



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



In the matter of: )  
 )  
 ) ISCR Case No. 17-02158  
 )  
Applicant for Security Clearance )

**Appearances**

For Government: Carroll J. Connelley, Esq., Department Counsel  
For Applicant: *Pro se*

04/30/2018

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**Decision**

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HEINTZELMAN, Caroline E., Administrative Judge:

This case involves security concerns raised under Guidelines F (Financial Considerations), J (Criminal Conduct), G (Alcohol Consumption), and E (Personal Conduct). Applicant failed to mitigate security concerns raised by his financial situation, alcohol-related criminal conduct, and dishonesty in not disclosing his entire criminal history on his security clearance application. Eligibility for access to classified information is denied.

**History of the Case**

Applicant submitted a security clearance application on March 16, 2015. On October 11, 2017, the Department of Defense (DOD) issued a Statement of Reasons (SOR) alleging security concerns under Guidelines F, J, G, and E. The DOD acted under Executive Order (EO) 10865, *Safeguarding Classified Information within Industry* (February 20, 1960), as amended; Department of Defense Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (January 2, 1992), as amended (Directive); and the adjudicative guidelines (AG) promulgated in Security Executive Agent Directive 4, *National Security Adjudicative Guidelines* (December 10, 2016), for all decisions on or after June 8, 2017.

Applicant answered the SOR on October 30, 2017, and requested a decision on the record without a hearing. On November 27, 2017, a complete copy of the File of Relevant Material (FORM), containing eight items, was mailed to Applicant and received by him. The FORM notified Applicant that he had an opportunity to file objections and submit material in refutation, extenuation, or mitigation within 30 days of his receipt of the FORM. Applicant did not respond to the FORM. Hence, Items 1 through 8 are admitted into evidence without objection. The case was assigned to me on April 9, 2018.

### **Findings of Fact<sup>1</sup>**

Applicant is 55 years old and works as a configuration analyst for a defense contractor. He has worked for his employer since 1982, and requires a clearance for his employment. He was married between 1991 and 2001, and has two children with his ex-wife. He has been cohabitating with his partner since 2002, and they share one child. Applicant received his bachelor's degree in 1994. Applicant admitted all of the allegations in the SOR, without explanation. I make the following findings of fact:

#### **Financial**

Applicant failed to timely file his state and federal income tax returns for tax years 2010 through 2016. He has yet to file his state and federal returns for tax years 2014 through 2016. Additionally, he owes the IRS approximately \$40,000 for tax years 2010 through 2016 (Item 3 at 3 and 20-21). He provided no documentation that he has entered into a payment plan with the IRS, nor has he provided evidence he was not required to establish a payment plan.<sup>2</sup> During his December 2015 interview, Applicant told the government investigator he did not file or pay his taxes due to financial hardship. He claimed that in 2013, he filed tax years 2010 through 2012. He also claimed he filed 2013 in a timely manner (Item 3 at 20). In his September 2017 Response to DOHA Interrogatories, he disclosed he did not file his state and federal tax returns on time for 2010 through 2016, contradicting his statement to the investigator (Item 3 at 3).

Applicant has five delinquent debts totaling \$2,511 (SOR ¶ 1.f. through 1.j.). These debts appear in his credit reports (Items 4 and 5). In 2004, he filed for Chapter 7 bankruptcy (Item 3 at 16-17). His assets totaled \$308,225 and his liabilities totaled \$465,131 (Item 6 at 7). In 2013, Applicant could not afford to pay for his daughter's high school graduation party. He charged \$4,000 to his company credit card for the party. When he failed to make payments, his company became aware of the issue. He was ordered to repay the balance in full and attend training. He had to borrow money from his father to repay the debt (Item 2 at 27 and Item 3 at 18). Applicant has written a series of bad checks to a local merchant (Item 3 at 21).

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<sup>1</sup> Applicant's personal information is extracted from his security application (Item 2) unless otherwise indicated by a parenthetical citation to the record.

<sup>2</sup> In December 2015, Applicant told the government investigator, the IRS granted him an extension for tax years 2014 and 2015. Additionally, he claimed the IRS send him a letter in which it agreed Applicant did not have the means or the ability to pay what he owes (Item 3 at 20-21).

Applicant attributes his financial problems, in part, to his 2001 divorce. He states that he was assigned the marital debt, including all credit-card debt, car loans, and the mortgages for two homes. He further claims his ex-wife took all of his money, and after the divorce and bankruptcy, she opened credit cards in his name and made unauthorized charges. His wages were ultimately garnished by at least one of these credit-card companies (Item 3 at 17-19). Applicant claims a series of surgeries since 2009 have caused additional financial strain (Item 3 at 21).

Applicant's home was damaged during a 2010 hurricane. He claims his insurance company did not reimburse him for cleaning expenses and other necessary repairs, totaling approximately \$3,000. He wanted his mortgage company to intervene, and he refused to make his payments, missing between 24 and 30 payments. After he failed to make payments for approximately one year, his mortgage company initiated foreclosure proceedings. Applicant ultimately was able to modify the loan. Applicant also claims he gave a former cousin-in-law \$25,000 to make home improvements that were never completed, nor was the money returned to him (Item 3 at 20).

Applicant admits he stopped opening his mail years ago and does not monitor his credit report (Item 3 at 21). His annual salary is \$108,000 a year, without overtime pay. However, he has difficulty keeping track of his finances. He feels overwhelmed and hopeless about his finances (Item 3 at 21-22).

### Criminal

In September 2014, Applicant was arrested and charged with domestic assault and battery and strangulation, both felonies. He admitted to the government investigator that during an argument, he grabbed his partner by the neck and pushed her to the floor. He called the police, and when they questioned both of them, they found red marks on his partner's arm and neck. As a result, Applicant was arrested and charged. He consumed approximately eight alcoholic drinks prior to this incident (Item 3 at 12).

Applicant and his partner reconciled after the September 2014 incident; however, he was placed on pre-trial probation and ordered to refrain from future abuse and from alcohol use. His urine was tested as well. Approximately one month later, Applicant and his partner went to a restaurant for dinner. He consumed several alcoholic beverages and an argument ensued. After they returned to their home, the argument resumed and the police were called. When the police arrived, they took Applicant into custody because he had consumed alcohol.

Applicant was arrested the next day for violating the terms of his pre-trial probation. Ultimately, Applicant received a continuance without finding and probation for one year (Item 7 at 8). Per the terms of his probation, he was also ordered to attend a batterer's program, alcohol counseling, and anger management training (Item 8).<sup>3</sup> His probation

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<sup>3</sup> The court records indicate stress due to medical and financial issues were related to the criminal behavior (Item 8 at 2).

started in November 2014. As of his December 2015 security clearance interview, Applicant had not yet completed the terms of his probation. He had not completed the required alcohol counseling, domestic violence batterers program, and only paid \$100 of his \$1,180 fine. He was to notify his company FSO when his probation ended (Item 3 at 13 and 15).

### Alcohol

Applicant consumed alcohol prior to both of the incidents mentioned above. As a result of these arrests, he was court-ordered to attend outpatient alcohol counseling (Item 3 at 15). In December 2015, Applicant told the government investigator he attended sessions twice a month between February and July 2015, and once a month between July and December 2015. He also claimed that prior to attending these sessions, he went to a few Alcoholics Anonymous meetings. Applicant claimed he had not consumed alcohol since the October 2014 incident; however, he disclosed he asked his therapist if it was all right for him to drink on an upcoming vacation. She had to remind him that a condition of his probation was to abstain from alcohol (Item 3 at 16). Finally, he admitted alcohol brings out the worst in him. Applicant did not provide proof in his Answer to the SOR or in his Response to the FORM that he completed the court-ordered alcohol treatment.

### Personal Conduct

Applicant's misuse of his corporate credit card, issuance of bad checks, and September 2014 felony arrest are all cross-alleged under Guideline E. In his May 2015 SCA, Applicant disclosed his September 2014 arrest, but did not disclose his October 2014 arrest for violating his pre-trial probation (Item 2 at 22-24). He also failed to disclose the alcohol counseling he was court-mandated to attend (Item 2 at 25-26). Finally, he did not disclose his tax issues as alleged in SOR ¶¶ 1.a. through 1.e. (Item 2 at 26-28).

At the start of his interview, Applicant told the government investigator he had difficulty completing his SCA, and he was forced to revise it four or five times (Item 3 at 7). Later during the interview, after being confronted by the government investigator, with derogatory information, Applicant claimed he thought he disclosed the necessary information in his SCA (Item 3 at 13, 15-16).

Applicant reported on his SCA his misuse of his corporate card (Item 2 at 27). However, he disclosed he spent \$400, rather than the actual amount of \$4,000. He told the government investigator that this was a typographical mistake (Item 3 at 18).

### **Policies**

"[N]o one has a 'right' to a security clearance."<sup>4</sup> As Commander in Chief, the President has the authority to "control access to information bearing on national security

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<sup>4</sup> *Department of the Navy v. Egan*, 484 U.S. 518, 528 (1988).

and to determine whether an individual is sufficiently trustworthy to have access to such information.”<sup>5</sup> The President has authorized the Secretary of Defense or his designee to grant applicants eligibility for access to classified information “only upon a finding that it is clearly consistent with the national interest to do so.”<sup>6</sup>

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.”<sup>7</sup> 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.<sup>8</sup> “Substantial evidence” is “more than a scintilla but less than a preponderance.”<sup>9</sup> The guidelines presume a nexus or rational connection between proven conduct under any of the criteria listed therein and an applicant’s security suitability.<sup>10</sup> Once the Government establishes a disqualifying condition by substantial evidence, the burden shifts to the applicant to rebut, explain,

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<sup>5</sup> *Egan* at 527.

<sup>6</sup> EO 10865 § 2.

<sup>7</sup> EO 10865 § 7.

<sup>8</sup> See *Egan*, 484 U.S. at 531.

<sup>9</sup> See *v. Washington Metro. Area Transit Auth.*, 36 F.3d 375, 380 (4th Cir. 1994).

<sup>10</sup> ISCR Case No. 92-1106 at 3, 1993 WL 545051 at \*3 (App. Bd. Oct. 7, 1993).

extenuate, or mitigate the facts.<sup>11</sup> An applicant has the burden of proving a mitigating condition, and the burden of disproving it never shifts to the Government.<sup>12</sup>

An applicant “has the ultimate burden of demonstrating that it is clearly consistent with the national interest to grant or continue his security clearance.”<sup>13</sup> “[S]ecurity clearance determinations should err, if they must, on the side of denials.”<sup>14</sup>

## **Analysis**

### **Guideline F, Financial Considerations**

The concern under Guideline F (Financial Considerations) 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.<sup>15</sup>

Applicant's admissions and his credit report establish five disqualifying conditions under this guideline: AG ¶ 19(a) (“inability to satisfy debts”), AG ¶ 19(c) (“a history of not meeting financial obligations”), AG ¶ 19(d) (“deceptive or illegal financial practices such as embezzlement, employee theft, check fraud, expense account fraud, mortgage fraud, filing deceptive loan statements and other intentional financial breaches of trust”), AG ¶ 19(e) (“consistent spending beyond one's means or frivolous or irresponsible spending, which may be indicated by excessive indebtedness, significant negative cash flow, a

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<sup>11</sup> Directive ¶ E3.1.15.

<sup>12</sup> ISCR Case No. 02-31154 at 5 (App. Bd. Sep. 22, 2005).

<sup>13</sup> ISCR Case No. 01-20700 at 3 (App. Bd. Dec. 19, 2002).

<sup>14</sup> *Egan*, 484 U.S. at 531; *See also* AG ¶ 2(b).

<sup>15</sup> ISCR Case No. 11-05365 at 3 (App. Bd. May 1, 2012).

history of late payments or of non-payment, or other negative financial indicators”), and AG ¶ 19(f) (“failure to file or fraudulently filing annual Federal, state, or local income tax returns or failure to pay annual Federal, state, or local income tax as required”).

AG ¶ 20 describes conditions that could mitigate security concerns. Two are potentially applicable in this case:

(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; and

(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.

I considered that Applicant is not required to be debt-free in order to qualify for a security clearance.<sup>16</sup> However, Applicant consistently filed his state and federal tax returns late. He still has not filed for tax years 2014 through 2016, and he owes \$40,000 to the IRS. Applicant went through a divorce, medical issues, and other financial stressors; however, he did not meet his burden to establish that he acted responsibly to address his unfiled federal tax returns and unpaid debts in a timely manner. Additionally, he failed to provide documentation showing he has resolved any of the debts alleged in the SOR. His 2004 Chapter 7 bankruptcy is indicative of a lengthy history of financial issues, which continues to the present day, as evidenced by his failure to pay his outstanding court fine for the 2014 domestic violence incident. Finally, Applicant's habitual writing of bad checks and misuse of his company credit card demonstrate a failure to follow rules and regulations. AG ¶ 20(a) and 20(b) are not established.

## **Guideline J, Criminal Conduct**

AG ¶ 30 expresses the security concerns pertaining to criminal conduct:

Criminal activity creates doubt about a person's judgment, reliability, and trustworthiness. By its very nature, it calls into question a person's ability or willingness to comply with laws, rules and regulations.

AG ¶ 31 describes conditions that could raise a security concern and may be disqualifying. Three are potentially applicable in this case:

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<sup>16</sup> ISCR Case No. 15-02903 at 3 (App. Bd. Mar. 9, 2017) (An applicant does not have to be debt-free in order to qualify for a security clearance. Rather, all that is required is that an applicant act responsibly given his circumstances and develop a reasonable plan for repayment, accompanied by “concomitant conduct” that is, actions which evidence a serious intent to effectuate the plan).

(a) a pattern of minor offenses, any one of which on its own would be unlikely to affect a national security eligibility decision, but which in combination cast doubt on the individual's judgment, reliability, or trustworthiness; and

(b) evidence (including, but not limited to, a credible allegation, an admission, and matters of official record) of criminal conduct, regardless of whether the individual was formally charged, prosecuted, or convicted.

Applicant's history of criminal activity establishes the above disqualifying conditions. He did not provide any documentation to demonstrate he has fulfilled the terms of his probation.<sup>17</sup>

AG ¶ 32 provides conditions that could mitigate security concerns raised in this case. The following two are potentially applicable:

(a) so much time has elapsed since the criminal behavior happened, or it happened under such unusual circumstances, that it is unlikely to recur and does not cast doubt on the individual's reliability, trustworthiness, or good judgment; and

(d) there is evidence of successful rehabilitation; including, but not limited to, the passage of time without recurrence of criminal activity, restitution, compliance with the terms of parole or probation, job training or higher education, good employment record, or constructive community involvement.

Domestic violence is a serious offense, and Applicant was charged with two felonies for assaulting his partner. Applicant did not provide documentation of successful rehabilitation or completion of his probation, which included a domestic violence batterers' program. Based on all the evidence, Applicant has not demonstrated a sufficient pattern of modified behavior to conclude that his questionable judgment associated with past criminal misconduct is behind him or that he has provided sufficient evidence of rehabilitation. AG ¶¶ 32(a) and 32(d) are not established.

### **Guideline G, Alcohol Consumption**

AG ¶ 21 expresses the security concern pertaining to alcohol consumption:

Excessive alcohol consumption often leads to the exercise of questionable judgment or the failure to control impulses, and can raise questions about an individual's reliability and trustworthiness.

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<sup>17</sup> I considered AG ¶ 31(c), but Applicant's probation purportedly ended in December 2015. Nonetheless, Applicant's failure to provide documentation showing he complied with the terms of his probation tends to show a lack of rehabilitation and undermines the mitigating value that can be attached to the passage of time since recurrence of similar issues.



AG ¶ 22 describes conditions that could raise a security concern and be disqualifying. One is potentially applicable in this case:

(a) alcohol-related incidents away from work, such as driving while under the influence, fighting, child or spouse abuse, disturbing the peace, or other incidents of concern, regardless of whether the individual is diagnosed as an alcohol abuser or alcohol dependent.

In 2014, Applicant consumed alcohol and then engaged in criminal activity, establishing the above disqualifying condition. AG ¶ 23 provides conditions that could mitigate security concerns raised under this guideline. Three are potentially applicable:

(a) so much time has passed, or the behavior was so infrequent, or it happened under such unusual circumstances that it is unlikely to recur or does not cast doubt on the individual's current reliability, trustworthiness, or good judgment;

(b) the individual acknowledges his or her alcoholism or issues of alcohol abuse, provides evidence of actions taken to overcome this problem, and has established a pattern of abstinence (if alcohol dependent) or responsible use (if an alcohol abuser); and

(d) the individual has successfully completed inpatient or outpatient counseling or rehabilitation along with any required aftercare, has demonstrated a clear and established pattern of modified consumption or abstinence in accordance with treatment recommendations, such as participation in meetings of Alcoholics Anonymous or a similar organization and has received a favorable prognosis by a duly qualified medical professional or a licensed clinical social worker who is a staff member of a recognized alcohol treatment program.

In 2014, Applicant consumed alcohol prior to being arrested, twice. As a result of these offenses, he was ordered to attend alcohol counseling. As mentioned above, Applicant did not submit documentation to reflect completion of the required alcohol counseling. AG ¶¶ 23(a), 23(b), and 23(c) do not apply.

### **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.

AG ¶ 16 describes conditions that could raise a security concern and be disqualifying. Two are potentially applicable in this case:

(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; and

(c) credible adverse information in several adjudicative issue areas that is not sufficient for an adverse determination under any other single guideline, but which, when considered as a whole, 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.

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 applicant's state of mind at the time of the omission.<sup>18</sup> An applicant'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.<sup>19</sup> In this case, Applicant admitted all of the Guideline E allegations (Item 1).

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<sup>18</sup> See ISCR Case No. 03-09483 at 4 (App. Bd. Nov. 17, 2004).

<sup>19</sup> ISCR Case No. 08-05637 (App. Bd. Sep. 9, 2010).

AG ¶ 17 describes conditions that could raise a security concern and be disqualifying. Two are potentially applicable in this case:

(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 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 failed to disclose derogatory information regarding his criminal history, alcohol treatment, and financial issues. He made statements to the government investigator that were inconsistent with his admissions in his Response to the DOHA Interrogatories and Answer to the SOR. Based upon the totality of the evidence, Applicant lacks credibility.

The SOR cross-alleges Applicant's misuse of his company credit card, his bad checks, and his criminal conduct as a concern under Guideline E. As explained previously, such conduct calls into question Applicant's judgment and willingness to comply with rules and regulations. His conduct also establishes disqualifying condition AG ¶ 16(c).<sup>20</sup> I considered mitigating condition AG ¶ 17(c)<sup>21</sup> under Guideline E and, for similar reasons explained under Guidelines F, J, and G, find that it does not apply.

### **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 common sense judgment based upon careful consideration of the following 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

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<sup>20</sup> Credible adverse information in several adjudicative issue areas that . . . when considered as a whole, 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 person may not properly safeguard classified or sensitive information.

<sup>21</sup> 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.

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 the guidelines at issue in my whole-person analysis, and I have considered the factors in AG ¶ 2(d). After weighing the disqualifying and mitigating conditions under these guidelines, and evaluating all the evidence in the context of the whole person, Applicant has not mitigated the security concerns at issue. Accordingly, Applicant has not carried his burden of showing that it is clearly consistent with the interests of national security of the United States 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:	AGAINST APPLICANT
Subparagraphs 1.a. – 1.m.:	Against Applicant
Paragraph 2, Guideline J:	AGAINST APPLICANT
Subparagraphs 2.a. – 2.b.:	Against Applicant
Paragraph 3, Guideline G:	AGAINST APPLICANT
Subparagraph 3.a.:	Against Applicant
Paragraph 4, Guideline E:	AGAINST APPLICANT
Subparagraphs 4.a. – 4.d.:	Against Applicant

### **Conclusion**

I conclude that it is not clearly consistent with the interests of national security of the United States to grant or continue Applicant's eligibility for access to classified information. Eligibility for access to classified information is denied.

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Caroline E. Heintzelman  
Administrative Judge