



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



In the matter of:)
)
) ISCR Case No. 20-00869
)
Applicant for Security Clearance)

Appearances

For Government: Ross Hyams, Esq., Department Counsel
For Applicant: Bradley Moss, Esq.

07/21/2021

Decision

LYNCH, Noreen A., Administrative Judge:

This case alleges security concerns raised under Guideline F (Financial Considerations), Guideline E (Personal Conduct), and Guideline G (Alcohol Consumption). Eligibility for access to classified information is granted.

Statement of the Case

On June 18, 2020, in accordance with DoD Directive 5220.6, as amended (Directive), the Department of Defense issued Applicant a Statement of Reasons (SOR) alleging facts that raise security concerns under Guidelines F and E. On March 15, 2021, an amended SOR was issued to add Guideline G (Alcohol Consumption). The SOR further informed Applicant that, based on information available to the government, DoD adjudicators could not make the preliminary affirmative finding it is clearly consistent with the national interest to grant or continue Applicant’s security clearance.

Applicant answered each SOR that was issued, and requested a hearing before an administrative judge. (Answer) The case was assigned to me on April 7, 2021. The Defense Office of Hearings and Appeals (DOHA) issued a notice of hearing on April 29, 2021, scheduling the hearing for June 4, 2021. The hearing was convened as scheduled. The Government offered two sets of Exhibits (GE) 1 through 9, which were admitted. Applicant testified on his own behalf and presented two witnesses. He submitted Exhibits

(AE) A through L at the hearing, which I marked, and accepted into the record without objection. At Applicant's request, I kept the record open until June 25, 2021. Applicant submitted six documents (AE) M-R, which I marked, and accepted into the record without objection. DOHA received the transcript of the hearing (Tr.) on June 16, 2021.

Procedural Issue

The Government moved to amend the SOR Guideline G at the beginning of the hearing based on documents discovered before the hearing. The Government moved to add SOR allegation ¶ 3.c: you were arrested in and around November 18 and charged with DUI; allegation ¶ 3.d: you were arrested in and around October of 2012 and charged with DUI; and allegation ¶ 3.e: you were arrested in and around August 2004 and charged with DUI. Applicant was given an opportunity to respond to the amendment. He did not object to the amendment and agreed to proceed. On June 4, 2021, The Government submitted an Amended SOR to include the original three guidelines and the three new allegations under Guideline G. Applicant did not object to the two new exhibits (8 and 9) that the Government added to its Exhibit list. Thus, the Government's motion is granted.

Findings of Fact

Applicant, age 50, is married and has five children. (Tr. 71) He obtained his high school diploma in 1989, and a barber's certificate in 2014. Applicant completed his most recent security clearance application (SCA) on March 28, 2019. He has held a security clearance since 1993. (GE 1) He has been employed with his current employer since 2018. (Tr. 33) Applicant was previously employed with the U.S. Government for almost 20 years. He left in 2013 to care for his father. (Tr. 73)

The SOR alleges (¶¶ 1.a-1.g) that Applicant filed for Chapter 7 Bankruptcy protection on or about April 2015 and was discharged in July 2015; that he has a charged-off account in the amount of \$26, 291; that he is indebted on a charged-off account in the amount of \$7,050; that he is indebted on a collection account in the amount of \$5,050; that he is indebted on a collection account in the amount of \$1,628; that he is indebted on a collection account in the \$809; and that he is indebted on a collection account in the amount of \$607.

FINANCIAL

Applicant acknowledged his financial hardship over the past years beginning in April 2015, when he filed for Chapter 7 Bankruptcy protection. (GE 6) He left Government service and decided to start his own trucking business in 2013, which was not successful. The business failed after 18 months. He used retirement funds from his government Thrift Savings Plan (TSP) and credit cards because he could not get a business loan. He estimates the personal cost to him was about \$75,000. At the same time, renters in a townhouse that he owned, vacated the premises due to their job loss. He could not sell the rental property, and he defaulted on the mortgage. (Tr. 75-77) After consulting with his attorney, Applicant and his wife separately filed for bankruptcy. (GE 6; (AE I) (SOR ¶ 1.a) Applicant reported the bankruptcy on his May 2015 SCA. (Tr.90)

Because Applicant wished to remain close to his ill father, he once again started his own transportation company in late 2015. He received funds from his wife and his father. He purchased a used vehicle that met state requirements for a “driver for hire.” The business was initially successful; he hired drivers and two additional used cars. The use of UBER and other larger commercial enterprises impacted his business, and by late 2018, the business failed. After the business failed, he sold the vehicles. Applicant defaulted on one vehicle. (SOR ¶ 1.b) He tried to resolve this debt and the company asked for the full payment of \$7,000. He made the first payment on July 17, 2020. He had to stop the payments, and eventually renegotiated a settlement agreement. (AE A) This account is settled in full. (Tr.84)

As to SOR ¶ 1.c, a charged-off account in the amount of \$7,050. This debt was part of a default on a second loan for the transportation business that failed. A settlement was reached and Applicant made the final \$1,000 payment. The debt is resolved, and the balance is zero. (AE A, AE G)

As to SOR ¶ 1.d, a collection account in the amount of \$5,050. This is a duplicate of the account in 1.c. It is resolved. (AE D)

As to SOR ¶ 1.e, a collection account in the approximate amount of \$1,628. This account was a credit card used for incidental expenses used in the transportation business. It was paid in October 2019. (AE B, AE F)

As to SOR ¶ 1.f, a collection account in the approximate amount of \$809. Applicant admits that this insurance account was for the drivers that he employed in his transportation business. He cancelled the insurance policy, but had no idea that he owed them any balance. He learned about the debt when he was notified by the government investigator. Applicant contacted the collection agency and set up a payment plan. SOR ¶ 1.g is the same insurance company, and both debts were resolved in June 2019. (AE I) He received some gift money from relatives to pay the debts. (Tr. 154)

Applicant received financial counseling as part of the bankruptcy process and has a budget. He has limited his expenses and has no new debts. He and his wife are now gainfully employed, however they maintain separate finances. Applicant earns about \$100,000 a year, and his wife also makes over \$100,000. He submitted a personal budget. (AE J)

Personal Conduct

The SOR (2.a-c) alleged that Applicant falsified material facts on his March 2019 SCA, in response to Section 26 (delinquent accounts), in the past seven years had bills or debts been turned over to a collection agency; that Applicant falsified material facts on his March 2019 SCA in response to Section 26 (financial record), had he filed a petition under any chapter of the bankruptcy code; and information concerning alcohol events as set forth under SOR ¶¶ 3.a and 3.b.

Applicant was credible in his statement that he properly disclosed his finances on his 2019 (SCA), even though he stated “no” to the questions in Section 26. He stated it was the result of human error and was an embarrassing mistake. Also, his company Facility Security Officer (FSO) returned the document to Applicant for some questions and was told to de-select all of the “yes” or “no” answers to redo each of them. He admits he was sloppy and rushed through it and did not carefully re-address Section 26 concerning a bankruptcy. But when he first returned the 2015 SCA to his FSO, he disclosed the bankruptcy. (AE J; Tr. 89) When Applicant completed the 2019 SCA, he admitted that he used the archived copy of the 2015 SCA as the foundation. He was adamant that he did not intentionally falsify his 2019 SCA. He takes full responsibility. (Tr.92)

As to the issues alleged in 3.a and 3.b regarding alcohol, Applicant admitted that he did not report the May 2015 allegation on his 2019 SCA, but it was not intentional or deliberate. The September 2019 incident was not reported, as the 2019 SCA was submitted before the incident occurred (about six months) He notified his supervisor and his supervisor notified the FSO. He was never instructed to update the security paperwork. Furthermore, the charges were dismissed, and he did not recall them on his 2019 SCA. It was dumb according to Applicant, but it was not intentional.

A witness, who testified at the hearing, an FSO who has had a security clearance for 20 years, was Applicant’s supervisor in 2018. (Tr. 31) She explained in great detail the process when she reviews an SCA for accuracy and completeness. She examined the 2019 SCA, and no red flags appeared. However, she explained that when an SCA is returned for any missing information, it does not reset any “no” questions. Only “yes”. Thus, an Applicant has to go back and reset all questions that require a yes or no answer. (Tr. 35) The witness explained that this type of problem happens every day and is a flaw in the system. If the Applicant originally answered yes to a question, if the SCA is returned for any reason, one could forget to do it again. She emphasized that this happens all the time. (Tr. 36) The witness stated that this issue has been raised repeatedly at meetings as it can become a major issue for an applicant. The witness has daily interaction with Applicant. She performed his recent evaluation, and he scored the highest level on the scale. (Tr. 38) She has no concerns about his personal conduct. (Tr. 41-43) Applicant denied that he intentionally falsified his 2019 SCA in his answer, and in his testimony at the hearing. His witness testimony provides a credible reason, in addition to Applicant’s credibility, that he did not intentionally falsify his 2019 SCA.

A witness for the Applicant, who has had a top secret clearance since 1999, hired Applicant in 2018. (Tr. 53) He highly recommends Applicant and has never seen anything that would concern him about Applicant and his use of alcohol. (Tr. 54) He attested that he has never seen Applicant arrive to work under the influence of alcohol or observed any misconduct. Applicant has consistently achieved exemplary reviews. Applicant spoke to the witness about his financial issues, and the witness believed it was fairly standard business issues that went wrong. (Tr. 56) There was no suspicious issues such as gambling or living extravagantly. He has never had a reason to terminate applicant for any reason. He described in great detail the same problem with the SCA that the other witness did. (Tr. 61-65)

Applicant submitted four character references from colleagues who have known him almost 20 years. Each letter vouches for Applicant's knowledge, character, professionalism and integrity. (AE M-R)

ALCOHOL

The SOR (§§ 3.a-3.e) alleged that in May 2015, Applicant was arrested and charged with Driving While Intoxicated (DWI) after registering a BAC of .10%; that in September of 2019, he was arrested and charged with Drunk in Public; that Applicant was arrested in and around November 2018 and charged with DUI; that in October of 2012, he was arrested and charged with DUI; that Applicant was arrested in and August of 2004 and charged with DUI.

As to SOR allegation § 3.a, in May 2015, Applicant was arrested and charged with DWI, with a partial.10 on a CMI INTOXILYZER He was out for dinner and had one wine cooler. He was pulled over by the police for not using a turn signal. (GE 5) He agreed to alcohol testing. One police report stated that he refused a breath test. He has a torn meniscus in both knees (AE N) and struggled with the physical test. This was reported on his 2015 SCA. (AE J; Tr.93) Applicant attempted the various tests and at the end stated that his knees hurt and requested medical attention. (GE 5) Applicant told the officer that he took medication. The order on the police noted that the charge was dismissed. (GE 5) The police report noted cleared by arrest.

As to SOR allegation § 3.b, in September 2019, Applicant was arrested and charged with drunk in public. He attended an all-day work conference lasting about 12 hours. He felt exhausted and not well, and pulled over in a residential area and parked. He had consumed two glasses of wine. There are company imposed limits on the amount of alcohol an employee can drink while at a work conference, which was confirmed by his witness. Applicant has a severe case of gastric acid reflux (GERD). He felt bloated and since he was in his own car, he unbuckled his pants and unbuttoned his shirt. (Tr.109 His intent was to take a short nap. An officer knocked on the car window and Applicant told him he was not feeling well, had GERD, and was pre-diabetic. (AE M-N) He was arrested and taken to the detention center and was released. No alcohol tests were given. Applicant told his supervisor, who notified the company FSO. Applicant retained counsel and contested the charge. The prosecutor had the charge *nolle prosequi* and it was dropped on February 7, 2020. (Police Report)

As to SOR allegation § 3.c, in November 2018, Applicant was arrested and charged with DUI. At that time he was a delivery driver and was pulled over by the police. (Tr.106) Applicant had a bottle of urine, and he told the officer not to open it because it would have a bad smell. (Tr. 106) The officer opened the bottle and arrested Applicant for drinking and driving. Applicant was taken to the hospital and tests of the bottle confirmed and identified contents were not from drinking. (Tr. 106) The case did not go to trial, and the charge was dismissed.

As to SOR allegation ¶ 3.d, in October 2012, Applicant was arrested and charged with DUI. Applicant testified credibly that he had not been drinking. He was in the car waiting for his wife. He took a sobriety test and the officer stated that he failed. (Tr. 98) He received a probation before judgment (PBJ) and he took alcohol classes and counseling.

As to SOR ¶ 3.e, in August 2004, Applicant was charged with DUI, when a police officer stopped his car and stated that Applicant was on his phone. (Tr. 95) Applicant told the officer that his friend was on the phone. He was asked for license and registration. Applicant went to the trunk, but stated that he was “roughed up” and he was arrested for assault on a police officer. He pled not guilty. No evidence was introduced to demonstrate that Applicant had been drinking. (Tr. 96; GE 9) Both Applicant and the officer testified in court. The charge was dismissed. There was no police report in the Government Exhibits for the 2004 arrest. There was an FBI criminal history in the file. The charges were dismissed on September 7, 2004. (GE 2) Applicant reported the incident to supervisor. (Tr. 96)

Policies

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 (AG) list potentially disqualifying conditions and mitigating conditions, which are to be used in evaluating an applicant’s national security eligibility.

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 AG ¶ 2 describing the adjudicative process. The administrative judge’s overarching adjudicative goal is a fair, impartial, and commonsense decision. The entire process is a conscientious scrutiny of applicable guidelines in the context 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, “Any doubt concerning personnel being considered for national security eligibility will be resolved in favor of the 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. I have not drawn inferences based on mere speculation or conjecture.

Directive ¶ E3.1.14, requires the Government to 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 the applicant or proven by Department Counsel, and has the ultimate burden of persuasion as to obtaining a favorable clearance 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 national security eligibility. Decisions include, by necessity, consideration of the possible risk the applicant may deliberately or inadvertently fail to protect or safeguard classified information. Such decisions entail a certain degree of legally permissible extrapolation as to potential, rather than actual, risk of compromise of classified or sensitive information. Finally, as emphasized in Section 7 of EO 10865, "Any determination under this order adverse to an applicant shall be a determination 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 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. See ISCR Case No. 11-05365 at 3 (App. Bd. May 1, 2012).

After a 20-year career in Government service Applicant retired. He wanted to be close to his ill father and start his own company. 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 may be mitigated by any of the following potentially applicable factors:

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(c): the individual has received or is receiving financial counseling for the problem from a legitimate and credible source, such as a non-profit credit counseling service, and there are clear indications that the problem is being resolved or is under control; and

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

Applicant filed bankruptcy in 2015 and it was discharged in 2015. This is a legitimate means of resolving debts. He received financial counseling as part of the bankruptcy. He reported this bankruptcy on his 2015 SCA. He started a business venture (trucking business) and used his own money because he could not get a business loan. At the same time the townhouse property that he owned and rented lost the tenants. He could not sell it. He stated the first business lasted 18 months. He used about \$75,000 of his own money. He wanted to be near his ill father, and so he started another venture with several cars and hired drivers so that people could call them when they had a need to be driven. The debts are the result of two failed business ventures and the combination of not being able to sell the townhouse. Applicant did not ignore his debts. He is now gainfully employed. Applicant's debts are resolved. AG ¶ 20(a) is established.

AG ¶ 20(b) is established. Applicant presented credible explanations for the delinquent debts or that circumstances beyond his control caused the delinquent debts, and that he acted responsibly to address the resulting debts, including the 2015 bankruptcy.

AG ¶ 20(c) and 20(d) are established. Applicant received financial counseling as part of his bankruptcy petition. He is gainfully employed and is in control of his finances.

Applicant met his burden to mitigate the financial concerns set out in the SOR. For these reasons, I find SOR ¶¶ 1.a through 1.g for Applicant.

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.

Based on Applicant's alleged deliberate falsification of his SCA, the following disqualifying condition could apply:

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.

Applicant denied that he falsified his 2019 SCA, in his answer, and in his remarks at the hearing. An omission, standing alone, does not prove a 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.¹ An applicant's level of education and business experience are relevant to determining whether a failure to disclose relevant information on an SCA was deliberate.²

In this instance, it is clear from Applicant's comments that he made a mistake when completing the 2019 SCA. His witnesses described the common error when an applicant has an application returned and what happens to "yes" and "no" answers. He used his 2015 SCA, but rushed. Applicant was credible in his explanation and his answer was bolstered by the two witnesses. I find insufficient evidence of an intent by Applicant to

¹ See ISCR Case No. 03-09483 at 4 (App. Bd. Nov. 17, 2004).

² ISCR Case No. 08-05637 (App. Bd. Sep. 9, 2010).

intentionally omit, conceal, or falsify facts from and on his SCA. Therefore, AG ¶ 16(a) is not established.

Guideline G: Alcohol Consumption

The security concern relating to the guideline for Alcohol Consumption is set out in AG ¶ 21:

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.

The guideline at AG ¶ 22 contains seven conditions that could raise a security concern and may be disqualifying. Five conditions may apply:

- (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 the frequency of the individual's alcohol use or whether the individual has been diagnosed with alcohol use disorder;
- (c) habitual or binge consumption of alcohol to the point of impaired judgment, regardless of whether the individual is diagnosed with alcohol use disorder;
- (d) diagnosis by a duly qualified medical or mental health professional (e.g., physician, clinical psychologist, psychiatrist, or licensed clinical social worker) of alcohol use disorder;
- (e) the failure to follow treatment advice once diagnosed; and
- (f) alcohol consumption, which is not in accordance with treatment recommendations, after a diagnosis of alcohol use disorder.

Applicant admitted the incidents occurred, and the burden shifts to Applicant to mitigate those concerns.

The guideline at AG ¶ 22 contains seven conditions that could raise a security concern and may be disqualifying. Five conditions may apply:

- (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 the frequency of the individual's alcohol use or whether the individual has been diagnosed with alcohol use disorder;
- (c) habitual or binge consumption of alcohol to the point of impaired judgment, regardless of whether the individual is diagnosed with alcohol use disorder;

(d) diagnosis by a duly qualified medical or mental health professional (e.g., physician, clinical psychologist, psychiatrist, or licensed clinical social worker) of alcohol use disorder;

(e) the failure to follow treatment advice once diagnosed; and

(f) alcohol consumption, which is not in accordance with treatment recommendations, after a diagnosis of alcohol use disorder.

Applicant admitted that the incidents alleged in SOR ¶¶ 3 a-e occurred, but provided credible explanations that either he was not driving, or that he had not been drinking or that he had a medical condition. He was credible in his explanations concerning the incidents. Each case was dismissed. When he was a government employee, he reported the incidents to his supervisor. As a private employee, he also reported the incidents.

Applicant acknowledges that he occasionally drinks wine. He was credible in his description of being pulled over by police officers and feels that perhaps he is being targeted in certain areas. (Tr.155) He has never been diagnosed as an alcohol abuser or dependent. His latest incident was in September 2019 (drunk in public) which was dismissed. He completed the probation before judgment requirements in terms of parole successfully. Applicant has mitigated the security concern under the alcohol guideline.

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 applicable 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, E, and G in my whole-person analysis, and I have considered the factors in AG ¶ 2(d). After weighing the disqualifying and mitigating conditions under Guidelines F, E, and G and evaluating all the evidence in the context of the whole person, including Applicant's credibility and openness at the hearing, I conclude that Applicant did not deliberately falsify his SCA, he

has mitigated the security concerns raised by his financial indebtedness, personal conduct, and alcohol consumption. Accordingly, Applicant has 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): FOR APPLICANT

Subparagraphs 1.a -1.g: For Applicant

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

Subparagraphs 2.a - c: For Applicant

Paragraph 3, Guideline G (Alcohol) FOR APPLICANT

Subparagraphs 3.a - e: For Applicant

Conclusion

I conclude that it is clearly consistent with the national interest to grant Applicant's eligibility for access to classified information. Clearance is granted.

Noreen A. Lynch
Administrative Judge