (1961).⁶

The record evidence leaves me with questions as to Applicant’s eligibility and suitability for a security clearance. Applicant mitigated the foreign influence concerns, but not the security concerns arising under the foreign preference and financial considerations guidelines. The security concerns raised under the personal conduct guideline are found in his favor for the reason previously discussed.

⁶ ISCR Case No. 12-10933 at 3 (App. Bd. June 29, 2016).

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 B:	FOR APPLICANT
Subparagraph 1.a:	For Applicant
Subparagraph 1.b:	For Applicant
Subparagraph 1.c:	For Applicant
Paragraph 2, Guideline C:	AGAINST APPLICANT
Subparagraph 2.a:	Against Applicant
Paragraph 3, Guideline F:	AGAINST APPLICANT
Subparagraph 3.a:	Against Applicant
Paragraph 4, Guideline E:	FOR APPLICANT
Subparagraph 4.a:	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 or continue Applicant's eligibility for a security clearance. Eligibility for access to classified information is denied.

SHARI DAM
Administrative Judge