



DEPARTMENT OF DEFENSE  
DEFENSE OFFICE OF HEARINGS AND APPEALS



In the matter of: )  
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Applicant for Security Clearance )

ISCR Case No. 12-07478

**Appearances**

For Government: Braden M. Murphy, Esq., Department Counsel  
For Applicant: *Pro se*

06/30/2015

**Decision**

CREAN, Thomas M., Administrative Judge:

Based on a review of the pleadings, exhibits, and testimony, eligibility for access to classified information is granted. Applicant provided sufficient information to mitigate security concerns for drug involvement, alcohol consumption, criminal conduct, and personal conduct.

**Statement of the Case**

On August 26, 2010, Applicant submitted an Electronic Questionnaire for Investigations Processing (e-QIP) to obtain a security clearance required for a position with a defense contractor. After reviewing a background investigation conducted by the Office of Personnel Management (OPM), the Department of Defense (DOD) granted Applicant eligibility for access to classified information on April 1, 2011. Applicant's employer submitted an incident report to the Joint Personnel Adjudication System (JPAS) on November 16, 2011, noting that Applicant self-reported an alcohol-related incident on November 8, 2011. Applicant was sent interrogatories concerning the incident, to which he replied on October 14, 2014. He was also interviewed by a security investigator from OPM on March 20, 2012. After reviewing the incident report, Applicant's answers to the interrogatories, and the security investigator's report, DOD

could not make the affirmative findings required to continue a security clearance for Applicant. DOD issued Applicant a Statement of Reasons (SOR), dated January 14, 2015, detailing security concerns for drug involvement under Guideline H, alcohol consumption under Guideline G, criminal conduct under Guideline J, and personnel conduct under Guideline E. The action was taken 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).

Applicant answered the SOR on February 10, 2015. He admitted all of the allegations under the four guidelines. Department Counsel was prepared to proceed on April 27, 2015, and the case was assigned to me on May 11, 2015. DOD issued a Notice of Hearing on May 20, 2015, scheduling a hearing for June 4, 2015. I convened the hearing as scheduled. The Government offered seven exhibits that I marked and admitted into the record without objection as Government Exhibits (GX) 1 through 7. Applicant testified and introduced seven exhibits that I marked and admitted into the record without objection as Applicant Exhibits (AX) A through G. I kept the record open for Applicant to submit additional documents. Applicant timely submitted an additional document marked and admitted into the record without objection as AX H. (GX 8, e-mail, dated June 8, 2015) Department Counsel also submitted information concerning Applicant's driver's license that had been discussed during the hearing. (GX 9, e-mail, dated June 4, 2015) DOHA received the transcript of the hearing (Tr.) on June 12, 2015.

### **Findings of Fact**

After a thorough review of the pleadings, transcript, and exhibits, I make the following essential findings of fact.

Applicant is a 29-year-old college graduate who received his bachelor's degree in accounting in 2010. He has been employed since August 2010 as an accountant by an accounting firm that does work for DOD. He received his Certified Public Accountant Certificate and license in December 2014. He is single and has no children. (Tr. 24-25, 40-43; AX 1, e-QIP, dated August 27, 2010)

The SOR alleges under drug involvement that Applicant used marijuana after being granted a security clearance (SOR 1.a), and that he violated his employer's no-drug-use policy in October 2011 (SOR 1.b). The SOR lists six alcohol-related incidents: under age possession of alcohol in October 2004 (SOR 2.a), November 2004 (SOR 2.b), December 2004 (SOR 2.c), and November 2005 (SOR 2.d); driving while intoxicated (DWI) in October 2006 (SOR 2.e); and DWI in August 2011 (SOR 2.f). The SOR lists three criminal offenses: the underage consumption of alcohol offenses (SOR 2 a-2.g) and drug offenses (SOR 1.a and 1.b); and a violation of state law by operating a motor vehicle without a valid driver's license from September 2010 until August 2011

(SOR 3.c). All of the above offenses are also alleged as a personal conduct security concern (SOR 4.a).

Applicant graduated from high school in June 2004, and started his college studies at a large state university not in his home state. He was 18 years old at the time. He started drinking alcohol three or four nights a week with his fellow students. By his own admission, Applicant became friends with, partied with, and drank alcohol with the wrong students. At the time, the university was making an expanded effort to curtail underage drinking of alcohol at the school. The legal drinking age in the state was 21. Applicant was arrested and convicted for underage possession of alcohol at a football game in October 2004. He was placed in the first offender program. Applicant was again charged and convicted of underage possession of alcohol at a football game in November 2004, and placed on probation for a year. He was charged and convicted of underage possession of alcohol at a football game in December 2004, and his probation for the previous offenses was extended. He completed his first year of college and returned for the fall semester in 2005. In November 2005, he was arrested and charged with underage possession of alcohol at a football game. He was sent to a special court program, sentenced to 10 days in jail, and his probation was extended. Applicant completed his second year of college without further incident. He returned to the same college for his third year in the fall of 2006. In October 2006, he was apprehended after a football game for driving under the influence of alcohol. He was convicted, his probation terminated, and he was sentenced to and served 180 days in jail. He completed his sentence in March 2007. After completing his jail term, he did not drink alcohol for a few months. His pattern of alcohol consumption became, and it is still his pattern today, drinking one or two alcoholic beverages once or twice a month. (Tr. 24-26, 40-48)

Applicant did not attend or get credit for school while in jail. Upon completion of his sentence, his parents made him return to their house in his home state. He took courses at the local community college before attending a college in his home state. He completed his bachelor's degree in accounting in August 2010, and started employment with a large accounting firm close to his family's home for whom he is still employed. Since his employer did accounting work for the Government, Applicant applied for and was granted eligibility for access to classified information in April 2011. (Tr. 25-32; GX 2, JPAS Entry, dated April 4, 2011; GX 4, Response to Interrogatories, dated October 14, 2014; GX 5, Federal Bureau of Investigation Criminal History Report, dated August 10, 2010; GX 6, Personal Subject Interview, dated October 26, 2010)

Applicant applied for a driver's license from his home state when he returned home after his jail term in March 2007. He was granted a license even with his convictions because his home state and the state where he was convicted and jailed did not have a reciprocal driver's license compact at the time. He drove with a valid license from 2007 until September 2010. Applicant had to renew his license in September 2010, and was advised that the two states now had a driver's license reciprocal compact. Even though he never had a driver's license issued by the state where he attended school, his eligibility for a driver's license in that state was suspended because of his

criminal record. He had to receive a clearance from the other state before he could renew his home state license. Applicant had just completed college and started his new job. He did not have the funds needed to pay the fees to clear his records in both states. He was not driving his car much since he mainly used public transportation to go to work and move around town. He decided not to pay the fees and renew his license. He admitted that at times he knowingly drove his car without a license. He did not have a valid driver's license in August 2011 when he was apprehended for driving without a license. Applicant now has a valid driver's license. He did not drive again until April 2013 when he received a valid driver's license. (Tr. 33-35; GX. 7, e-mail, dated June 4, 2015)

Applicant's next alcohol-related incident was in August 2011. Applicant attended a barbeque with friends and consumed beer. He used public transportation to get to the barbeque and used public transportation later that evening after the party to return home. A few hours later after arriving home from the party, Applicant received a call from a friend advising him of another party not far from his home. Applicant felt that there had been sufficient time since his last consumption of alcohol that he was now not incapacitated by alcohol and could safely drive. He drove to the party but was apprehended by federal park police for speeding. He was checked for alcohol consumption, and it was determined that he had a blood alcohol level over the legal limit. Applicant was convicted in November 2011 of driving under the influence of alcohol and sentenced to two years in jail, suspended except for five days, required to complete an alcohol safety program, and placed on probation for two years. Applicant was required as a condition of probation to call the probation office once a week to learn if he had to take a drug and alcohol test. Applicant was tested at least twice a month for drug and alcohol consumption during his period of probation. All tests were negative for consumption of illegal drugs and alcohol. Applicant completed the alcohol safety program and the probation in late 2014. Department Counsel provided a statement that he examined Applicant's driver's license after the hearing as he stated he would do during the hearing, and that there are no restrictions to Applicant's driving privilege. (Tr.31-34, 51-54; GX 9, e-mail, dated June 4, 2015; AX E, Alcohol Safety Program Completion Letter, dated November 19, 2014; AX F, Probation Completion Letter, dated September 11, 2014; AX G, Court documents, dated November 8, 2011)

Applicant immediately advised his facility security officer (FSO) of his arrest for driving while intoxicated in August 2011. His FSO filed an incident report in the Joint Personnel Adjudication System (JPAS). Based on this information, Applicant was sent interrogatories by DOD adjudicators in October 2014, and was interviewed by a security investigator from OPM. During his interview, Applicant voluntarily advised the security investigator that he used marijuana in October 2011. Applicant was at a party where a marijuana cigarette was passed around. He took at least one puff from the cigarette. Applicant was stressed at the time, believing he was about to lose his job, his security clearance, and his CPA license because of the August 2011 DWI. Applicant had been granted access to classified information in April 2011, and his company has a no-drug-use policy. Applicant had experimented a few times with marijuana in high school but had not used marijuana since before the October 2004 alcohol incident. He was

consistently drug tested while on probation after his first possession of alcohol offense in October 2004. All tests were negative. He has not used marijuana since the October 2011 incident. (Tr. 29-31, 42-43, 52-57)

Applicant completed his studies to be a certified public accountant (CPA), and applied for his CPA license. Since he had criminal convictions, the state ordered Applicant to appear at a hearing to justify a CPA license. The hearing was held on November 14, 2014. The panel recommended that Applicant be granted a CPA license. He received his CPA license on December 5, 2014. He is now studying to receive his certification as a Fraud Examiner. The managing partner of his accounting firm wrote in support of his CPA license that Applicant has been a valued member of their firm since August 2010. In his four years with the firm, Applicant has received positive annual reviews and been awarded several performance bonuses. He has shown tremendous personal and professional growth. He was promoted to senior auditor in January 2014, and he continues to take on additional responsibilities. He demonstrated high ethical values and a commitment to doing the job the right way. He recommends that Applicant be granted his CPA license. (Tr. 63-65; AX D, Letter, dated October 20, 2014)

Applicant admitted he showed a pattern of alcohol abuse when he was 19 or 20 years old but he has had only one incident in the last eight years. The incidents at college and his six months in jail have had a profound effect on him. Sitting in a courtroom and a hearing room, being interviewed, and undergoing counseling, has been a shocking experience he will never forget. He hurt his parents and caused them immense worry and embarrassment. He understands why his suitability to be eligible for classified information is being questioned. He has tried alcoholics anonymous (AA) but did not find it helpful for him. He has never been diagnosed as an alcoholic, an alcohol abuser, or alcohol dependent. (Tr. 36-38, 59-61)

Applicant has changed his lifestyle. After completing college, he shared an apartment with three friends from high school. The friends were professionals but they also partied and drank alcohol. He decided he needed a change of environment, so for the last two years he has shared an apartment with another high school friend who does not use drugs or consume alcohol. Applicant's father had been a great help in getting Applicant through the previous alcohol-related incidents. However, his father died about 18 months ago, so he lost one of the people he relied on to get him out of his troubles. Applicant still has a strong support system with his family. He lives near his mother and his three brothers, and spends a lot of his free time with them. He does consume alcohol, usually beer, about once a month with his brothers at his mother's house. He does not drive if he has been drinking alcohol. He understands that he has used up all of his good will, has no more chances, and must keep his life straight. He knows he will lose a lot in his life if he has one more alcohol or drug issue. He will lose his CPA license, his job, his security clearance, and many other privileges. He has completed counseling ordered by the courts for his alcohol-related offenses. Although, he abused alcohol in the past, he does not consider himself an alcoholic. He lived with the stress of probation and disappointing his family and employer. He wants to lead a normal life. Applicant provided a statement acknowledging that he will not use drugs while holding a

security clearance. If he does use drugs while holding a security clearance, it may result in the automatic revocation of his eligibility for access to classified information. (Tr. 15-17, 26-28, 33-40, 48-51, 60-63, 66-73; AX H, Statement, dated June 8, 2015)

## **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 list potentially disqualifying conditions and mitigating conditions, which must 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 overarching 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 in seeking 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 as to potential, rather than actual, risk of compromise of classified information.

While there is no "bright line" rule for determining when alcohol and drug use conduct is recent or sufficient time has passed since the incidents, a determination whether past conduct affects an individual's present reliability and trustworthiness must

be based on a careful evaluation of the totality of the evidence. If the evidence shows a significant period of time has passed without evidence of drug involvement, there must be an evaluation whether that period of time demonstrates changed circumstances or conduct sufficient to indicate a finding of reform or rehabilitation.

## **Analysis**

### **Drug Involvement**

The use of an illegal drug or misuse of a prescription drug can raise questions about an individual's reliability and trustworthiness, because it may impair judgment and raises questions about a person's ability or willingness to comply with laws, rules, and regulations. Drug abuse is the illegal use of a drug or use of a legal drug in a manner that deviates from approved medical direction. Drugs are defined as mood and behavior altering substances, including drugs material and other chemical compounds identified and listed in the Controlled Substances Act of 1970. Marijuana or cannabis is included on this list. (AG ¶ 24)

Applicant admits using marijuana one time in October 2011 in violation of his company's no-drug-use policy and after being granted a security clearance in April 2011. Applicant's admitted use of marijuana raises Drug Involvement Disqualifying Conditions AG ¶ 25(a) (any drug use); and AG ¶ 25(g) (any illegal drug use after being granted a security clearance).

I considered the following Drug Involvement Mitigating Conditions under AG ¶ 26:

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

(b) a demonstrated intent not to abuse drugs in the future, such as; (1) disassociation from drug-using associates and contacts; (2) changing or avoiding the environment where drugs were used; (3) an appropriate period of abstinence; (4) a signed statement of intent with automatic revocation of clearance for any violation.

These mitigating conditions apply. Applicant admits to infrequent experimental use of marijuana as a high school student prior to October 2004. Thereafter, he used only one time in October 2011 at a party when he was stressed because of a recent DWI offence with the possibility of losing his job and his professional license. He has not used any illegal drug since October 2011.

As noted in the policy section, there is no guide or rule to determine how long a period of abstinence from drug use must be to determine if the individual has been rehabilitated or reformed. Applicant has not used any illegal drug for almost four years.

Applicant realizes that he is now an adult and a professional. He must behave as an adult and professional and not use illegal drugs. He stated his clear intent not to use illegal drugs in the future, and has executed a document that his eligibility for access to classified information can be automatically revoked for any additional use of illegal drugs. His present friends do not use drugs and he has a strong family support system. His last use of marijuana was over four years ago, was infrequent, and happened under circumstances that are now unlikely to recur since he is now mature, aware of his adult responsibilities, and knows he may lose his professional license and job because of a further alcohol or drug incident. Applicant demonstrated his intent not to use drugs in the future. He changed his environment from college life to professional life, and has friends who do not use drugs. There has been an appropriate period of abstinence, and a change in lifestyle and circumstances. Applicant mitigated security concerns for drug involvement.

### **Alcohol Consumption**

Excessive alcohol consumption is a security concern because it 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)

Applicant was arrested and convicted three times in 2004 and once in 2005 as a college student for underage possession of alcohol. He was convicted in 2006 of driving while intoxicated and served 180 days in jail. He was again convicted of driving while intoxicated in August 2011 and placed on probation. He completed alcohol-prevention programs in 2006 and 2011. Applicant's alcohol-related incidents are sufficient to raise the following Alcohol Consumption Disqualifying Conditions under AG ¶ 22:

- (a) alcohol-related incidents away from work, such as driving while under the influence, fighting, child or spouse abuse, disturbing the peace, or other incidents of concern, regardless of whether the individual is diagnosed as an alcohol abuser or alcohol dependent; and
- (c) habitual or binge consumption of alcohol to the point of impaired judgment, regardless of whether the individual is diagnosed as an alcohol abuser or alcohol dependent.

I considered the following Alcohol Consumption Mitigating Conditions under AG ¶ 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 good judgment;
- (b) the individual acknowledges his or her alcoholism or issues of alcohol abuse, provides evidence of action taken to overcome this problem, and



has established a pattern of abstinence (if alcohol dependent) or responsible use (if an alcohol abuser; and

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

These mitigating conditions apply. As noted in the policy section, there is no guide or rule for determining when conduct is recent or sufficient time has passed since the incidents to determine if the individual is rehabilitated and reformed. Applicant admits his alcohol consumption was wrong, an immature action, and disrespectful to his family. His realizations are the first step in being rehabilitated and reformed. He has not had an alcohol-related incident in almost four years. He has demonstrated a change of circumstances in his choice of roommates and living near his mother and brothers. Applicant's present consumption of alcohol is moderate and with family members. He completed every alcohol-prevention program directed by the courts. A significant period of time has passed without evidence of an alcohol-related problem. Applicant demonstrated a change in his circumstances and his conduct reflects a change in his life that demonstrates that he can more completely control his alcohol consumption. The evidence shows that Applicant has been reformed or rehabilitated. His recent history shows that it is unlikely that he will consume alcohol to excess. I find that Applicant has mitigated the security concerns for alcohol consumption.

### **Criminal Conduct**

Criminal activity creates doubt about a person's judgment, reliability, and trustworthiness. By its very nature it calls into question a person's ability or willingness to comply with laws, rules, and regulations (AG ¶ 30). Reliable evidence shows that Applicant was arrested, convicted, or sentenced for alcohol-related incidents three times in 2004, once in 2005, once in 2006, and once in 2011. Applicant was also arrested and convicted of failure to have a valid driver's license in 2011. Applicant's criminal actions call into question his judgment, reliability, trustworthiness, and ability and willingness to comply with laws, rules, and regulations. Her actions raise the following Criminal Conduct Disqualifying Conditions under AG ¶ 31:

(a) a single serious crime or multiple lesser offenses; and

(c) allegation or admission of criminal conduct, regardless of whether the person was formally charged, formally prosecuted or convicted.

I considered all of the mitigating conditions under criminal conduct, especially the following Mitigating Conditions under AG ¶ 32:

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

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

These mitigating conditions apply. The alleged criminal conduct occurred from 2004 until 2006, and again in 2011. As noted above, Applicant presented sufficient information to mitigate his alcohol consumption security concerns. The criminal conduct based on the alcohol-related incidents is mitigated for the same reasons. The crime of operating a motor vehicle without a proper driver's license is mitigated by the passage of time. The reason why Applicant did not have a proper driver's license shows that the incident is unlikely to recur. The criminal activities do not reflect adversely on Applicant's ability or willingness to comply with laws, rules, and regulations. There is strong evidence that Applicant is remorseful for his criminal conduct. There is sufficient evidence to indicate Applicant is rehabilitated. His conduct does not cast doubt on his reliability, trustworthiness, and good judgment. Appellant mitigated security concerns for criminal conduct.

### **Personal Conduct**

The drug use, alcohol consumption, and criminal conduct allegations have also been alleged as a personal conduct security concern. Personal conduct is a security concern because conduct involving questionable judgment, untrustworthiness, unreliability, or unwillingness to comply with rules and regulations can raise questions about an individual's reliability, trustworthiness, and ability to protect classified information. (AG ¶ 15) Personal conduct is always a security concern because it asks whether the person's past conduct justifies confidence the person can be trusted to properly safeguard classified information.

As noted above, Applicant has mitigated security concerns for drug involvement, alcohol consumption, and criminal conduct. As such, he also mitigated security concerns for his personal conduct since the factual basis for the personal conduct allegation is the same for the other security concerns.

### **Whole-Person Analysis**

Under the whole-person concept, the administrative judge must evaluate an applicant's security eligibility 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.

Under AG ¶ 2(c), the ultimate determination of whether to grant a security clearance must be an overall commonsense judgment based upon careful consideration of the guidelines and the whole-person concept.

I considered the potentially disqualifying and mitigating conditions in light of all the facts and circumstances surrounding this case. I considered that Applicant completed his studies and is now a CPA. I considered the evaluation of Applicant by the managing partner of his firm, and the recommendation that Applicant be granted his CPA license.

Applicant was a young immature college student in 2004, 2005, and 2006 when he was arrested, convicted, sentenced, and incarcerated for six months for five alcohol-related incidents. He used marijuana one time in 2011 after being granted access to classified information. Applicant presented information to demonstrate that he has been reformed and rehabilitated. He used an illegal drug only once and has not used any illegal drug for almost four years. While he still consumes alcohol, his consumption is moderate under the controlled circumstances of being with his family. He changed his college lifestyle to a professional life style. He changed his living environment from drinking buddies to a friend who does not use drugs or alcohol. He completed all aspects of his sentences and probations. Applicant's positive actions indicate that he will be concerned and act responsibly in regard to classified information. His rehabilitation indicates he will follow rules and regulations concerning the safeguarding of classified information. Overall, the record evidence leaves me without questions and doubts as to Applicant's judgment, reliability, trustworthiness, eligibility, and suitability for a security clearance. For all these reasons, I conclude that Applicant mitigated security concerns arising under the drug involvement, alcohol consumption, criminal conduct, and personal conduct security guidelines. 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:

Paragraph 1, Guideline H:	FOR APPLICANT
Subparagraphs 1.a – 1.b:	For Applicant
Paragraph 2, Guideline G:	FOR APPLICANT
Subparagraphs 2.a – 2.f:	For Applicant
Paragraph 3, Guideline J:	FOR APPLICANT
Subparagraphs 3.a -3.c:	For Applicant
Paragraph 4, Guideline E:	FOR APPLICANT
Subparagraph 4.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.

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THOMAS M. CREAN  
Administrative Judge