



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



In the matter of:)
)
) ISCR Case No. 14-03607
)
Applicant for Security Clearance)

Appearances

For Government: Eric H. Borgstrom, Esq., Department Counsel
For Applicant: *Pro se*

01/14/2016

Decision

MATCHINSKI, Elizabeth M., Administrative Judge:

Applicant is legally liable to repay approximately \$21,464 in delinquent debt that was incurred by him or by his then cohabitant life partner, of which \$6,838 is owed on debts opened with his knowledge. The financial concerns are not fully mitigated because he has yet to resolve any of the past-due accounts. Clearance is denied.

Statement of the Case

On April 1, 2015, the Department of Defense Consolidated Adjudications Facility (DOD CAF) issued a Statement of Reasons (SOR) to Applicant, detailing the security concerns under Guideline F, Financial Considerations, and explaining why it was unable to find it clearly consistent with the national interest to grant or continue his security clearance eligibility. The DOD CAF took the action under Executive Order 10865, *Safeguarding Classified Information within Industry* (February 20, 1960), as amended; Department of Defense (DOD) Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (January 2, 1992), as amended (Directive); and the adjudicative guidelines (AG) effective within the DOD on September 1, 2006.

Applicant answered the SOR allegations on April 27, 2015, and he requested a hearing before an administrative judge from the Defense Office of Hearings and Appeals (DOHA). On July 21, 2015, the case was assigned to me to conduct a hearing to determine whether it is clearly consistent with the national interest to grant or continue a security clearance for Applicant. On July 23, 2015, I scheduled the hearing for August 18, 2015.

Before the introduction of any evidence at the hearing, the possibility of postponing the hearing was raised with Applicant to give him the opportunity to bring in the witness whom he claimed had incurred many of the debts in the SOR. Applicant elected to proceed with the hearing with the understanding that he could submit documentation after the hearing or request that the hearing be reconvened for live testimony. Six Government exhibits (GEs 1-6) were admitted into evidence without objection. A chart prepared by Department Counsel as a supplement to his closing argument was marked as a hearing exhibit (HE 1) for the record, but it was not admitted as an evidentiary exhibit. Two Applicant exhibits (AEs A-B) were accepted into the record. Applicant testified, as reflected in a transcript (Tr.) received on August 26, 2015.

I held the record open until September 18, 2015, for Applicant to present additional documentation or request that the hearing be reconvened. I received no request to reconvene or any additional exhibits, so the record closed on September 18, 2015.

Findings of Fact

The SOR alleges that Applicant owed \$21,146 in collection debt (SOR ¶¶ 1.a-1.c and 1.e-1.h) and was past due \$1,490 on a vehicle loan balance of \$16,570 (SOR ¶ 1.d) as of April 1, 2015. Applicant denied the debts with the exception of the delinquent auto loan in SOR ¶ 1.d. He had the vehicle voluntarily repossessed because he could not afford the payments. He added that he owes a little less than alleged on the debt after an auction. About the denied debts, Applicant indicated that he had a zero balance on the debt in SOR ¶ 1.a; that the accounts in SOR ¶¶ 1.e-1.g were opened by his significant other without his knowledge; and that he was seeking confirmation of the debts in SOR ¶¶ 1.b, 1.c, and 1.h. (Answer.)

Applicant's admission to becoming delinquent in his vehicle loan payments is accepted and incorporated as a finding of fact. After considering the pleadings, exhibits, and transcript, I make the following additional findings of fact:

Applicant is a 57-year-old high school graduate, who has worked for a defense contractor since September 2003. He served on active duty in the United States military with a confidential clearance from February 1980 to December 1983, when he was honorably discharged. He worked as a baker in the mid-1990s and then as a "roll hanger" for a construction company from February 1999 to July 2003. Applicant has held a secret security clearance for most of his present employment. (GEs 1, 2; Tr. 28-29.)

Applicant has never married. He was in a longtime cohabitant relationship with a life partner (hereafter ex-partner) from mid-1990 until 2014. (GE 1; Tr. 32.) In 2005, Applicant

learned that his ex-partner had obtained approximately \$3,800 in unemployment benefits in Applicant's name in 2003. After some counseling, Applicant decided to continue their relationship.¹ (Tr. 68-69.) Applicant ended the romantic relationship in 2014 when he discovered the extent to which his ex-partner had opened credit accounts and incurred delinquent debt using his name. (Tr. 32.) However, Applicant still allows his ex-partner to stay in his residence on occasion. His ex-partner was diagnosed with a serious illness in 2013, and Applicant monitors his condition. (AE B; Tr. 29-32, 42.)

When Applicant and his ex-partner moved to their present locale in 2003, his ex-partner began to gamble at a local casino. Around 2007 or 2008, Applicant suspected that his ex-partner had a gambling problem. Their respective paychecks were deposited into a joint account from which his ex-partner paid their bills, with the exception of the rent, which Applicant paid in person. Applicant began to be concerned about their funds, but he continued to allow his ex-partner to handle most of their financial obligations. (Tr. 57-58.) Applicant had access to their checking account statements and noted some payments toward credit cards, which he assumed were opened by his ex-partner solely in his ex-partner's name. (Tr. 61.)

Around December 2012, Applicant's ex-partner lost his job as a customer service representative at a casino. (Tr. 59.) Shortly thereafter, his ex-partner was diagnosed with an illness that left him unable to work. Applicant began to struggle financially without any income from his ex-partner. He lost one vehicle to a voluntary repossession around January 2014 (SOR ¶ 1.d). (Tr. 41-43.)

On December 18, 2013, Applicant completed and certified to the accuracy of an Electronic Questionnaire for Investigations Processing (e-QIP). In response to the financial record inquiries concerning any delinquency involving routine accounts in the last seven years, Applicant disclosed one debt: a \$600 hospital debt from June 2013 [sic] that he indicated was being paid by his medical insurer. (GE 1.)

As of January 23, 2014, Applicant had some outstanding collection debts on his credit record. (GE 3.) The history of the accounts is reflected in the following table.

Debt in SOR	Delinquency history	Payment status
1.a. \$705 collection debt	Individual revolving charge opened Feb. 2002, last activity Aug. 2012; \$705 charged off Jan. 2014. (GEs 4, 6.)	Contacted lender in 2014 and 2015; denies opened account; admits liability for repayment; no payments as of Aug. 2015. (GE 6; Tr. 35-37.)

¹ Applicant explained his decision to maintain his personal relationship as follows:

But since he was already so entangled in my finances and knew so much more about me, extricating him from my life at that point would have been more complicated than I was willing to on take. And knowing his tendency towards using my name and social security number, I can imagine how badly he would have shafted me then. (Tr. 69-70.)

1.b. \$466 collection debt	\$454 credit card account delinquent Apr. 2012; for collection Nov. 2012; \$466 balance Jul. 2015. (GEs 4, 6.)	Contacted lender in May 2015, debt with new collection agency; believes ex-partner opened account without his knowledge; admits repayment liability; no payments as of Aug. 2015. (GE 6; Tr. 38-39.)
1.c. \$552 collection debt	\$552 medical debt delinquent May 2013; for collection Sep. 2013; unpaid as of Nov. 2013. (GEs 4, 6.)	Admits debt; no payments as of Aug. 2015. (GE 6; Tr. 39.)
1.d. \$1,490 past-due loan	Joint \$28,050 vehicle loan opened Apr. 2009; \$596 monthly payment; first delinquent Jan. 2013; 60 days past due for \$1,490 on \$16,570 balance as of Jan. 2014; car sold at auction, \$3,102 charged off; \$3,059 balance as of Jul. 2015. (GEs 4, 6; Tr. 44.)	Disputes balance, admits repossession; no payments as of Aug. 2015. (GE 6; Tr. 44.)
1.e. \$6,078 collection debt	\$4,713 high credit delinquent as of Jul. 2011; purchased by collection agency Sep. 2012; \$6,078 balance reported Jan. 2014, \$4,713 balance reported Aug. 2015. (GEs 4, 6.)	No knowledge of debt; no payments as of Aug. 2015. (GE 6; Tr. 44-45.)
1.f. \$5,422 collection debt	Individual installment loan opened Jun. 2010; last payment Apr. 2011; first delinquent Jun. 2011, \$5,422 charged off Sep. 2011. (GEs 4, 6.)	Denies took out loan; no knowledge of debt; no payments as of Aug. 2015. (GE 6; Tr. 47, 52.)
1.g. \$3,320 collection debt	Individual revolving charge opened May 2010; first delinquent Nov. 2011; \$3,320 charged off Dec. 2013; unpaid as of Aug. 2015. (GEs 4, 6.)	Denies opened credit card account; no knowledge of debt; no payments as of Aug. 2015. (GE 6; Tr. 47, 52.)
1.h. \$4,603 collection debt	Joint auto loan opened Mar. 2011, \$451 monthly payments; first delinquency Mar. 2013; \$6,341 charged off Jul. 2013; \$4,603	Admits fell behind on payments; car repossessed; no payments as of Aug. 2015 (GE 6; Tr. 48-50, 52-53.)

	reported balance as of Dec. 2013; \$3,227 reported balance as of Jul. 2015. (GEs 4, 6.)	
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On February 10, 2014, Applicant was interviewed by an authorized investigator for the Office of Personnel Management (OPM) in part about the delinquencies on his credit record. Applicant indicated that the medical debt listed on his e-QIP (SOR ¶ 1.c) was from March 2013, although he could not recall when the account went into collections. Applicant had expected his medical insurer to cover all of the costs resulting from his treatment and later discovered that was not the case. He expressed his intent to pay the debt. Applicant expressed no knowledge of the debts in SOR ¶¶ 1.a-1.b and 1.e-1.g. Applicant admitted the debts in SOR ¶¶ 1.d and 1.h. About the debt in SOR ¶ 1.d, Applicant explained that he was focused on paying his medical debts and fell behind. He expressed his intent to pay off the debt. Applicant did not recall when he opened the auto loan in SOR ¶ 1.h, although he admitted that he could not maintain the payments. He indicated that he would research the account and pay it if necessary. Applicant added that his cohabitant may have knowledge of the other accounts. Applicant described his overall financial situation as poor, but he was doing his best to meet his financial obligations. (GE 5.)

After his interview, Applicant obtained a copy of his credit report and began investigating the debts on his credit record. Applicant confronted his ex-partner about some of the debts, but his ex-partner did not admit to opening any accounts in Applicant's name. It led Applicant to end their personal relationship. (Tr. 32-35.) Applicant's ex-partner now admits that he opened some credit card accounts without Applicant's approval (AE B), although he was not specific about which accounts.

In early July 2014, Applicant took on a \$16,797 car loan. He made his payments on time. As of late July 2015, the balance of the loan was \$1,027. (GE 6; Tr. 51-52.)

Applicant testified that he never completed a credit card application with one exception. He applied for a credit card offered through a dentist that was to cover the partial costs of a dental procedure. Applicant was billed an installment on the charge account, which he contests on the basis that he declined the dental procedure. (Tr. 34.) Applicant's August 2015 credit report (GE 6) shows a credit card account with a \$300 limit was opened in June 2015. The account had a current balance of \$292 as of late July 2015. Applicant denies any knowledge of the account, and his ex-partner denies opening it. (Tr. 59.)

With the exception of the medical debt in SOR ¶ 1.c, Applicant has not received any demand for payment from the creditors in the SOR. His ex-partner has used a post office box as his address since 2003. Applicant believes that his ex-partner may have used that address to open some credit card accounts in Applicant's name. (Tr. 47.) Applicant presented no proof in that regard, although his credit record shows a post office box as an address for Applicant in July 2003 and in January 2010. (GE 4.)

Applicant opened a \$16,008 car loan in late May 2015, to be repaid at \$338 per month for 72 months. (GE 6.) Applicant is also repaying two 401(k) loans, which he claims were opened by his ex-partner and sent to an account that his ex-partner had with another bank. (Tr. 83-84.) The first loan, which was for \$3,000 to \$5,000, was opened without Applicant's knowledge in 2011. His ex-partner did not know Applicant's password, but he was able to create a new one with the help of Applicant's employer. Applicant learned about the first loan when he could not access his account. After Applicant told his employer to change the password, his ex-partner managed to obtain a second loan in 2012 for \$7,000 to \$8,000 by again claiming that he had forgotten the password. Applicant learned about the second loan from his ex-partner shortly after his ex-partner opened the loan. (Tr. 84-85.) He and his ex-partner used some of the second loan for a vacation to a gambling destination. (Tr. 54-56.) Applicant's credit reports (GEs 4, 6) reflect that the accounts in SOR ¶¶ 1.e-1.g were delinquent at the time, but he denies knowing about those debts. (Tr. 57.) Applicant has been repaying the second 401(k) loan at \$43 weekly. (Tr. 66, 83.) He expected to pay off that loan by the end of September 2015. His payments on the first loan were only \$17 per week. (Tr. 83.) He indicated that on satisfaction of the second loan, he would be able to take out a new loan from his 401(k) to pay off the first loan and "start hitting" on some of his delinquent debts on his credit record. (Tr. 66.)

Applicant and his ex-partner still maintain a joint bank account because of the two loans that are being paid from that account. In June 2015, his ex-partner began receiving unemployment compensation at \$175 per week, \$120 of which Applicant applies toward household bills. (Tr. 30-31.) As soon as his ex-partner's unemployment is deposited into their joint account, Applicant transfers it into another account to which his ex-partner has no access. (Tr. 61.) Applicant opened the separate account in July 2014, when he realized "how badly [he had] been stabbed repeatedly in the back." (Tr. 82-83.) Applicant's ex-partner filed for disability over 18 months ago and is awaiting a decision on his claim. (Tr. 31, 40.)

Applicant has been making payments on two accounts in his name with a credit union.² A VISA credit card account, opened in October 2003, was closed due to a history of late payments. It had been 60 days past due four or more times, although Applicant was making payments of \$35 a month as of August 2015. The credit card had a balance of \$1,501 as of January 2014. A \$1,000 line of credit account opened in September 2003 had been 30 days late five times. Applicant is paying \$25 a month, more than the \$19 minimum on the line of credit account, which had a balance of \$893 as of January 2014. (GE 4; Tr. 63-64.) According to Applicant, his ex-partner "thoroughly screwed both of them up to the max so that they were both closed." (Tr. 62.)

As of August 2015, Applicant's rent was \$1,295 per month. Applicant was paying \$350 per month on his car loan opened in May 2015. Applicant's income is sufficient to cover his expenses, but just barely. (Tr. 67-68.) He expects his ex-partner to receive \$18,000 in back disability benefits, which Applicant has earmarked for debts. Applicant

² Applicant testified that the credit union accounts were opened jointly (Tr. 63), although his January 2014 credit report shows them as individual accounts. (GE 4.)

believes there is little possibility that his ex-partner will be able to open a separate bank account for the disability income because his ex-partner is a poor credit risk. (Tr. 70.)

Applicant earns \$28 an hour. He volunteers for available overtime and tries to work three of four weekends each month. (Tr. 64-65.) Applicant's work leader for 11 of the last 12 years attests to Applicant doing proficient work without supervision. (AE A.)

Policies

The U.S. Supreme Court has recognized the substantial discretion the Executive Branch has in regulating access to information pertaining to national security, emphasizing that "no one has a 'right' to a security clearance." *Department of the Navy v. Egan*, 484 U.S. 518, 528 (1988). When evaluating an applicant's suitability for a security clearance, the administrative judge must consider the adjudicative guidelines. In addition to brief introductory explanations for each guideline, the adjudicative guidelines list potentially disqualifying conditions and mitigating conditions, which are required to be considered in evaluating an applicant's eligibility for access to classified information. These guidelines are not inflexible rules of law. Instead, recognizing the complexities of human behavior, these guidelines are applied in conjunction with the factors listed in the adjudicative process. The administrative judge's overall adjudicative goal is a fair, impartial, and commonsense decision. According to AG ¶ 2(c), the entire process is a conscientious scrutiny of a number of variables known as the "whole-person concept." The administrative judge must consider all available, reliable information about the person, past and present, favorable and unfavorable, in making a decision.

The protection of the national security is the paramount consideration. AG ¶ 2(b) requires that "[a]ny doubt concerning personnel being considered for access to classified information will be resolved in favor of national security." In reaching this decision, I have drawn only those conclusions that are reasonable, logical, and based on the evidence contained in the record. 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. . . ." The applicant has the ultimate burden of persuasion to obtain a favorable security decision.

A person who seeks access to classified information enters into a fiduciary relationship with the Government predicated upon trust and confidence. This relationship transcends normal duty hours and endures throughout off-duty hours. The Government reposes a high degree of trust and confidence in individuals to whom it grants access to classified information. Decisions include, by necessity, consideration of the possible risk 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. Section 7 of Executive Order 10865 provides that decisions shall be "in terms of the national interest and shall in no sense be a determination as to the loyalty of the applicant concerned." See *also* EO 12968, Section 3.1(b) (listing multiple prerequisites for access to classified or sensitive information).

Analysis

Guideline F, Financial Considerations

The security concern about financial considerations is articulated 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.

Available credit reports show several collection accounts on Applicant's record. As of August 2015, Applicant reportedly owed past-due debt totaling \$21,464 on the eight accounts in the SOR.³ In ISCR Case No. 08-12184 at 7 (App. Bd. Jan. 7, 2010), the Appeal Board explained:

It is well-settled that adverse information from a credit report can normally meet the substantial evidence standard and the government's obligations under [Directive] ¶ E3.1.14 for pertinent allegations. At that point, the burden shifts to applicant to establish either that [he] is not responsible for the debt or that matters in mitigation apply. (Internal citation omitted).

Applicant maintains that the debts in SOR ¶¶ 1.a-1.b and 1.e-1.g were incurred without his knowledge by his ex-partner. He submitted a statement that was signed but not notarized in which his ex-partner took responsibility for opening several credit cards without Applicant's knowledge. Applicant's ex-partner was not specific about which accounts, and he did not indicate that he took on the installment loan in SOR ¶ 1.f without Applicant's approval. Even assuming some accounts were fraudulently opened by his ex-partner, Applicant has not taken affirmative steps to challenge his liability for repayment. Additionally, Applicant knowingly incurred delinquent balances on the accounts in SOR ¶¶ 1.c, 1.d, and 1.h. Disqualifying conditions AG ¶ 19(a), "inability or unwillingness to satisfy debts," and AG ¶ 19(c), "a history of not meeting financial obligations," are implicated in this case.

The past-due credit card debts in SOR ¶¶ 1.e and 1.g and the installment loan in SOR ¶ 1.f are from 2011. The credit card debts in SOR ¶¶ 1.a and 1.b have been delinquent since 2012. The car loans in SOR ¶¶ 1.d and 1.h became seriously past due in 2013. The medical debt in SOR ¶ 1.c was placed for collection in September 2013. Some of these debts are relatively recent. Applicant submits that his debt problems are not likely to recur in that he established a separate bank account in July 2014, giving him total control over his wage income and that portion of his ex-partner's unemployment income

³ As of August 2015, Equifax was reporting the charged-off balances as the outstanding balances on the accounts. The higher balances alleged in the SOR are likely due to reported interest on unpaid balances as of January 2014.

which he transfers from their joint account. Yet, the evidence shows that a credit card account was opened in Applicant's name as recently as June 2015. Neither Applicant nor his ex-partner accepts responsibility for opening the account. Assuming Applicant has been a victim of identity theft by his ex-partner or someone else, he has not taken adequate steps, such as putting a fraud alert on his credit, to address what appears to be an ongoing problem. Moreover, it is difficult to apply AG ¶ 20(a), "the behavior happened so long ago, was so infrequent, or occurred under circumstances that it is unlikely to recur and does not cast doubt on the individual's current, reliability, or good judgment," when Applicant has not made any payments to resolve even those debts he knowingly incurred. He is barely getting by and is not in a position financially to address the debts without taking on a new loan.

Applicant defaulted on his car loans because he was repaying nondiscretionary medical debt. Identity theft, whether perpetrated by his ex-partner or someone else, is also an unforeseen circumstance that could implicate AG ¶ 20(b), which provides as follows:

(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.

Yet, Applicant bears some responsibility for the credit card debts incurred in his name by his ex-partner. He continued the relationship without taking steps to protect such sensitive personal identifying information as his social security number, despite learning in 2005 that his ex-partner had obtained unemployment benefits fraudulently in 2003, and being concerned in 2007 and 2008 that his ex-partner may have a gambling problem. While Applicant may not have known about the full abuse of his credit by his ex-partner at the time, he implicitly condoned his ex-partner's identity fraud by going on vacation with him to a gambling destination in 2012 with the funds obtained from the second 401(k) loan without his authorization. AG ¶ 20(b) does not fully apply under these circumstances.

As of mid-August 2015, the debts in the SOR remained unresolved, and there is no evidence that Applicant has received financial counseling. Neither 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," nor AG ¶ 20(d), "the individual initiated a good-faith effort to repay overdue creditors or otherwise resolve debts," is established. Applicant has contacted some of the creditors, but it is not enough to fully mitigate the financial judgment concerns in this case.

Whole-Person Concept

Under the whole-person concept, the administrative judge must evaluate an applicant's eligibility for a security clearance by considering the totality of his conduct and all the circumstances. The 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.

The financial analysis under Guideline F is incorporated in my whole-person analysis. Some of the factors in AG ¶ 2(a) were addressed under those guidelines, but some warrant additional comment.

Applicant had a longtime cohabitant relationship with someone who repeatedly betrayed his trust. It cost Applicant financially in that he has had to repay two 401(k) loans and a state unemployment debt incurred through his ex-partner's abuse of his personal information. The DOD is not and should not be in the business of dictating personal relationships. The salient issue is whether Applicant's financial situation presents an acceptable security risk, and in that regard, some concerns persist. Applicant remains tied to his ex-partner financially in that they still have a joint account. Applicant relies in part on the \$120 that he takes from his ex-partner's unemployment compensation each week to meet his household expenses. Applicant expressed his intent to address the debts in his name, chiefly through a new 401(k) loan, as soon as he pays off the \$7,000 to \$8,000 loan fraudulently taken out by his ex-partner. Promises to pay off delinquent debts in the future are not a substitute for a track record of paying debts in a timely manner and otherwise acting in a financially responsible manner. *See, e.g.,* ISCR 14-04565 (App. Bd. Sep. 18, 2015, citing ISCR Case No. 14-03069 (App. Bd. Jul. 30, 2015.)) Applicant's case in mitigation would have been aided had he made some payments toward the debts that he knowingly incurred, such as the car loans and the medical debt. Without some progress toward addressing his delinquencies, it would be premature to conclude that it is clearly consistent with the national interest to grant or continue security clearance eligibility for Applicant.

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
Subparagraph 1.a:	Against Applicant
Subparagraph 1.b:	Against Applicant
Subparagraph 1.c:	Against Applicant
Subparagraph 1.d:	Against Applicant
Subparagraph 1.e:	Against Applicant
Subparagraph 1.f:	Against Applicant

Subparagraph 1.g: Against Applicant
Subparagraph 1.h: Against Applicant

Conclusion

In light of all of the circumstances presented by the record in this case, it is not clearly consistent with the national interest to grant Applicant eligibility for a security clearance. Eligibility for access to classified information is denied.

Elizabeth M. Matchinski
Administrative Judge