DEPARTMENT OF DEFENSE
DEFENSE OFFICE OF HEARINGS AND APPEALS

In the matter of:	)	
	)	
[REDACTED]	)	ISCR Case No. 16-03263
	)	
Applicant for Security Clearance	)	

Appearances

For Government: Gatha Manns, Esq., Department Counsel
For Applicant: *Pro se*

07/27/2018

Decision

MARINE, Gina L., Administrative Judge:

This case involves security concerns raised under Guideline F (Financial Considerations) and Guideline E (Personal Conduct). Eligibility for access to classified information is denied.

Statement of the Case

Applicant submitted a security clearance application (SCA) on November 6, 2013. On February 9, 2017, the Department of Defense Consolidated Adjudications Facility (DOD CAF) sent him a Statement of Reasons (SOR) alleging security concerns under Guidelines F and E. The DOD CAF acted under Executive Order (EO) 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) implemented by the DOD on September 1, 2006.

Applicant answered the SOR on March 14, 2017, and requested a hearing before an administrative judge. The Government was ready to proceed on May 22, 2017, and the case was assigned to me on December 4, 2017. On January 25, 2018, the Defense Office of Hearings and Appeals (DOHA) notified Applicant that the hearing was scheduled for February 15, 2018. I convened the hearing as scheduled.

Government Exhibits (GE) 1 through 7 were admitted into evidence, without objection. I appended to the record the Government's exhibit list as Hearing Exhibit (HE) I and correspondence the Government sent to Applicant as HE II. At the hearing, Applicant testified and submitted Applicant Exhibits (AE) A through C, which I admitted into evidence, without objection. At Applicant's request, I left the record open until March 30, 2018. Applicant timely provided additional documents that were admitted into evidence as AE D through K and M, without objection. I admitted AE L over the Government's objection. I appended several post-hearing email exchanges between the parties as HE III through V. I appended a post-hearing email from the Government concerning jurisdiction as HE VI. DOHA received the transcript (Tr.) on February 26, 2018.

On June 8, 2017, the DOD implemented new AG (2017 AG).[1] Accordingly, I have applied the 2017 AG.[2] However, I have also considered the 2006 AG, because they were in effect on the date the SOR was issued. I conclude that my decision would have been the same under either version.

Evidentiary Ruling

The Government objected to the admissibility of AE L, which is a Memorandum for the Record (MFR) noting Applicant's appeal of an employment termination (discussed more fully below). The basis of the Government's objection was a lack of reliability because certain facts therein were contradicted by Applicant's hearing testimony, and because it was not clear whom or whether the document was ever sent, or for which appeal (there were two). On the subject line of the MFR, it references the appeal for which it was issued. Applicant credibly testified at the hearing that he sent this appeal letter. The facts in the MFR are not a materially discrepant in light of the record as a whole. Thus, I overruled the Government's objection, and have accorded the facts therein the appropriate weight given the record as a whole.

Findings of Fact[3]

Applicant, age 51, has a 13-year-old daughter. He divorced his wife of nine years in 2011. He earned a bachelor's degree in 1996 and a master's degree in 2000. He has

[1] On December 10, 2016, the Security Executive Agent issued Directive 4 (SEAD 4), establishing a "single, common adjudicative criteria for all covered individuals who require initial or continued eligibility for access to classified information or eligibility to hold a sensitive position." (SEAD 4 ¶ B, *Purpose*). The SEAD 4 became effective on June 8, 2017 (SEAD 4 ¶ F, *Effective Date*). The new AG, which are found at Appendix A to SEAD 4, apply to determine eligibility for initial or continued access to classified national security information. (SEAD 4 ¶ C, *Applicability*).

[2] ISCR Case No. 02-00305 at 3 (App. Bd. Feb. 12, 2003) (security clearance decisions must be based on current DOD policy and standards).

[3] Unless otherwise indicated by citation to another part of the record, I extracted these facts from Applicant's SOR answer and his SCA (GE 1).

been working towards another master's degree since 2016. Applicant has been employed full time by a U.S. government agency since January 2018, and had been part time as of September 2017. At times, he has worked part time as a private investigator and a substitute school teacher. The Government confirmed that DOHA retains jurisdiction in this matter because Applicant is sponsored by a defense contractor with whom he is subject to hire pending a determination about his security clearance.[4]

Applicant honorably served four years on active duty with the Army (1985 – 1989), seven years with the Army National Guard (1992 – 1999), and six years on active duty with the Air Force (2001 – 2007). He has served in the Air Force Reserve since 2007. He has held a security clearance on and off since 1985.[5]

Applicant was employed by another U.S. government agency from October 2007 through April 2012, when he was terminated for reasons more fully discussed below. He was employed by a defense contractor from June 2012 through April 2013, when he was laid off. Applicant was unemployed following his layoff between April 2014 and February 2016; and following his termination between April 2012 and June 2012. [6]

Under Guideline F, the SOR alleged 17 delinquent debts totaling approximately $119,285 (SOR ¶¶ 1.a through 1.m, and 1.p through 1.s), and that Applicant filed two Chapter 13 bankruptcy petitions, one in 2012 and another in 2013, both of which were dismissed (SOR ¶¶ 1.n. and 1.o). Under Guideline E, the SOR alleged that Applicant submitted fraudulent time and attendance records while employed by a U.S. government agency (dates not specified) (SOR ¶ 2.a), that he was terminated by that agency for such actions in 2012 (SOR ¶ 2.b), and that he deliberately falsified the reasons for the termination on his SCA in 2013 (SOR ¶ 2.c). In his SOR Answer, Applicant admitted all but the following two Guideline F allegations: SOR ¶¶ 1.m and 1.p. He denied the allegations contained in SOR ¶ 2.a, and admitted those contained in SOR ¶¶ 2.b and 2.c.

Guideline F

Applicant denied the medical debt alleged in SOR ¶ 1.m ($246) on the basis that it should have been covered by insurance, although he is not sure to what creditor or specific medical expense the debt relates. He has not taken steps to research the issue or otherwise dispute the debt with his creditor or credit reporting agencies.[7]

[4] AE D and E; HE VI; Tr. at 6-8; 37-49; 119-120.

[5] AE D and E; Tr. at 6-8; 37-49; 119-120.

[6] AE D and E; Tr. at 6-8; 37-49; 119-120.

[7] Tr. at 70-71.

The debt alleged in SOR ¶ 1.p ($2,265) is the amount that his former defense-contractor employer claims Applicant was overpaid for military-leave pay related to annual training. Applicant disputed this amount with his employer by providing copies of two pay stubs that show the total amount of $2,265 being deducted from his pay check. His employer claimed that the deduction was for other expenses that Applicant owed.[8]

Applicant primarily attributed his financial indebtedness to periods of unemployment and underemployment, and the costs associated with a contentious divorce and custody battle. As of the date of the hearing, he had not resolved any of the admitted SOR debts. He planned to file another bankruptcy petition in March 2018 to resolve all of them except for the child support debt which is not allowed (SOR ¶ 1.h/$2,323).[9]

As part of his divorce decree, Applicant was ordered to pay child support: initially $1,198 per month, effective 2010, then $1,339, effective 2014. He was also ordered to pay $883 per month spousal support for four years, effective 2010. With the exception of one car loan, Applicant was assigned to pay all of the marital debts.[10]

Applicant fell behind with his alimony and child support payments due to unemployment. At some point, he was approximately $15,000 in arrears for both child support and alimony. In July 2016, he paid that arrearage in full from a tax refund he received for the period when he was receiving combat pay working for a defense contractor. In 2017, the court modified his child support obligation to $600 per month. He again fell behind due to underemployment, and now owes an arrearage of approximately $4,100, which is an increased amount from that alleged (SOR ¶ 1.h/$2,134).[11]

Applicant filed Chapter 13 bankruptcy petitions in March 2012 and August 2013, both of which were dismissed due to Applicant's failure to make plan payments (in 2013, at the advice of his attorney to sort out a child support issue; in 2014, because of his 2014 termination). During his first and second bankruptcies, he paid a total of $13,602 towards his debts. In 2017, Applicant filed a third Chapter 13 bankruptcy petition, and agreed to a repayment plan of $650 per month for 40 months, then $1,102 per month for 20 months. In January 2018, the bankruptcy was dismissed after he fell behind with his payments due to underemployment. Applicant planned to file a new Chapter 13 bankruptcy in March 2018 and is hopeful that it will be successfully discharged since he now has a steady income from a full-time job from which he can afford the payments. Applicant does not want to file a Chapter 7 bankruptcy because his

[8] Tr. at 66-70.

[9] AE G; Tr. at 29-37.

[10] AE B at 4.

[11] Tr. at 71-75; 127-132.

assets include a home that he inherited from his parents, which he does not want to lose or sell because it would displace his 93-year-old grandmother who lives there.[12]

Applicant applied for a hardship program with his mortgage lender in March 2018 (SOR ¶1.a/$57,153), who had previously modified his loan in 2014. Without providing any corroborating documents, Applicant claimed that he was only now $30,000 in arrears on the loan.[13]

Applicant has earned an annual salary of $42,000 since beginning full-time work in January 2018. His part-time salary with this employer was approximately $1,500 per month. As a substitute teacher, he earned approximately $80 to $120 per day, which he does not expect to resume now that he has a full-time job. When he was terminated in 2012, Applicant had been earning approximately $117,000 per year, including his reserve pay. When he resumed working in 2013, he earned a salary of $90,000. His civilian combat-zone salary was eight months of a $150,000 annual salary, the first time, and approximately $154,000, the second time. Applicant averred that his combat-zone salary was barely sufficient to meet his ongoing expenses, including debts owed to his ex-wife, such that he could not apply any of it towards his SOR debts.[14]

Guideline E

Applicant's former U.S. government agency employer alleged that, between January and November 2011, Applicant may have committed time and attendance fraud, when he exhibited a pattern of irregular arrivals, departures, and unexplained absences during the workday. An independent investigation concluded that Applicant did, in fact, submit fraudulent timesheets totaling over 400 hours that he did not work for a total loss to the Government of approximately $21,000.[15] Applicant's employer completed a Standard Form 50, Notification of Personnel Action documenting Applicant's termination and listing the reason as "Time and Attendance Fraud."[16]

Appellant appealed the termination with his employer in March 2012. He was able to account for some of the hours alleged to have been missed (for example, he was in training during one two-week period). However, that appeal was denied. He then appealed it with the Merit Systems Protection Board in May 2012. However, Applicant eventually withdrew the appeal because he was unable to pursue it due to obtaining a new job with a defense contractor overseas in a combat zone.[17]

[12] AE G; GE 6 and 7; Tr. at 32-33, 79-86, 92-122.

[13] AE K; Tr. at 75, 77-79, 123-125.

[14] AE M; Tr. at 75; 120-121; 136-138.

[15] GE 4.

[16] GE 5.

[17] HE V; AE L & I; Tr. at 30-32; 58-60; 113-114; 146-148.

During the independent investigation, Applicant waived his rights and admitted that he knowingly submitted fraudulent time and attendance documents (more specifically, inaccurate timesheets reflecting hours not worked) and agreed to reimburse the Government for the total amount owed. He explained that he would leave work early to deal with personal matters related to an ongoing divorce and custody battle. He further explained that he had not accrued hours to cover his absences and had so many issues in his life that he did not care about properly accounting for his time.[18] At the hearing, Applicant denied these admissions and adamantly denied any fraud or intent to be paid for hours not worked. However, he acknowledged that he was negligent with his submissions because of the circumstances of his divorce. He explained that he had an informal arrangement with his former supervisor that he could make up time by working extra hours. During the independent investigation, Applicant's former supervisor corroborated the informal arrangement.[19]

Applicant believed that he had been working sufficient extra hours to make up for any discrepancies with his timesheets. The issue with his timesheets arose when a new supervisor took over, who had neither been aware of nor agreed to any such informal arrangement. The new supervisor never counseled Applicant about the timesheet issue prior to initiating the independent investigation.[20]

Whole Person

Applicant earned numerous awards during his military service.[21] He was deployed to combat zones three times. As a civilian contractor, he worked in combat zones for a year between 2015 and 2016, and for 10 months between 2012 and 2013.[22]

Policies

"[N]o one has a 'right' to a security clearance."[23] As Commander in Chief, the President has the authority to "control access to information bearing on national security and to determine whether an individual is sufficiently trustworthy to have access to such information."[24] The President has authorized the Secretary of Defense or his designee to

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[18] GE 4.

[19] GE4; Tr. at 50-65; 94-109.

[20] GE4; Tr. at 50-65; 94-109.

[21] AE D and H.

[22] AE E and L; Tr. at 33, 39, 109.

[23] *Department of the Navy v. Egan*, 484 U.S. 518, 528 (1988).

[24] *Egan* at 527.

grant applicants eligibility for access to classified information "only upon a finding that it is clearly consistent with the national interest to do so."[25]

Eligibility for a security clearance is predicated upon the applicant meeting the criteria contained in the AG. These guidelines are not inflexible rules of law. Instead, recognizing the complexities of human behavior, an administrative judge applies these guidelines in conjunction with an evaluation of the whole person. An administrative judge's overarching adjudicative goal is a fair, impartial, and commonsense decision. An administrative judge must consider all available and reliable information about the person, past and present, favorable and unfavorable.

The Government reposes a high degree of trust and confidence in persons with access to classified information. This relationship transcends normal duty hours and endures throughout off-duty hours. Decisions include, by necessity, consideration of the possible risk that the applicant may deliberately or inadvertently fail to safeguard classified information. Such decisions entail a certain degree of legally permissible extrapolation about potential, rather than actual, risk of compromise of classified information.

Clearance decisions must be made "in terms of the national interest and shall in no sense be a determination as to the loyalty of the applicant concerned."[26] Thus, a decision to deny a security clearance is merely an indication the applicant has not met the strict guidelines the President and the Secretary of Defense have established for issuing a clearance.

Initially, the Government must establish, by substantial evidence, conditions in the personal or professional history of the applicant that may disqualify the applicant from being eligible for access to classified information. The Government has the burden of establishing controverted facts alleged in the SOR.[27] "Substantial evidence" is "more than a scintilla but less than a preponderance."[28] The guidelines presume a nexus or rational connection between proven conduct under any of the criteria listed therein and an applicant's security suitability.[29] Once the Government establishes a disqualifying condition by substantial evidence, the burden shifts to the applicant to rebut, explain,

[25] EO 10865 § 2.

[26] EO 10865 § 7.

[27] *See Egan*, 484 U.S. at 531.

[28] *See v. Washington Metro. Area Transit Auth.*, 36 F.3d 375, 380 (4th Cir. 1994).

[29] *See* ISCR Case No. 92-1106 at 3, 1993 WL 545051 at *3 (App. Bd. Oct. 7, 1993).

extenuate, or mitigate the facts.[30] An applicant has the burden of proving a mitigating condition, and the burden of disproving it never shifts to the Government.[31]

An applicant "has the ultimate burden of demonstrating that it is clearly consistent with the national interest to grant or continue his security clearance."[32] "[S]ecurity clearance determinations should err, if they must, on the side of denials."[33]

Analysis

Guideline F (Financial Considerations)

The concern under this guideline is set out 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 can 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 greater risk of having to engage in illegal or otherwise questionable acts to generate funds . . . .

This concern is broader than the possibility that a person might knowingly compromise classified information to raise money. It encompasses concerns about a person's self-control, judgment, and other qualities essential to protecting classified information. A person who is financially irresponsible may also be irresponsible, unconcerned, or negligent in handling and safeguarding classified information.[34]

Applicant's admissions, corroborated by his credit reports, establish two disqualifying conditions under this guideline: AG ¶ 19(a) (inability to satisfy debts) and AG ¶ 19(c) (a history of not meeting financial obligations).

The security concerns raised in the SOR under this guideline may be mitigated by any of the following potentially applicable factors:

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[30] Directive ¶ E3.1.15.

[31] *See* ISCR Case No. 02-31154 at 5 (App. Bd. Sep. 22, 2005).

[32] ISCR Case No. 01-20700 at 3 (App. Bd. Dec. 19, 2002).

[33] *Egan*, 484 U.S. at 531; *See also* AG ¶ 2(b).

[34] *See* ISCR Case No. 11-05365 at 3 (App. Bd. May 1, 2012).

AG ¶ 20(a): the behavior happened so long ago, was so infrequent, or occurred under such circumstances that it is unlikely to recur and does not cast doubt on the individual's current reliability, trustworthiness, or good judgment;

AG ¶ 20(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, a death, divorce or separation, clear victimization by predatory lending practices, or identity theft), and the individual acted responsibly under the circumstances;

AG ¶ 20(d): the individual initiated and is adhering to a good-faith effort to repay overdue creditors or otherwise resolve debts; and

AG ¶ 20(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.

AG ¶ 20(a) is not established. Applicant has numerous delinquent debts that remain unresolved.

AG ¶ 20(b) is not established. Applicant's unemployment and underemployment were circumstances largely beyond his control. However, Applicant did not meet his burden to prove that he acted responsibly to address his delinquent debts.

AG ¶ 20(d) is not established. Bankruptcy is a reasonable option to address delinquent debts. However, Applicant has not yet been able to follow through with his payment plans. I credit him with repaying creditors at least $13,602 through his previous bankruptcies and with his efforts to resolve his child support and mortgage debts. However, these efforts do not suffice to establish this mitigating condition.

AG ¶ 20(e) is partially established. While Applicant articulated a reasonable basis to dispute the debt alleged in SOR ¶ 1.m, he did not provide any documentary proof to substantiate his dispute or sufficient evidence of actions to resolve the issue. Applicant did meet his burden to establish this mitigating condition as to the debt alleged in SOR ¶ 1.p.

Guideline E (Personal Conduct)

The concern under this guideline is set out 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 or sensitive information. Of special interest is any failure to

cooperate or provide truthful and candid answers during national security investigative or adjudicative processes. The following will normally result in an unfavorable national security eligibility determination, security clearance action, or cancellation of further processing for national security eligibility:

> (a) refusal, or failure without reasonable cause, to undergo or cooperate with security processing, including but not limited to meeting with a security investigator for subject interview, completing security forms or releases, cooperation with medical or psychological evaluation, or polygraph examination, if authorized and required; and
>
> (b) refusal to provide full, frank, and truthful answers to lawful questions of investigators, security officials, or other official representatives in connection with a personnel security or trustworthiness determination.

The submission of fraudulent time and attendance records (SOR ¶ 2.a) renders the following disqualifying condition under this guideline potentially applicable:

> AG ¶ 16(d)(2): 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 that the individual may not properly safeguard classified or sensitive information. This includes, but is not limited to, consideration of . . . (2) any disruptive, violent, or other inappropriate behavior; (3) a pattern of dishonesty or rules violations . . . .

However, Applicant's termination was a consequence of the alleged fraud and does not have independent security significance. Accordingly, I find in favor of Applicant as to SOR ¶ 2.b.

If deemed a deliberate omission, concealment or falsification, Appellant's failure to disclose on his SCA that he was terminated in 2012 because of his alleged submission of fraudulent time and attendance records (SOR ¶ 2.c) renders the following disqualifying condition under this guideline potentially applicable:

> AG ¶ 16(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 national security eligibility or trustworthiness, or award fiduciary responsibilities.

When a falsification allegation is controverted, the Government has the burden of proving it. An omission, standing alone, does not prove falsification. An administrative judge must consider the record evidence as a whole to determine an Appellant's state of mind at the time of the omission. An Appellant's level of education and business experience are relevant to determining whether a failure to disclose relevant information on a security clearance application was deliberate.

The security concerns raised in the SOR under this guideline may be mitigated by the following potentially applicable factor:

> AG ¶ 17(c): the offense is so minor, or so much time has passed, or the behavior is so infrequent, or it happened under such unique circumstances that it is unlikely to recur and does not cast doubt on the individual's reliability, trustworthiness, or good judgment.

Applicant denied ever admitting to the independent investigator that he fraudulently submitted time and attendance records. Having had an opportunity during the hearing to observe Appellant's demeanor and to assess his credibility, I found him to be sincere and credible. Throughout the record and at the hearing, Applicant was consistent in acknowledging that he was negligent with his submissions because of the circumstances of his divorce, but denied any fraud. He appealed his termination twice. His supervisor corroborated the informal arrangement to which he agreed with respect to Applicant's leave. In light of these facts and the record as a whole, I find that while certainly negligent, his submissions were not fraudulent. Even if the submissions were deemed fraudulent, which would certainly not be a minor offense, it happened so long ago and under such unique circumstances, that it is unlikely to recur and does not cast doubt on the individual's reliability, trustworthiness, or good judgment. I conclude that AG ¶ 16(d)(2) is not established as to SOR ¶ 2.a, but if it were deemed so, then AG ¶ 17(c) would apply to mitigate the concern.

Applicant disclosed on his SCA that he had been terminated in 2014 for "missing too much work," but did not use the word "fraud." Applicant acknowledged that he knew, at the time that he completed his SCA, that he had been terminated for submitting "fraudulent" time and attendance records. However, Applicant did not use the word "fraud" in his SCA response because he believed that he did not commit fraud. He further believed that his disclosure would suffice to disclose the fact and circumstance of his termination. Given that Applicant disclosed the termination and provided a reason consistent with the facts and circumstances surrounding the termination as he believed was responsive to the question, I do not find that Applicant had any intent to omit or deceive.[35] Even if it were deemed that he did have such intent, I find that the omission of the word "fraud" was not security significant given that his response did, in fact, put the Government on notice about his termination. I conclude that AG ¶ 16(a) is not established as to SOR ¶ 2.c, but if it were deemed so, then AG ¶ 17(c) would apply to mitigate the concern.

[35] *See* ISCR Case No. 01-19278 (App. Bd. Apr. 22, 2003).

Whole-Person Concept

Under AG ¶ 2(c), the ultimate determination of whether the granting or continuing of national security eligibility is clearly consistent with the interests of national security must be an overall commonsense judgment based upon careful consideration of the adjudicative guidelines, each of which is to be evaluated in the context of the whole person. An administrative judge should consider the nine adjudicative process factors listed at 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 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.

I have incorporated my comments under Guidelines F and E in my whole-person analysis, and I have considered the whole-person factors in AG ¶ 2(d). After weighing the disqualifying and mitigating conditions under Guidelines F and E, and evaluating all the evidence in the context of the whole person, I conclude that Applicant has mitigated security concerns raised by his personal conduct, but not those raised by his financial indebtedness. Accordingly, Applicant has not carried his burden of showing that it is clearly consistent with the national interest to grant him eligibility for access to classified information.

Formal Findings

I make the following formal findings on the allegations in the SOR:

Paragraph 1, Guideline F (Financial Considerations): AGAINST APPLICANT

Subparagraphs 1.a – 1.o:	Against Applicant
Subparagraph 1.p:	For Applicant
Subparagraphs 1.q – 1.s:	Against Applicant

Paragraph 2, Guideline E (Personal Conduct): FOR APPLICANT

Subparagraphs 2.a – 2.c:	For Applicant

Conclusion

I conclude that it is not clearly consistent with the national interest to grant Applicant's eligibility for access to classified information. Clearance is denied.

Gina L. Marine
Administrative Judge