



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



In the matter of:

ADP Case No. 15-07064

Applicant for Public Trust Position

Appearances

For Government: Tovah, Minster, Esq., Department Counsel
For Applicant: *Pro se*

07/18/2017

Decision

MASON Paul J., Administrative Judge:

Between December 2008 and December 2014, Applicant incurred close to \$57,000 in debts. She attempted to conceal the indebtedness in her security questionnaire in October 2014. Her evidence in mitigation fails to meet her ultimate burden of persuasion under the guidelines for financial considerations and personal conduct. Eligibility for a public trust position is denied.

Statement of the Case

Applicant completed and signed an Electronic Questionnaire for Investigations Processing (e-QIP) on October 10, 2014. On June 29, 2016, the Department of Defense (DOD) issued a Statement of Reasons (SOR) detailing trustworthiness concerns under the guidelines for financial considerations (Guideline F) and personal conduct (Guideline E). The action was taken pursuant to Executive Order 10865, *Safeguarding Classified Information within Industry* (February 20, 1960), as amended; DOD 5220.6, *Defense Industrial Personnel Security Review Program* (January 2, 1992), as amended (Directive);

DOD Regulation 5200.2-R, Personnel Security Program (January 1987) and the adjudicative guidelines (AG) made effective for all adjudications on June 8, 2017.¹

On July 30, 2016, Applicant provided a notarized answer to the SOR. The Defense Office of Hearings and Appeals (DOHA) issued a notice of hearing on March 22, 2017 for a hearing on April 7, 2017. The hearing was held as scheduled. The Government's four exhibits (GE 1-4) and Applicant's seven exhibits (AE A-G) were entered into evidence without objection. On February 7, 2017, Applicant furnished six additional exhibits (AE H-M) within the period allowed for post-hearing submissions. On April 21, 2017, Department Counsel forwarded the exhibits to me without objection. The six exhibits were admitted in evidence. The transcript (Tr.) was received on April 18, 2017. The record closed on April 24, 2017.

Evidentiary Rulings

Applicant was advised that her January and May 2015 interviews (PSIs) (GE 2) with an investigator for the Office Personnel Management (OPM) may not be admitted into evidence because it was unauthenticated.² Applicant was also advised that she could call for a recess to review and make corrections to the exhibit to increase its accuracy. Applicant's declaration that she wanted the exhibit in evidence is interpreted as having no objection to the admissibility of the exhibit. The exhibit was admitted as GE 2.

Findings of Fact

The SOR alleges eight delinquent debts totaling \$56,943. The first two debts are student loans totaling more than \$48,000 (about 84% of her entire debt). The third account represents a delinquent credit card. Four accounts are for cellular phones. The last account is a retail charge account. Applicant admitted all the accounts with explanations.

Applicant is 40 years old and divorced. She was married from August 1999 to August 2009. She has owned her home since 2001. She has raised her seven-year-old son without child support from the child's father. She received a bachelor's of science degree in 1999 and a bachelor's of nursing degree in May 2005. For the last eight months, she has been taking online courses to complete her nurse practitioner degree. Since November 2010, she has been employed as a registered nurse for a federal medical facility. She testified she was unemployed for six months in 2009 because she was pregnant and working for a contract agency. Her e-QIP shows uninterrupted employment since May 2004. She seeks eligibility for a trustworthiness position. (GE 1 at 10-12, 18; Tr. 54)

¹ This case was decided using the new guidelines which became effective on June 8, 2017. These guidelines superseded the former guidelines which had been in effect since September 1, 2006. My decision in this case would be the same under either group of guidelines.

² Applicant was interviewed by telephone on May 11, 2015 about other matters unrelated to the SOR. (GE 2 at 11)

Financial Considerations

Applicant contends that some of her financial problems resulted from cosigning for her sister-in law's two student loans. (SOR ¶¶ 1.a, 1.b) She claimed that she cosigned the phone account listed at SOR ¶ 1.d for her former husband and promised to pay for this account. She claimed that the credit card account at SOR ¶ 1.c was illegally used by her college roommate. She claimed she paid the SOR ¶ 1.e account in 2016. Regarding SOR ¶ 1.f, she claimed the creditor had the account removed from her credit report. She averred that she paid the two cell phone accounts at SOR ¶¶ 1.g and 1.h, and the accounts were removed from her credit report.

Concerning the personal conduct allegation under paragraph 2, Applicant stated in her January and May 2015 PSIs and testified that she did not know that she had delinquent debts when she certified and signed the October 2014 e-QIP. No creditor had ever told her she had outstanding debt and she assumed her debts were current. She testified, "I don't usually pull my credit [report] and also not aware those people that I co-signed, even the small bills, cell phone, I was not aware they did not pay the final bill until I pulled my credit [report] after I received the letter from the Government (circa June 2016) about my hearing. That's when I pulled my credit and - - " She subsequently testified that she was not accustomed to pulling her credit report, particularly when her credit was approved for making a purchase. Then, she furnished a one-page excerpt from her credit report provided by the three credit bureaus. The document posts her last name spelled correctly and incorrectly. The document provides a middle initial (she has no middle initial or name), and lists an incorrect address in another state. I note the same information appears in the government credit reports. Both the government credit reports and Applicant's one-page document provide her current address. Also, Applicant's social security number is the same in the government credit reports and Applicant's e-QIP. (GE 3, 4; Answer to SOR; AE G; Tr. 50-51, 62-63, 72)

The listed debts are addressed as follows:

SOR ¶¶ 1.a, 1.b - These are two student loans totaling approximately \$48,000 that Applicant cosigned for her sister-in-law in about 2004. The accounts became delinquent between December 2008 and January 2009. Applicant understood that by cosigning she could ultimately be responsible for the underlying debts. She initially claimed that she paid the \$5,000 settlement amount in one payment. When pressed on whether she could provide verification of an actual pay off document of the settlement amount of \$5,000, Applicant testified, "The settlement agreement and also I could get a letter and also it is no longer in my - - they remove it from my credit report." Later in her testimony, she indicated she paid the \$5,000 over a 30-day period from the date posted on the student loan settlement documentation. In her post-hearing submission, she provided another copy of the second page of the settlement agreement. (GE 3 at 2; AE E at 2; AE L; Tr. 41-43, 57, 68-70, 75) The loan is unresolved.

SOR ¶ 1.c - This is a credit card account with Applicant being individually responsible in the case of default. The account became delinquent in January 2010. When confronted in her January and May 2015 PSIs about this debt and the others listed in the SOR, she claimed that she had a bank account in another state, but never had credit card accounts. In her answer to the SOR, she claimed that her college roommate misused the

card. The credit card company told her that she was not responsible for the store charges and that the creditor was going to remove the account from her credit report. However, she provided documentation showing the card was designated as a bad debt and charged off to profit and loss. She provided additional documentation without actual account numbers showing that an account with the same name was removed from her credit report in December 2016. Eleven days after the hearing, she submitted a letter from her credit repair law firm announcing that they were requesting the three credit bureaus conduct appropriate investigations on five accounts which Applicant believes should have been removed from her credit report. Only three of the listed accounts appear in the SOR; they are SOR ¶¶ 1.c, 1.e, and 1.f. (GE 2 at 10; AE F; AE G; AE I; AE M; Tr. 60) The credit card account is unresolved.

SOR ¶ 1.d - This is a cell phone account with Applicant individually responsible in case of default. The account became delinquent in December 2014. When confronted with the debt in her January and May 2015 PSIs, she believed the account was disputed with the credit bureau and settled in 2008. In her answer, she claimed her husband was supposed to pay the account but did not. She promised to pay the debt. At the hearing, she claimed that she cosigned for her husband. One of Applicant's post-hearing exhibits shows that she settled the account in November 2016. (GE 3; GE 4; answer to SOR; Tr. 47) The debt is resolved.

SOR ¶ 1.e - This is a cell phone account that became delinquent in May 2014. In her January and May 2015 PSIs, she claimed she paid off the account in 2010 before she discontinued the service. She intended to remove the account from her credit report. In her answer to the SOR, she averred that her husband was supposed to take care of the account. She indicated she would pay the account. Though she provided documentation in December 2016 that an account with the same name, but no other identifying information, was removed from her credit report, in April 2017, the credit repair firm repeated its request to have the account investigated. (GE 2 at 10-11; answer to SOR; AE I; AE M) The account is unresolved.

SOR ¶ 1.f - This is a retail charge account that became delinquent in December 2009. When confronted with the account in her January and May 2015 PSIs, Applicant stated that she would either pay or dispute the debt. In her SOR answer, she claimed that the account was closed because of unauthorized activities. The creditor was supposed to remove the account from her credit report. As with SOR ¶ 1.f, Applicant provided documentation showing that an account with the same name, but no other identifying information, was removed from her credit report in December 2016. Her debt repair firm submitted another letter in April 2017 requesting that the account be investigated. (GE 2 at 9; answer to SOR; AE I; AE M) The account is unresolved.

SOR ¶ 1.g - This is a cell phone account that made Applicant individually liable in case of default. The account became delinquent in January 2014. When confronted with this delinquent account in her January and May 2015 PSIs, she claimed that she had not received any bill notices from the creditor. She intended to pay the account if it was determined that she was liable. In her SOR answer, she contended her deposit for the phone contract was supposed to cover the last payment on the contract. At the hearing, Applicant claimed the account was paid off through her debt repair firm. She had an email that she could print. She provided a post-hearing exhibit showing that she paid the account

in November 2016. (GE 2 at 9; GE 4 at 8; answer to SOR; AE J; Tr. 49) The account is resolved.

SOR ¶ 1.h - This is an account covering cable equipment. The account became delinquent in June 2011. In her January 2015 PSI, Applicant claimed the creditor informed her that it had no record of the account and told her to contact the credit agency. She submitted an online dispute and was waiting for a response. In her answer to the SOR, she repeated her claim of returning the cable equipment to the creditor. At the hearing, Applicant contended that the account had been paid and her debt repair firm had removed it from her credit report. No additional documentation was submitted concerning the outcome of her 2015 online dispute or a payoff of the account. (GE 2 at 10; answer to SOR; Tr. 49) The account is unresolved.

Applicant testified that her current yearly salary is \$93,000. Her monthly net income is \$5,500. She was asked twice about the amount of her net monthly remainder after expenses. Her reply was that the remainder is about \$2,000. She then identified each of her monthly expenses. Her monthly car note is \$740 for a vehicle she purchased in 2015. Her mortgage is \$1,800 a month. Applicant pays an average of \$115 a month for electricity; about \$150 a month for cable; \$70 a month for a cell phone; \$160 a month for gasoline; \$200 a month for food; at least \$740 a month for school tuition and an occasional \$250 fee for her son's aftercare; and \$136 a month for car insurance. Her itemized monthly expenses are at least \$1,500 more than her \$2,000 monthly remainder she claimed to have after paying all her expenses.³ Other than her collaboration with the debt repair firm since November 2016, she has never participated in financial counseling or debt consolidation. She operates a small nurse staffing operation that has not generated income because she is waiting for approval of her state license application. (AE G; Tr. 61, 63-72)

Personal Conduct

On October 10, 2014, Applicant (age 37 at the time) signed and certified an e-Qip. In response to section 26 (financial record delinquency involving routine accounts), Applicant answered "no" to the following questions: whether she defaulted on any type of loan in the last seven years, whether she had debts turned over to a collection agency in the last seven years, and whether she had any accounts or credit cards suspended, charged off, or cancelled in the last seven years.

One of Applicant's reasons for answering "no" to all the financial questions was that she did not know that certain individuals she cosigned accounts for, defaulted on those accounts. Those accounts include the two student loan accounts for her sister-in-law (SOR ¶¶ 1.a, 1.b). Applicant expressed words that indicated she cosigned for her former husband for accounts identified at SOR ¶¶ 1.d and 1.e. Applicant was unaware of the other listed debts and was not informed about any delinquent accounts when she leased her car in 2015. No creditor ever notified her that she owed delinquent debt. She never obtained a copy of her credit report because she thought all her accounts were current. (Answer to SOR; Tr. 65-67)

³ When the individual expense total is subtracted from Applicant's net monthly income (\$5,500), the net month remainder is closer to \$1,400. (Tr. 63-69)

Character Evidence

Applicant provided four character references. On November 16, 2016, reference A indicated he has known Applicant for 15 years. She helped reference A and his wife acclimate to the local area. Applicant is dedicated to her work and profession. In reference A's view, when Applicant cosigned accounts for family members, she thought the accounts were resolved when they became delinquent. Applicant believed she had honestly answered all questions on the security form, part of the security clearance process that reference A became frustrated with during his 15 years of employment in the federal government.

Reference B indicated by letter on February 16, 2016, that her recent treatment for pain quickly led to positive results in her medical condition. She praised Applicant's patience in administering the treatment.

Reference C indicated statement dated November 17, 2016, that she is the clinic manager of the pain clinic and Applicant's supervisor. She has known Applicant for six years. She is impressed with Applicant's work ethic, strong moral character, and team player attitude.

On November 12, 2016, reference D stated that she has known Applicant on a professional and personal level for 10 years. Reference D considers Applicant to be a trustworthy person. She was supportive when reference D's father passed away. Reference D believes that Applicant responded honestly to the questions on the security questionnaire and is trying to deal with her financial issues.

Policies

When evaluating an applicant's suitability for a public trust position, the administrative judge must consider the adjudicative guidelines (AG) which list potentially disqualifying conditions and mitigating conditions. These guidelines must be considered in the context of the nine general factors known as the whole-person concept to enable the administrative judge to consider all available, reliable information about the person, past and present, favorable and unfavorable, in making a decision.

The protection of the public trust is the paramount consideration. AG ¶ 2(b) requires that "[a]ny doubt concerning personnel being considered for access to [sensitive] information will be resolved in favor of national security." 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. . . ." An applicant has the burden of proving a mitigating condition, and the burden of disproving it never shifts to the Government. See ISCR Case No. 02-31154 at 5 (App. Bd. Sept. 22, 2005) The applicant has the ultimate burden of persuasion to support her case for eligibility to a public trust position.

Analysis

Financial Considerations

The security concern for financial considerations is set forth in AG ¶ 18:

Failure 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 or sensitive information. Financial distress can also be caused or exacerbated by, and thus be a possible indicator of, other issues of personnel security concern such as excessive gambling, mental health conditions, substance misuse, or alcohol abuse or dependence. An individual who is financially overextended is at risk of having to engage in illegal acts to generate funds. Affluence that cannot be explained by known sources of income is also a security concern insofar as it may result from criminal activity, including espionage.

A person who holds a public trust position has a fiduciary responsibility with the Government to comply with all rules and regulations associated with handling sensitive information. She also has a duty to responsibly manage her finances by living within her means and paying voluntarily incurred debts as they become due. Managing her finances includes monitoring her credit issues by periodically obtaining credit reports. When she encounters financial problems, she should seek assistance from her employer, e.g., human resources official (HRO), a facility security officer (FSO), or an outside financial counseling organization.

The disqualifying conditions under AG ¶ 19 are:

- (a) inability to satisfy debts;
- (b) unwillingness to satisfy debts regardless of the ability to do so;
- (c) a history of not meeting financial obligations; and
- (e) consistent spending beyond one's means or frivolous or irresponsible spending, which may be indicative of excessive indebtedness, significant negative cash flow, a history of failure to make payments or of non-payment, or other negative financial indicators.

Between December 2008 and December 2014, Applicant accumulated almost \$57,000 in delinquent debt. The credit bureau reports and Applicant's admissions establish AG ¶¶ 19(a), (b), and (c). The monthly expenses which Applicant identified during her testimony show that she has a negative monthly remainder of at least \$1,500 every month. This negative monthly remainder represents evidence of a negative cash flow within the scope of AG ¶ 19(e).

The burden shifts to Applicant to mitigate the delinquent financial delinquencies. Five mitigating conditions under AG ¶ 20 are potentially pertinent:

- (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 reliability, trustworthiness, and good judgment;
- (b) the conditions that resulted in the financial problem were largely beyond the person's control and the individual acted responsibly under the circumstances;
- (c) the person has received or is receiving financial counseling for the problem from a legitimate and credible source, such as a nonprofit credit counseling service, and there are clear indications that the problem is being resolved or is under control;
- (d) the individual initiated and is adhering to 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 began to incur delinquent debt in 2008. When the SOR was published in June 2016, she had eight debts totaling close to \$57,000. Except for SOR ¶¶ 1.d and 1.g, Applicant has not satisfied or settled the six remaining debts. She was advised that there was some question as to whether the two student loans (SOR ¶¶ 1.a, 1.b) were settled for \$5,000 as she claimed. She indicated that she could provide additional evidence, but she did not. When Applicant certified the e-QIP in October 2014, she was put on notice that her debts were a government concern. She received additional notice in a more detailed fashion when she discussed each debt in detail with an investigator from OPM in January and May 2015. Though she supplied documentation of a settlement offer (June 2016) with the two student loan accounts at SOR ¶¶ 1(a) and 1(b), her substantiated action to pay off any of the listed debts did not occur until November 2016 (SOR ¶¶ 1.d, 1.g), after she received the SOR, thereby raising ongoing security concerns about her judgment and trustworthiness. AG ¶ 20(a) does not apply.

AG ¶ 20(b) addresses the impact of unforeseen events on a person's financial obligations. Applicant's divorce in 2009 and the lack of child support since 2009 entitles her to some mitigation under the condition. However, her claim of not knowing about the debts until she received the SOR in June 2016, is not persuasive because she discussed the debts during the January and May 2015 PSIs. On balance, the mitigation she receives under AG ¶ 20(b) is limited.

Applicant has never had financial counseling. There is no evidence showing that she received any financial counseling from the debt repair firm. Even though Applicant stated that she paid off most of the listed debts, she only provided unequivocal documentation of paying off SOR ¶¶ 1.d and 1.g. Other than disputing the debts, there is no evidence that

the debt repair firm assisted Applicant in resolving any of the accounts through payment plans. The delinquent debts that no longer appear in her credit report probably were removed by the statute of limitations instead of a through good-faith effort by Applicant to resolve the debts. AG ¶ 20(c) does not apply as there are no clear indications that the debts are under control or being resolved. AG ¶ 20(d) applies to Applicant's resolution of AG ¶¶ 1.d and 1.g.

Applicant's disputes by her debt repair firm of the five accounts listed in AE I and AE M merit limited mitigation as the stated reasons for requested relief are too general to substantiate the basis of the disputes. AG ¶ 20(e) warrants scant mitigation.

Personal Conduct

The security concern for personal conduct is set forth in AG ¶ 15:

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. The following will normally result in an unfavorable national security eligibility determination, security clearance action, or cancellation of further processing for national security eligibility.

The disqualifying conditions under AG ¶ 16 are:

(a) deliberate omission, concealment or falsification of relevant facts from any personnel security questionnaire, personal history statement, or similar form used to conduct investigations, determine employment qualifications, award benefits or status, determine security clearance eligibility or trustworthiness, or award fiduciary responsibilities; and

d) credible adverse information that is not explicitly covered under any other guideline and may not be sufficient by itself for an adverse determination, but which, when combined with all available information supports a whole-person assessment of questionable judgment, untrustworthiness, unreliability, lack of candor, unwillingness to comply with rules and regulations, or other characteristics indicating the person may not properly safeguard protected information. This includes but is not limited to consideration of: (1) untrustworthy or unreliable behavior to include breach of client confidentiality, release of proprietary information, unauthorized release of sensitive corporate or other government protected information; (2) disruptive, violent, or other behavior in the workplace; (3) a pattern of dishonesty or rule violations; and (4) evidence of significant misuse of government or other employer's time or resources.

An applicant who is employed in a public trust position occupies a fiduciary relationship with the Government founded on honesty and trustworthiness. When an

applicant demonstrates untruthfulness during the application process for a public trust position, her lack of candor can have a negative impact on the ultimate decision regarding her application for a public trust position.

In October 2014, when Applicant checked the “no” answers under section 26 of her e-QIP, she gave the Government the impression that she had no delinquent debts. She did not disclose the delinquent accounts until she was confronted with them in January and May 2015. Had she been 21 or 22 years old, just out of college, and trying to launch her career, then there may have been some justification to excuse her “no” answers to every financial question in the section. However, she was 37 years old in October 2014. She received two college degrees. She has owned her own home since 2001. AG ¶ 16(a) applies.

Assuming that Applicant’s omission of financial information from her October 2014 e-QIP is not considered intentional, it represents a whole-person assessment of negligence and poor judgment within the purview of AG ¶ 16(d). When she filled out the e-QIP, she had been working for the Government facility for four years. She knew or should have known her delinquent debts raised trustworthiness concerns for the Government.

The mitigating conditions under AG ¶ 17 are:

(a) the individual made prompt, good-faith efforts to correct the omission, concealment, or falsification before being confronted with the facts; and

(c) the offense was so minor, or so much time has passed, or the behavior is so infrequent, or it happened under such unique circumstances that it is unlikely to recur and does not cast doubt on the individual’s reliability, trustworthiness, or good judgment.

An applicant receives mitigation under AG ¶ 17(a) when she makes a good-faith effort to voluntarily come forward with the missing financial information before she is confronted with that information. The condition does not apply because Applicant did not reveal the information about the debts listed in the SOR until the OPM investigator confronted her about them in May 2015.

The omission of financial information by Applicant in October 2014 was not minor because she sought to conceal almost \$57,000 in debt. The surrounding circumstances of her omission were not unique and continue to raise trustworthiness concerns about her reliability and judgment. These concerns undermine the credibility of Applicant’s repeated and unsupported claims of paying off most of the listed debts. AG ¶ 17(c) does not apply.

Whole-Person Concept

I have examined the evidence under the guidelines for financial considerations and personal conduct from a common sense point of view and in the context of the whole person. (AG ¶ 2(c)) I have also weighed the circumstances within the context of nine variables known as the whole-person concept. In evaluating the relevance of an individual’s conduct, the administrative judge should consider the following factors:

AG ¶ 2(d) (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 the participation was 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.

Applicant is 40 years old and has bachelors' degrees in science and nursing. She is considered to be a trustworthy person who has developed a strong work ethic with stellar team player qualities.

However, the foregoing positive evidence is insufficient to overcome the adverse evidence under the financial guideline. Applicant repeatedly stated that she paid off most of the debts. The evidence does not support her claims. Satisfying debts with documentation that shows a track record of payments represents strong evidence of a good-faith effort to resolve debts. Evidence that shows only that debts were extinguished because they became stale by the running of a statute of limitations (making the debts no longer enforceable by the creditor) does not constitute a good-faith effort to repay overdue creditors.

Applicant's omission of her financial information from her October 2014 e-QIP has been fully discussed. Her claim that neither the car dealer nor any other creditor ever informed her about her delinquent debts, does not relieve her of her obligation to manage and monitor her financial obligations in a responsible manner. After making a commonsense evaluation of the evidence in the context of the general factors of the whole-person concept, I conclude that Applicant has not mitigated the trustworthiness concerns arising from the guidelines for financial considerations and personal conduct. See AG ¶ 2(a)(1) through 2(a)(9).

Formal Findings

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

Paragraph 1 (Guideline F):	AGAINST APPLICANT
Subparagraphs 1.a-1.c, 1.e, 1.f, 1.h:	Against Applicant
Subparagraphs 1.d, 1.g:	For Applicant
Paragraph 2 (Guideline E):	AGAINST APPLICANT
Subparagraph 2.a:	Against Applicant

Conclusion

In light of all of the circumstances presented by the record in this case, it is not clearly consistent with national security to grant Applicant eligibility for a public trust position. Eligibility for a public trust position is denied.

Paul J. Mason
Administrative Judge