



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



In the matter of: )  
 )  
----- ) ISCR Case No. 22-00226  
 )  
Applicant for Security Clearance )

**Appearances**

For Government: Aubrey De Angelis, Department Counsel  
For Applicant: *Pro se*

02/02/2023

**Decision**

WESLEY, ROGER C. Administrative Judge

Based upon a review of the case file, pleadings, exhibits, and testimony, Applicant mitigated financial considerations, alcohol consumption, and personal conduct concerns. Eligibility for access to classified information or to hold a sensitive position is granted.

**Statement of the Case**

On March 16, 2022, the Department of Defense (DoD) Consolidated Central Adjudications Facility (CAF) issued a statement of reasons (SOR) to Applicant detailing reasons why under the financial considerations, alcohol consumption, and personal conduct concerns guidelines the DoD could not make the preliminary affirmative determination of eligibility for granting a security clearance, and recommended referral to an administrative judge to determine whether a security clearance should be granted, continued, denied, or revoked. The action was taken under Executive Order (Exec. Or.) 10865, *Safeguarding Classified Information within Industry* (February 20, 1960); DoD Directive 5220.6 *Defense Industrial Personnel Security Clearance Review Program*, (January 2, 1992) (Directive); and Security Executive Agent Directive 4, establishing in Appendix A the *National Security Adjudicative Guidelines for Determining Eligibility for*

*Access to Classified Information or Eligibility to Hold a Sensitive Position (AGs)*, effective June 8, 2017.

Applicant responded to the SOR on May 9, 2022, and requested a hearing. This case was assigned to me on August 23, 2022. It was scheduled for hearing on November 29, 2022, via Teams remote teleconferencing services, and was heard on the scheduled date. At the hearing, the Government's case consisted of 11 exhibits. (GEs 1-11) Applicant relied on one witness (herself) and 14 exhibits. The transcript (Tr.) was received on December 7, 2022.

### **Procedural Issues**

Before the close of the hearing, Applicant requested the record be kept open to permit her the opportunity to supplement the record with documentation of the chips she earned from her seven years of sustained participation in an alcohol recovery program operated by Alcoholics Anonymous (AA) in her home community. For good cause shown, Applicant was granted 10 calendar days to supplement the record. Department Counsel was afforded 10 days to respond. Within the time permitted, Applicant supplemented the record with documented earned AA chips commemorating her seven sustained years of sobriety. Applicant's post-hearing submission was admitted without objections as AE O.

Additionally, Applicant requested leave to furnish post-hearing submissions documenting her current income status and steps she has taken to repay her SOR-listed delinquent debts. Within the time permitted, Applicant documented her employment promotions, her repayment plan schedule, and her upfront \$2,078 payment. Applicant's submissions were admitted without objection as AEs P-R.

### **Summary of Pleadings**

Under Guideline F of the SOR, Applicant allegedly accumulated six delinquent debts exceeding \$42,000. Allegedly, these debts remain unresolved and outstanding.

Under Guideline G, Applicant allegedly incurred five alcohol-related arrests and related charges between January 2001 and December 2015. Allegedly, one of these arrests and charges included charges of driving on a suspended license. The allegations covered by Guideline G are cross-alleged under Guideline E.

In her response to the SOR, Applicant admitted all of the alleged debts with explanations and clarifications. She claimed she is a single mother and is currently reviewing her financial situation with her bankruptcy attorney. Addressing the allegations covered by Guideline G, Applicant admitted the allegations with explanations and clarifications. She claimed she has been sober for seven years and has benefitted from her continuing therapy and AA attendance. She further claimed that she has obtained her certification from her residence state as a recovery support specialist in order to facilitate her opportunities to assist other recovering alcoholics.<sup>6</sup>

## **Findings of Fact**

Applicant is a 47-year-old civilian of a defense contractor who seeks a security clearance. Admitted facts are adopted and incorporated by reference. Additional findings of fact follow.

### **Background**

Applicant married in February 1994 and divorced in March 2004. (GEs 1-2) She has two children (ages 26 and 13). (GEs 1-3; Tr. 31, 51) She earned two associate's degrees: one in May 2001 and another in December 2007. (GEs 1-2) Additionally, she earned a bachelor's degree in 2013 and has taken college courses since 2013 without earning any diplomas or degrees. (Tr. 31) Applicant reported no military service.

Since May 2017, Applicant has been employed full time by her current employer as a debt management analyst. (GE 2; Tr. 32). Previously, she worked for other employers in various jobs. (GEs 1-2) She reported a lay off and ensuing unemployment in 2015 and 2016.

### **Applicant's finances**

Burdened by her 2015 layoff and her struggles with alcohol and managing her family's needs as a single mother, Applicant accumulated a number of delinquent accounts: six delinquent debts altogether exceeding \$42,000. (GEs 7-8 and AE E; Tr. 27, 34-35) The listed delinquent SOR debts are comprised of the following consumer accounts: SOR ¶¶ 1.a (for \$13,087); 1.b (for \$595); 1.c (for \$6,674); 1.d (for \$12,675); 1.e (for \$7,327); and 1.f (for \$1,375). After making a few payments on her SOR debts following her 2015 layoff, Applicant ceased making any payments in 2016. (GEs 4-5 and 7-8) To her credit, she has kept her student loan accounts current and paid off some of her student loans. (AE L; Tr. 27, 37-38) However, by the close of the hearing, her listed SOR debts remained unresolved and outstanding. (GEs 7-8, 35)

Afforded an opportunity to provide updated documentation of her addressing her delinquent SOR accounts, Applicant documented her employment promotion (AE P) and receipts of payments made to her retained debt repayment firm. (AEs Q-R) Under the terms of her repayment plan, she obligated herself with making an initial upfront payment of \$2,078 with monthly payments of \$1,784 until her scheduled debts are satisfied. (AE Q) Each of her payments is scheduled for allocation among her six SOR-listed debts. (AE Q) With her post-hearing submissions, Applicant documented her progress in addressing her individual delinquent accounts. (AE R) Her initial upfront \$2,078 payment was allocated in December 2022 in accordance with a pre-arranged allocation schedule established by Applicant and her debt repayment firm. (AE R)

In January 2022, Applicant earned a lateral-move promotion with her employer. (AE P) The promotion raised her annual base-pay compensation from \$78,021 to a

current base salary of \$95,000. (GE P; Tr. 32-33) Currently, her monthly expenses include medical bills (\$500), a home mortgage (\$1,000), and insurance (\$300 to \$400). (Tr. 38-39) In emergencies, she can turn to an IRA retirement account that currently has around \$95,000 in liquid funds. (Tr. 39) With her salary advances, she is much better positioned to maintain her debt repayment commitments. (Tr. 39-40)

### **Applicant's alcohol consumption history**

Applicant was introduced to alcohol at the age of six. (GE 4; Tr. 41) Her mother's friends would give her alcohol at a local bowling alley. Between January 2001 and December 2015, Applicant incurred five alcohol-related arrests. (GEs 1-6, 7-11 and AEs A-D and F; Tr. 41)

Over the course of these 15 years, she drank heavily recurrently and (beginning in 2005) to the point of intoxication, despite periodic attempts to quit drinking. (GEs 4-5; Tr. 25) She attributed her excessive drinking to her layoff, her abusive relationships, and parenting issues related to her son who was born out of wedlock in 2009.

Ongoing legal custody problems continued to plague and disrupt her relationships with her son and the son's father. (GEs 2 and AEs J-K) Other stresses endured by Applicant in the 2013-2015 period included her anxiety over the expected release of her stepfather from prison in 2014. (AE C) Before his conviction for sexual exploitation of a minor, Applicant reported her observation of her stepfather's peering through a window to gaze at her daughter's bathing. (Tr. 26-27)

Chronologically, Applicant incurred her first driving under the influence arrest (DUI) and charge in January 2001. Appearing in court, she was found guilty, fined, sentenced to one day in jail, and placed on probation. (GEs 4-5, 9 and 11) Probation conditions included required alcohol classes, which she satisfactorily completed. (Tr. 43)

Applicant was arrested again in April 2007 and charged with DUI. Records document that she pled guilty, was fined \$500, was sentenced to one day in jail, and was placed on 12 months of probation. (GEs 4-5 and AE C) Probation conditions included attendance of alcohol classes that she successfully completed.

Following her 2007 DUI incident, Applicant quit drinking and maintained her abstinence for about three years. (GEs 4-5; Tr. 43-44) Recognizing she had an alcohol problem, she voluntarily attended AA meetings in 2007. (Tr. 43) A motivating factor for Applicant's maintaining her sobriety during this three-year stretch was her pregnancy with her son in 2009. Her pregnancy prompted her to place more focus on her family and career. (Tr. 43)

In December 2013, Applicant was arrested and charged with her third DUI. (GEs 4-5 and 9; Tr. 45, 48) She pled guilty and was found guilty as charged. She was fined \$1,000 and sentenced to one day in jail and 12 months of probation with a suspended

license. (GEs 4-5) Applicant successfully completed her sentence and performed 50 hours of community service. (GE 4; Tr. 46) Months later, she was successful in setting aside her 2013 conviction for good cause shown on the strength of her credited satisfaction of the court's ordered substance abuse counseling classes. (AE D)

In August 2014, Applicant was arrested for the fourth time and charged with felony aggravated DUI, based on a registering of a .22% blood alcohol content (BAC) reading. (GEs 5-6 and AE F) Appearing in court, her case was dismissed without prejudice for lack of any filed complaint. (GE 5 and AE F; Tr. 28) Applicant reported the incident to her employer and self-referred herself to a substance abuse center (A Center) for intensive outpatient therapy for her diagnosed post traumatic stress disorder (PTSD) and alcohol dependence. (GE 6) Applicant documented her ten visits to this facility between April 2014 and May 2014. (AE 6)

Applicant followed up her sessions with A Center with additional outpatient sessions with another outpatient service center (B Center) in October 2014. (AE H; Tr. 28-29) Diagnosed with an updated alcohol-related disorder, Applicant attended outpatient sessions with this B Center facility and was discharged with an unchanged diagnosis in August 2015. (AE H; Tr. 28-29) With her discharge, she received a recovery certificate recognizing her 84 hours of received health services from her A Center therapists. (AE H)

The stresses Applicant experienced from her parenting challenges and struggles with her stepfather following his release from prison were leading factors in influencing her to give up the drinking that had produced a "snowball" effect on her and created such a "slippery slope" and reminder of the death of her father in 2014 from liver issues associated with alcohol abuse. (AE C; Tr. 26)

In December 2015, Applicant was arrested for a fifth DUI offense and charged with felony aggravated DUI. (GEs 5 and 9) These charges were dismissed with no finding of alcohol in Applicant's system at the time of her arrest. (GEs 5 and 9 and AE I; Tr. 28-29) While her driver's license was temporarily suspended in connection with her 2015 arrest, her driving privileges were restored on her appeal to her state's department of motor vehicles. (AE K)

Since her last alcohol-related incident in 2014, Applicant has maintained her complete sobriety (with no slips or relapses) with the aid of a sponsor and weekly attendance at AA meetings. (Tr. 55-56) These meetings are co-meetings (men and women both) and include individual testimonials and working the 12 steps. (Tr. 55-56) Applicant reinforced her sustained abstinence assurances with earned chips commemorating her eight years of maintained sobriety. (AE O)

Applicant's licensed family therapist further corroborated Applicant's sustained sobriety over the past eight years. (AE M) Noting her first meeting with Applicant in 2009, the therapist confirmed her continuing counseling sessions with Applicant "throughout the years" based around alcohol dependence, the factors that contributed to

her substance abuse, and the challenges she continued to endure because of it. (AE M) In taking her background history, Applicant's family therapist traced her earlier struggles with alcohol dependence, fueled by employment and family difficulties in her personal life. (AE M) Applicant's family therapist credited her with both sustained sobriety since 2014, and turning her life around with her work and family relationships. (AE M)

Besides seeing her family therapist, Applicant has consulted with a licensed health provider for treatments of her diagnosed attention deficit disorder (ADD). (Tr. 29) Her treatment sessions have helped her to improve her focus and ability to endure impulsive behaviors and hyperactivity. (AE J-M; Tr. 29) Out of her desire to help other recovering alcoholics, she obtained her certification from her residence state as a recovery support specialist. See Applicant's response to SOR.

## **Endorsements**

Applicant is well regarded by her supervisors and coworkers. (AE N) Uniformly, they credit her with reliability, taking responsibility with her coworkers and family, and demonstrating trusted judgment in all of her business and family relationships. (AEs M-N) Applicant's employment records confirm her steady employment and promotions and awards during her past six years of employment. (AEs M-P)

## **Policies**

By virtue of the jurisprudential principles recognized by the U.S. Supreme Court in *Department of the Navy v. Egan*, 484 U.S. 518, 528 (1988), "no one has a 'right' to a security clearance." 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. Eligibility for access to classified information may only be granted "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 adjudicative guidelines. These guidelines are not inflexible rules of law. Instead, recognizing the complexities of human behavior, these guidelines are applied 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, reliable information about the person, past and present, favorable and unfavorable.

The AGs list guidelines to be considered by judges in the decision-making process covering DOHA cases. These guidelines take into account factors that could create a potential conflict of interest for the individual applicant, as well as considerations that could affect the individual's reliability, trustworthiness, and ability to protect classified information. These guidelines include conditions that could raise a security concern and may be disqualifying (disqualifying conditions), if any, and all of the conditions that could mitigate security concerns, if any.

These guidelines must be considered before deciding whether or not a security clearance should be granted, continued, or denied. Although, the guidelines do not require judges to place exclusive reliance on the enumerated disqualifying and mitigating conditions in the guidelines in arriving at a decision.

In addition to the relevant AGs, judges must take into account the pertinent considerations for assessing extenuation and mitigation set forth in ¶ 2(a) of the AGs, which are intended to assist the judges in reaching a fair and impartial, commonsense decision based on a careful consideration of the pertinent guidelines within the context of the whole person. The adjudicative process is designed to examine a sufficient period of an applicant's life to enable predictive judgments to be made about whether the applicant is an acceptable security risk.

When evaluating an applicant's conduct, the relevant guidelines are to be considered together with the following ¶ 2(d) factors: (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 of the conduct; (8) the potential for pressure, coercion, exploitation, or duress; and (9) the likelihood of continuation or recurrence.

Viewing the issues raised and evidence as a whole, the following individual guidelines are pertinent herein:

### **Financial Considerations**

*The Concern:* 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 or 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 acts or otherwise questionable acts to generate funds. . . . AG ¶ 18.

### **Alcohol Consumption**

*The Concern:* 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. AG ¶ 21.

### **Personal Conduct**

*The Concern:* 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. . . AG ¶ 15.

### **Burdens of Proof**

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 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 "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. See also Exec. Or. 12968 (Aug. 2, 1995), § 3.1.

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 (4<sup>th</sup> 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. 95-0611 at 2 (App. Bd. May 2, 1996).

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 ultimate burden of demonstrating that it is clearly consistent with the national interest to grant or continue his [or her] security clearance." ISCR Case No. 01-20700 at 3 (App. Bd. Dec. 19, 2002).

The burden of disproving a mitigating condition never shifts to the Government. See ISCR Case No. 02-31154 at 5 (App. Bd. Sep. 22, 2005). "[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

Security concerns are raised over Applicant's accumulation of six delinquent accounts. Allegedly, these delinquent accounts were not resolved at hearing and remained outstanding. Additional security concerns are raised over Applicant's history of abusive drinking.

### Financial concerns

Applicant's debt delinquencies warrant the application of two of the disqualifying conditions (DC) of the financial consideration guidelines: DC ¶¶ 19(a), "inability to satisfy debts"; and 19(c), "a history of not meeting financial obligations." Each of these DCs apply to Applicant's situation.

Applicant's six admitted debts with explanations and clarifications require no independent proof to substantiate them. See Directive 5220.6 at E3.1.1.14; *McCormick on Evidence* § 262 (6<sup>th</sup> ed. 2006). Her admitted debts are fully documented and create judgment issues as well over the management of her finances. See ISCR Case No. 03-01059 (App. Bd. Sept. 24, 2004). Although she qualified her admissions with explanations, her admissions can be weighed along with other evidence developed during the hearing.

Financial stability in a person cleared to protect classified information is required precisely to inspire trust and confidence in the holder of a security clearance that entitles the person to access classified information. While the principal concern of a security clearance holder's demonstrated difficulties is vulnerability to coercion and influence, judgment and trust concerns are implicit in cases involving delinquent debts.

Historically, the timing of addressing and resolving debt delinquencies are critical to an assessment of an applicant's trustworthiness, reliability, and good judgment in following rules and guidelines necessary for those seeking access to classified information or to holding a sensitive position. See ISCR Case No. 14-06808 at 3 (App. Bd. Nov. 23, 2016); ISCR Case No. 14-01894 at 5 (App. Bd. Aug. 18, 2015).

Applicant's cited layoff and ensuing income limitations impaired her ability to make her timely monthly payments on her debts. Application of mitigating condition MC ¶ 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," applies to her financial situation.

Since the hearing, Applicant initiated a repayment plan with a credible debt repayment firm and has taken documented steps to address her SOR-listed debts with scheduled monthly repayments of her listed debts. While her current track record of

repayment is still in the very early stages, she has been able to document a concrete plan for repaying her listed delinquent accounts over a scheduled period of time and seasoned her plan with an upfront down payment.

Based on her post-hearing initiatives to date, application of MC ¶¶ 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 20(d), “the individual initiated and is adhering to a good-faith effort to repay overdue creditors or otherwise resolve debts” are applicable to Applicant’s financial situation. Applicant’s post-hearing repayment efforts reflect good-faith steps undertaken to fulfill the debt payment requirements of her debt repayment plan.

In evaluating Guideline F cases, the Appeal Board has stressed the importance of a “meaningful track record” that includes evidence of actual debt reduction through the voluntary payment of accrued debts. See ISCR Case No. 19-02593 at 4-5 (App. Bd. Oct. 18, 2021); ISCR Case No. 19-01599 at 3 (App. Bd. Jan. 20, 2020). By the evidence presented with (inclusive of her post-hearing submissions), Applicant is able to demonstrate a credible track record of actual debt reduction.

### **Alcohol consumption concerns**

Additional security concerns are raised over Applicant’s multiple years of alcohol abuse associated with her multiple alcohol-related arrests and recurrent drinking to the point of intoxication. While not all of the five DUI arrests resulted in convictions, they remain of overall security concern.

On the strength of the evidence documented in the record, three disqualifying conditions (DCs) of the alcohol consumption guideline apply. DCs ¶¶ 22(a), “alcohol-related incidents away from work, such as driving 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”; 22(c), “habitual or binge consumption of alcohol to the point of impaired judgment, regardless of whether the individual is diagnosed with alcohol abuse disorder”; and 22(d), “diagnosis by a duly qualified medical or mental health professional (e.g., physician, clinical psychologist, psychiatrist, or licensed social worker) of alcohol use disorder.” Each of these disqualifying conditions warrant consideration in an overall assessment of Applicant’s years of alcohol abuse.

Cross-alleged under Guideline E are Applicant’s DUI arrests covered by Guideline G. Applicable under the personal conduct guideline is: DC ¶ 16(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 information.”

Recognizing her mistakes in judgment associated with her recurrent periods of abusive drinking, Applicant achieved complete sobriety over the past eight years with the help of AA participation and strengthening her work and family relationships. Based on the evidence presented, Applicant may take advantage of several mitigating conditions MCs. MCs ¶¶ 23(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 judgment”; 23(b), “the individual acknowledges his or her pattern of maladaptive alcohol use, provides evidence of actions taken to overcome this problem, and has demonstrated a clear and established pattern of modified consumption or abstinence in accordance with treatment recommendations”; and 23(d), the individual has successfully completed a treatment program along with any required aftercare, and has demonstrated a clear and established pattern of modified consumption or abstinence in accordance with treatment recommendations.”

Applicable mitigating conditions under cross-alleged Guideline E are 17(d), “the individual has acknowledged the behavior and obtained counseling to change the behavior or taken other positive steps to alleviate the stressors, circumstances, or factors that contributed to untrustworthy, unreliable, or other inappropriate behavior, and such behavior is unlikely to recur,” and 17(e), “the individual has taken positive steps to reduce or eliminate vulnerability to exploitation, manipulation, or duress.” Each of these mitigating conditions cover Applicant’s situation.

Based on the composite of demonstrated corrective actions taken by Applicant since she ceased drinking in 2014, Applicant is credited with making considerable progress in the management of her mental health and associated drinking.

### **Whole-person assessment**

Whole-person assessment of Applicant’s clearance eligibility requires consideration of whether her finances are fully compatible with minimum standards for holding a clearance. Taking into account Applicant’s credited defense contributions, her demonstrated progress in addressing her delinquent accounts, and her sustained efforts in practicing sobriety and training in helping other recovering alcoholics, and with over eight years of individual counseling sessions with her family therapist, sufficient evidence has been presented to enable her to maintain sufficient control of her finances and alcohol consumption to meet minimum standards for holding a security clearance.

I have carefully applied the law, as set forth in *Department of Navy v. Egan*, 484 U.S. 518 (1988), Exec. Or. 10865, the Directive, and the AGs, to the facts and circumstances in the context of the whole person. I conclude financial consideration, alcohol consumption, and personal conduct security concerns are mitigated. Eligibility for access to classified information is granted.

## **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:

Guideline F (FINANCIAL CONSIDERATIONS): FOR APPLICANT

Subparagraphs 1.a-1.f: For Applicant

Guideline G (ALCOHOL CONSUMPTION): FOR APPLICANT

Subparagraphs 2.a-2e: For Applicant

Guideline E (PERSONAL CONDUCT): FOR APPLICANT

Subparagraph 3.a: For Applicant

## **Conclusion**

In light of all of the circumstances presented by the record in this case, it is clearly consistent with the national interest to grant Applicant eligibility for a security clearance. Eligibility for access to classified information is granted.

---

Roger C. Wesley  
Administrative Judge