



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



In the matter of:)	
)	
[Redacted])	ISCR Case No. 14-03497
)	
Applicant for Security Clearance)	

Appearances

For Government: Fahryn Hoffman, Esq., Department Counsel
For Applicant: *Pro se*

01/09/2015

Decision

FOREMAN, LeRoy F., Administrative Judge:

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

Statement of the Case

Applicant submitted a security clearance application (SCA) on March 26, 2013. On August 18, 2014, the Department of Defense (DOD) sent him a Statement of Reasons (SOR) alleging security concerns under Guidelines F and E. The DOD acted under Executive Order 10865, *Safeguarding Classified Information within Industry* (February 20, 1960), as amended; DOD Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (January 2, 1992), as amended (Directive); and the adjudicative guidelines (AG) implemented by DOD on September 1, 2006.

Applicant received the SOR on August 25, 2014; answered it on September 9, 2014; and requested a hearing before an administrative judge. Department Counsel was ready to proceed on October 29, 2014, and the case was assigned to me on October 31, 2014. The Defense Office of Hearings and Appeals (DOHA) issued a notice

of hearing on November 3, 2014, scheduling the hearing for November 20, 2014. I convened the hearing as scheduled. Government Exhibits (GX) 1 through 5 were admitted in evidence without objection. Department Counsel's letter transmitting copies of GX 1 through 5 to Applicant is attached to the record as Hearing Exhibit (HX) I. Applicant testified and submitted Applicant's Exhibits (AX) A through R, which were admitted without objection. I kept the record open until December 5, 2014, to enable Applicant to submit additional documentary evidence. He timely submitted AX S through Z, which were admitted without objection. Department Counsel's comments regarding AX S through Z are attached to the record as HX II. DOHA received the transcript (Tr.) on December 4, 2014.

Findings of Fact

In his answer to the SOR, Applicant admitted the allegations in SOR ¶¶ 1.a-1.e and denied the allegations in SOR ¶¶ 1.f and 2.a. His admissions in his answer and at the hearing are incorporated in my findings of fact.

Applicant is a 51-year-old military analyst employed by a defense contractor since October 2005. He served on active duty in the U.S. Marine Corps from September 1982 to June 2004. During his active duty, he served for ten years as an enlisted Marine, became a warrant officer, was selected for the limited duty officer program, and retired as a major. (Tr. 110-11.) His fitness reports as a warrant officer, captain, and major were uniformly outstanding, consistently ranking him in the second highest of five categories. (AX K through R.) He held a security clearance throughout his active duty in the Marine Corps and retained it as an employee of a defense contractor. (Tr. 8, 15, 59.)

Applicant married in June 1987 and divorced in February 1997. Two children, now ages 26 and 24, were born during the marriage. Applicant remarried in June 2013. His current wife has two sons, ages 17 and 15, who live with their father. His wife owns the home where they live. (Tr. 56-58.)

The evidence concerning the delinquent debts alleged in the SOR is summarized below.

SOR ¶ 1.a, delinquent home mortgage loan. In 2004, shortly after Applicant retired from the Marine Corps, he purchased a home for \$290,000, with no money down. His monthly payments were about \$1,958 per month. In 2008, he refinanced the loan and took out all his equity of \$110,000. He paid off some bills and spent the remainder on items that were "consumer in nature." (Tr. 78-81.)

In Applicant's answer to the SOR, he admitted that his payments on this mortgage were past due in the amount of \$66,610. His March 2013 CBR reflects that the last activity on this debt was in March 2012. (GX 2 at 4.) In his answer to the SOR, he stated that he contacted the lender in December 2012 to explore his options for resolving the debt. He was unsuccessful in obtaining a loan modification. (Tr. 93.) In

March 2013, he listed his home for sale, but was unable to sell it for its appraised value of \$349,000. After about nine months, he received a short-sale offer of \$310,000. In July 2014, the lender rejected the short-sale offer and initiated foreclosure action. The house is vacant and is “real estate owned.” (Tr. 78.) The debt is not resolved.

SOR ¶ 1.b, delinquent home equity loan. In his answer to the SOR, Applicant admitted that payments on this loan were past due for about \$1,475. The March 2013 CBR reflects this account was opened in March 2007, and that it is past due more than 120 days for \$1,545. In his answer to the SOR, he stated that he is paying \$302 per month on this debt. His budget provides for monthly payments of \$303. (AX T.) His May 2014 CBR reflects that a payment plan started in March 2014. (GX 3 at 2.) In his post-hearing submission, Applicant stated that the collection agency for this debt confirmed his monthly payments, but he did not submit any documentation of payments. (AX S.)

SOR ¶ 1.c, delinquent credit card account. In his answer to the SOR, Applicant admitted that this debt was charged off for about \$5,497, as alleged. The March 2013 CBR reflects that the account was opened in December 2006 and charged off for \$11,441 in October 2012 (GX 2 at 5.) His budget provides for monthly payments of \$200 on this debt. (AX T.) On November 28, 2014, this debt was paid in full. (AX V.)

SOR ¶ 1.d, delinquent jewelry store account. In his answer to the SOR, Applicant admitted that this debt was charged off for \$4,657. His May 2014 CBR reflected that this account was opened in August 2011 and was charged off in August 2013. (GX 3 at 2.) His monthly budget provides for paying \$388 per month on this debt and paying it off in May 2015. (AX T.) However, at the hearing, Applicant testified that he was not sure of the status of this debt and admitted that he had not begun making payments on it. (Tr. 100-01.) He has been in contact with a collection attorney but was unable to submit a written payment agreement by the time the record closed. (AX S.)

SOR ¶ 1.e, delinquent furniture store account. In his answer to the SOR, Applicant admitted that this debt was charged off for about \$3,206. His May 2014 CBR reflected that this debt was charged off in November 2013. His monthly budget provides for monthly payments of \$350 on this debt. He has a payment agreement with the collection agency by which he will pay the debt in full by March 20, 2015. (AX W.)

SOR ¶ 1.f, state tax lien. In his answer to the SOR, Applicant denied this debt. The lien is reflected as unsatisfied on his March 2013 and May 2014 CBRs. (GX 2 at 4; GX 3 at 5.) Applicant testified that the lien was erroneously imposed, because it was for state income taxes in 2003, which he was not required to pay while on active duty. He was not aware of the lien until he was asked about it during the processing of his most recent SCA. He challenged it and submitted evidence of his military service to the state tax authorities. (Tr. 50-51.) In June 2014, the lien was released. (AX C.)

Applicant testified that he is not proud of his conduct from about mid-2010 through 2012. (Tr. 52.) He admitted spending recklessly, being involved in “relationships that maybe weren’t relationships, but a lot of money was being spent on them.” (Tr. 86-

87.) He admitted living beyond his means. (Tr. 91.) The delinquent jewelry store account in SOR ¶ 1.d was the product of one of his failed relationships, and the jewelry was not returned to him when the relationship ended. (Tr. 101.)

In 2010, Applicant was engaged, and he obtained a \$30,000 personal loan to buy an engagement ring. He did not marry his fiancée, who returned the ring, but he is still making monthly payments of \$705 on the loan. The payments are current, and Applicant expects to pay off the loan in February 2015. (Tr. 87-88; GX 2 at 5; AX T.)

Applicant's son began attending a community college in 2010, and Applicant paid his tuition, totaling about \$10,000. After two years, his son transferred to a major university, is in his final year of a three-year degree program, and lives independently. (Tr. 57.)

Applicant's daughter was married in April 2012, and he spent \$20,000 for her wedding, in five installments. At the \$20,000 point, he told his daughter that he could not spend any more on her wedding. At this point, he could not use his credit cards because he was "robbing one to pay for another." (Tr. 57, 84-85.)

Applicant and his wife purchased a time-share property in early 2013. Their initial deposit of \$3,000 is being paid at \$550 per month, and it will be paid in full in March 2015. In addition, they pay a monthly maintenance fee of \$235 under a 15-year contract. They have never used the property. (Tr. 66-69.)

In August 2014, Applicant's employer received a notice of tax lien and demand for payment of state taxes in the amount of \$159.26. Applicant determined that debt arose from his miscalculation of his 2012 state income taxes. Rather than risk a double payment by remitting the amount due to the state tax office, Applicant decided to allow the wage garnishment to run its course, and the amount due was deducted from his pay in September 2014. (GX 5; AX B; AX X.) This tax lien is not alleged in the SOR.¹

Applicant has not sought or received financial counseling. (Tr. 109.) His net monthly income is about \$8,427, including \$2,900 in military retired pay. His wife is not employed outside the home. (Tr. 62.) His monthly debt payments total about \$3,519. He has monthly payments of \$784 for a 2010 luxury car, and it will be paid off in March 2015. His monthly household expenses total about \$3,118. He deposits \$500 per month in his and his wife's joint checking account, gives his son and his daughter \$200 per month, and gives his wife \$400 per month as discretionary money. According to his budget, he and his wife should have a net monthly remainder of about \$491. His monthly remainder will increase to \$3,506 in June 2015, if he adheres to his plan to pay off two credit card accounts, three personal loans, a car loan, a furniture bill, the time-

¹ Conduct not alleged in the SOR may be considered to assess an applicant's credibility; to decide whether a particular adjudicative guideline is applicable; to evaluate evidence of extenuation, mitigation, or changed circumstances; to consider whether an applicant has demonstrated successful rehabilitation; or as part of a whole-person analysis. ISCR Case No. 03-20327 at 4 (App. Bd. Oct. 26, 2006). I have considered the evidence of the state tax lien for these limited purposes.

share deposit, and the jewelry store debt. (AX T.) He has about \$8,984 in his retirement account. (AX Z.)

Applicant earned about \$76,000 per year when he first began working for his current employer. Over the years, he has received several promotions and pay raises, increasing his annual pay to about \$104,000. (Tr. 107-08.) Applicant's performance appraisals for the periods ending in September 2009 and September 2011 through September 2013 rated him as "fully satisfactory." Each performance appraisal rated him in five categories, and in each he was rated as "fully satisfactory" in two categories and "exceeds expectations" in three categories. (AX G through AX J.) He did not submit a performance appraisal for period ending in September 2010. A retired Marine Corps colonel submitted a letter describing Applicant as highly professional, trustworthy, rule-abiding, and sensitive to private and classified information. (AX D.) Applicant received a letter of appreciation in December 2013 for his performance during installation of improved weapons systems on deployed warships. (AX E.)

When Applicant submitted his SCA in March 2013, he did not disclose any of the delinquent debts alleged in the SOR. He answered "No" to questions asking if, during the last seven years, he had defaulted on any loan; had any bills or debts turned over to a collection agency; had any accounts or credit cards suspended, charged off, or cancelled for failing to pay as agreed; or had been more than 120 days delinquent on any debt. He also answered "No" to a question whether he was currently more than 120 days delinquent on any debt. His March 2013 credit bureau report (CBR) (GX 2) reflected a real estate mortgage in foreclosure, with the last activity in March 2012 and past-due payments totaling about \$66,610 (alleged in SOR ¶ 1.a); payments on a home-equity line of credit that were more than 120 days past due (alleged in SOR ¶ 1.b); a credit-card account charged off for \$11,441 in October 2012 (alleged in SOR ¶ 1.c); and a state tax lien for \$2,247, filed in February 2008 (alleged in SOR ¶ 1.f).

Applicant testified that he answered "No" to all the financial questions because the severity of his financial problems was not clear to him when he submitted the SCA. He hoped to sell his house and resolve the debt related to it. He testified that he did not know that foreclosure had been initiated. He admitted that some of his house payments were late, but he was trying hard to avoid being more than 30 days late. He testified that he did not disclose the delinquent line of credit because he was making payments on it. (Tr. 92-96.) He offered no specific explanation for not disclosing the credit card account that was charged off for \$11,441 in October 2012.

Policies

"[N]o one has a 'right' to a security clearance." *Department of the Navy v. Egan*, 484 U.S. 518, 528 (1988). 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." *Id.* at 527. 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.” Exec. Or. 10865, *Safeguarding Classified Information within Industry* § 2 (Feb. 20, 1960), as amended.

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.” See Exec. Or. 10865 § 7. 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. See *Egan*, 484 U.S. at 531. “Substantial evidence” is “more than a scintilla but less than a preponderance.” See *v. Washington Metro. Area Transit Auth.*, 36 F.3d 375, 380 (4th Cir. 1994). The guidelines presume a nexus or rational connection between proven conduct under any of the criteria listed therein and an applicant’s security suitability. See ISCR Case No. 92-1106 at 3, 1993 WL 545051 at *3 (App. Bd. Oct. 7, 1993).

Once the Government establishes a disqualifying condition by substantial evidence, the burden shifts to the applicant to rebut, explain, extenuate, or mitigate the facts. Directive ¶ E3.1.15. 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. Sep. 22, 2005).

An applicant “has the ultimate burden of demonstrating that it is clearly consistent with the national interest to grant or continue his security clearance.” ISCR Case No. 01-20700 at 3 (App. Bd. Dec. 19, 2002). “[S]ecurity clearance determinations should err, if they must, on the side of denials.” *Egan*, 484 U.S. at 531; see AG ¶ 2(b).

Analysis

Guideline F, Financial Considerations

The SOR alleges a delinquent home mortgage loan (SOR ¶ 1.a), a delinquent home-equity line of credit (SOR ¶ 1.b), a delinquent credit card account (SOR ¶ 1.c), a delinquent jewelry store account (SOR ¶ 1.d), a delinquent furniture store account (SOR ¶ 1.e), and an unsatisfied state tax lien (SOR ¶ 1.f). The concern under this guideline is set out in AG ¶ 18:

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

This concern is broader than the possibility that an individual might knowingly compromise classified information in order to raise money. It encompasses concerns about an individual's self-control, judgment, and other qualities essential to protecting classified information. An individual who is financially irresponsible may also be irresponsible, unconcerned, or negligent in handling and safeguarding classified information. See ISCR Case No. 11-05365 at 3 (App. Bd. May 1, 2012).

Applicant's admissions, CBRs, and testimony at the hearing regarding SOR ¶¶ 1.a-1.e establish three disqualifying conditions under this guideline: AG ¶ 19(a) ("inability or unwillingness to satisfy debts"); AG ¶ 19(c) ("a history of not meeting financial obligations"); and AG ¶ 19(e) ("consistent spending beyond one's means, which may be indicated by excessive indebtedness, significant negative cash flow, high debt-to-income ratio, and/or other financial analysis").

The following mitigating conditions are potentially applicable:

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, or a death, divorce or separation), and the individual acted responsibly under the circumstances;

AG ¶ 20(c): the person has received or is receiving counseling for the problem and/or there are clear indications that the problem is being resolved or is under control;

AG ¶ 20(d): the individual initiated 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's delinquent debts are numerous, recent, and were not incurred under circumstances making them unlikely to recur.

AG ¶ 20(b) is not established. The real estate market conditions in March 2013, when Applicant listed his home for sale, were circumstances largely beyond his control, but they were not the cause of his financial problems. Applicant was unable to pay his debts because of his irresponsible spending during 2010 through 2012.

AG ¶ 20(c) is not established. Applicant has not sought or received financial counseling and his financial problems are not yet under control.

AG ¶ 20(d) is partially established. Applicant has resolved the credit card account in SOR ¶ 1.c and established a payment plan for the furniture store debt in SOR ¶ 1.e.

AG ¶ 20(e) is established for the state tax lien in SOR ¶ 1.f. The evidence establishes that the lien was erroneously filed and that it was released after Applicant demonstrated that he was not required to pay state income tax because he was on active duty.

Guideline E, Personal Conduct

The SOR alleges that Applicant falsified his SCA by deliberately failing to disclose the delinquent debts alleged in SOR ¶¶ 1.a-1.e. 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 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 relevant disqualifying condition in this case is AG ¶ 16(a): “deliberate omission, concealment, or falsification of relevant facts from any personnel security questionnaire” When a falsification allegation is controverted, as in this case, 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. See ISCR Case No. 03-09483 at 4 (App. Bd. Nov. 17, 2004). 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. ISCR Case No. 08-05637 (App. Bd. Sep. 9, 2010).

Applicant has held a security clearance since 1982 and is familiar with the clearance process and the need for candor in matters of national security. He began experiencing difficulty making his house payments in March 2012, and he contacted the lender to explore options. By the time he submitted his SCA in March 2013, his past-due payments totaled \$66,610. His CBR’s reflect that his monthly payments were \$1,947. Recognizing that a substantial portion of that amount is likely attributable to interest and penalties, it clearly represents a large number of missed payments. Thus, I find Applicant’s statement that he did not know the severity of his financial problems implausible and unpersuasive. The evidence suggests that Applicant hoped that he could sell the house and resolve the past-due payments before his SCA was adjudicated. I find that he deliberately did not disclose the past-due payments on his home mortgage loan that were alleged in SOR ¶ 1.a.

On the other hand, Applicant’s testimony that he continued to make payments on the delinquent line of credit alleged in SOR ¶ 1.b was plausible and credible. The loan was not charged off and the lender continued to accept his payments.

Applicant offered no explanation for not disclosing the delinquent credit card account in SOR ¶ 1.c. He testified that at the time of his daughter’s wedding in March 2012 he had exhausted his credit-card resources. The large amount that was charged off (\$11,441) and the timing of the charge-off action (five or six months before the SCA was submitted) indicate that Applicant was aware of this delinquent debt and deliberately did not disclose it.

The debts alleged in SOR ¶¶ 1.d and 1.e were not reflected in Applicant’s March 2013 CBR. Both debts were not charged off until several months after Applicant submitted his SCA. I am satisfied that he did not deliberately omit them from his SCA.

Based on the evidence regarding the debts alleged in SOR ¶¶ 1.a and 1.c, I conclude that the disqualifying condition in AG ¶ 16(a) is established. The following mitigating conditions are potentially relevant:

AG ¶ 17(a): the individual made prompt, good-faith efforts to correct the omission, concealment, or falsification before being confronted with the facts;

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; and

AG ¶ 17(e): the individual has taken positive steps to reduce or eliminate vulnerability to exploitation, manipulation, or duress.

AG ¶ 17(a) is not established. There is no evidence that Applicant made any attempts to correct his SCA before he received the SOR.

AG ¶ 17(c) is not established. Applicant's falsifications were not minor, because they undermined the integrity of the security clearance process. They were recent, because they occurred in his most recent SCA. They were arguably infrequent, because there is no evidence of other instances of falsification. They did not occur under unique circumstances making them unlikely to recur.

AG ¶ 17(e) is established. Applicant fully disclosed the breadth and depth of his financial problems in his response to the SOR and at the hearing.

Whole-Person Concept

Under AG ¶ 2(c), the ultimate determination of whether to grant eligibility for a security clearance must be an overall commonsense judgment based upon careful consideration of the guidelines and the whole-person concept. In applying the whole-person concept, an administrative judge must evaluate an applicant's eligibility for a security clearance by considering the totality of the applicant's conduct and all relevant circumstances. An administrative judge should consider the nine adjudicative process factors listed at AG ¶ 2(a):

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

I have incorporated my comments under Guidelines F and E in my whole-person analysis. Some of the factors in AG ¶ 2(a) were addressed under those guidelines, but some warrant additional comment.

This is a tragic case. Applicant has served his country with distinction for many years, both in and out of uniform. He is deeply devoted to his children. His purchase of a home in 2004 with 100% financing was risky, but understandable in light of market conditions at that time. However, his irresponsible behavior appears to have begun when he refinanced his home, withdrew \$110,000, and squandered it on an expensive car, expensive jewelry, and other items that he did not describe in detail. His financial support of his son's education and his daughter's wedding is understandable, but he failed to put reasonable limits on his spending until his resources were exhausted. His purchase of a time-share property that he has never used, at a time when he was already in financial distress, is difficult to reconcile with his military record of responsible and distinguished conduct. His familiarity with the security clearance process and his service as a Marine Corps officer made him aware of the need for candor, but his embarrassment over his bad financial judgment and his concerns about retaining his job appear to have prevailed.

After weighing the disqualifying and mitigating conditions under Guideline F and E, and evaluating all the evidence in the context of the whole person, I conclude Applicant has not mitigated the security concerns raised by his financial problems and personal conduct. Accordingly, I conclude he has not carried his burden of showing that it is clearly consistent with the national interest to continue his 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.b:	Against Applicant
Subparagraph 1.c:	For Applicant
Subparagraph 1.d:	Against Applicant
Subparagraphs 1.e-1.f:	For Applicant

Paragraph 2, Guideline E (Personal Conduct): **AGAINST APPLICANT**

Subparagraph 2.a: ²	Against Applicant
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Conclusion

I conclude that it is not clearly consistent with the national interest to continue Applicant's eligibility for a security clearance. Eligibility for access to classified information is denied.

² Applicant's failure to disclose the debts in SOR ¶¶ 1.a and 1.c is resolved against him. His failure to disclose the debts in SOR ¶¶ 1.b, 1.d, and 1.e is resolved in his favor.

LeRoy F. Foreman
Administrative Judge