



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



In the matter of:)
)
-----) ISCR Case No. 14-01050
)
Applicant for Security Clearance)

Appearances

For Government: Daniel F. Crowley, Esq., Department Counsel
For Applicant: *Pro se*

01/14/2015

Decision

HARVEY, Mark, Administrative Judge:

Applicant’s statement of reasons (SOR) alleges three debts totaling \$35,931. Applicant paid one debt, successfully disputed one debt, and is negotiating the settlement of the third debt. He was not aware of any delinquent debts when he completed his August 16, 2013 Electronic Questionnaires for Investigations Processing (e-QIP) version of security clearance application (SF 86). Financial considerations and personal conduct concerns are mitigated. Eligibility for access to classified information is granted.

Statement of the Case

On August 16, 2013, Applicant submitted an SF 86. (GE 1) On May 1, 2014, the Department of Defense (DOD) Consolidated Adjudications Facility (CAF) issued an SOR to Applicant, pursuant to Executive Order 10865, *Safeguarding Classified Information Within Industry*, dated February 20, 1960, as amended; DOD Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (Directive), dated January 2, 1992, as amended; and the adjudicative guidelines (AG) as revised by the Under Secretary of Defense for Intelligence on August 30, 2006, which became effective on September 1, 2006.

The SOR alleged security concerns under Guidelines F (financial considerations) and E (personal conduct). (HE 2) The SOR detailed reasons why DOD could not make the preliminary affirmative finding under the Directive that it is clearly consistent with the national interest to grant or continue a security clearance for Applicant and recommended referral to an administrative judge to determine whether Applicant's clearance should be granted, continued, denied, or revoked. (HE 2)

On June 3, 2014, Applicant responded to the SOR. (HE 3) On October 3, 2014, Department Counsel was prepared to proceed. On October 9, 2014, DOHA assigned the case to me. Applicant was deployed to Afghanistan, and his hearing was delayed. On December 5, 2014, DOHA issued a notice of the hearing, setting the hearing for December 17, 2014. (HE 1) The hearing was held as scheduled. Applicant waived his right to 15 days of notice of the date, time, and place of the hearing. (Tr. 16-17) Department Counsel offered four exhibits into evidence, and Applicant objected to consideration of his April 5, 2003 affidavit discussing a Chapter 13 bankruptcy he successfully completed, asserting it was stale and lacked relevance. (Tr. 24-25; GE 1-4) I overruled Applicant's objection because a history of financial problems is relevant under Guideline F. (Tr. 26) I admitted the Government's four proffered exhibits into evidence. (Tr. 26-27; GE 1-4) Applicant offered 13 exhibits, which were admitted without objection. (Tr. 28-33; AE A-M) I received the transcript of the hearing on January 5, 2015. On January 6, 2015, I received three exhibits from Applicant, which were admitted without objection. (AE N-P)

Findings of Fact¹

In Applicant's SOR response, he admitted responsibility for the debt in SOR ¶ 1.c. He denied the other SOR allegations. Applicant also provided extenuating and mitigating information. Applicant's admissions are accepted as findings of fact.

Applicant is 55 years old, and he has worked in the aviation field for 30 years. In 1977, he graduated from high school, and in 1983, he was awarded a bachelor's of science degree in biology with a minor in chemistry. (Tr. 7, 34) In 2005, he received a master's degree in business administration. (Tr. 7-8) He served on active duty in the Air Force from 1984 to 1996, and in the Air Force Reserve from 1997 to 2013. (Tr. 8, 35-41) He honorably retired as a lieutenant colonel. (Tr. 8)

Applicant has been married four times, and he is in the process of divorce. (Tr. 9) His three children are 15, 23, and 25 years old. (Tr. 64) He left Afghanistan in November 2014. (Tr. 56)

Financial Considerations

In 1997-1998, Applicant had financial problems resulting from his unemployment for one year after leaving active duty, and because he was going through a difficult

¹Some details have not been included in order to protect Applicant's right to privacy. Specific information is available in the cited exhibits.

divorce. (GE 4) In 1998, he filed for bankruptcy protection under Chapter 13 of the Bankruptcy Code. (GE 4) He successfully completed the Chapter 13 bankruptcy process, and his nonpriority, unsecured debts were discharged. (Tr. 24-26; GE 4)

Applicant's credit reports and SOR allege three debts totaling \$35,931 as follows: (1) state tax lien for \$2,455 (SOR ¶ 1.a); (2) \$31,540 debt owed to Applicant's former employer (SOR ¶ 1.b); and (3) rental car debt for \$1,936 (SOR ¶ 1.c).

The state erroneously believed Applicant was a state resident and filed a tax lien in 1999 for \$2,455. (Tr. 58-59; SOR response) On October 4, 2005, the state filed an order dismissing the tax lien because it was "in error." (SOR response, Atch. 2)

A DOD contractor, LA, employed Applicant from 2009 to September 2011 in Afghanistan. (Tr. 42) Applicant did not have a written contract of employment specifying the amount of salary Applicant would receive from LA. (Tr. 46-47) In 2011, Applicant resigned from his position working for LA, and included comments in his resignation about LA making false claims about delivering supplies to units in the field. (Tr. 44-45; SOR response at 4-5) In 2011, LA was aware that Applicant also alleged LA was overbilling the DOD for services in Afghanistan. (Tr. 87; SOR response at 4) LA believed Applicant had been overpaid for services in Afghanistan. LA caused the \$31,540 debt to be placed on Applicant's credit report. The LA debt was transferred to a collection company. Applicant has never received correspondence from LA asking Applicant to pay LA. (Tr. 46) This may be due to Applicant's frequent deployments to Afghanistan. Applicant and his attorney asked LA to explain or to substantiate the debt. (Tr. 46) Applicant estimated that he was overpaid by about \$13,500 (\$450 a day times 30 days) or perhaps it was by about \$5,500, if he had received a promised pay raise. (Tr. 49-53) Applicant is willing to settle the debt for \$9,000; however, he has not formally made a settlement offer to LA. (Tr. 50-53) On January 4, 2015, he filed written disputes with the creditor and the credit reporting company. (AE S)

Applicant rented a vehicle overseas. (Tr. 59; SOR response at 6) The vehicle was vandalized, and Applicant referred the damage claim to his insurance company. (Tr. 59-60; SOR response at 6) In December 2013, when Applicant checked his credit report and saw the debt, he investigated and learned the insurance company did not cover vandalism damage to a rental car overseas. (Tr. 60; SOR response at 6) On May 21, 2014, Applicant paid the rental car debt. (SOR response at 6 and Atch. 3)

Applicant has \$43,000 in an IRA, owns three properties with equity of about \$320,000, and has \$40,000 in checking and savings accounts. (Tr. 54; AE R) He is ready, willing, and able to settle the debt to LA once LA authenticates the debt. His credit reports show numerous credit entries that are positive and debts that are current or were current prior to being paid. (GE 2, 3; AE A)

Personal Conduct

Applicant's August 16, 2013 SF 86 in Section 26 under the label "**Delinquency Involving Routine Accounts**" asked two relevant questions: (1) "**In the past seven (7)**

years, [have] you had any bills or debts turned over to a collection agency?"; and (2) **"In the past seven (7) years**, [have you] been over 120 days delinquent on any debt not previously listed?" (emphasis in original; GE 1) Applicant answered, "No," even though he had the SOR debts in ¶¶ 1.b and 1.c on his credit report. In his SOR response, Applicant said the state tax debt in SOR ¶ 1.a was not a valid debt, and it was dismissed more than seven years ago; he was not aware that LA was seeking payment from him; and he thought his insurance company had paid for the damage to the rental car.

When Applicant completed his SF 86, he was thoroughly familiar with the security investigation process, and he knew an investigator would obtain a credit report and review his finances. (Tr. 62-63) When he was working on his SF 86, he was deployed to Afghanistan; he was working in a tent; the area was receiving indirect enemy fire; and he did not have a credit report to use to complete his SF 86. (Tr. 62) He was under pressure to complete his SF 86 as quickly as possible. (Tr. 62) His SF 86 contains numerous mistakes concerning matters such as addresses, names, and dates. (Tr. 63, 65; AE O) He was not aware that he had any reportable delinquent debts when he completed his SF 86. (Tr. 63)

Based on the instructions in his SF 86, Applicant believed that any errors could be corrected during his interview by an Office of Personnel Management (OPM) investigator. (Tr. 92-93)² The day before his OPM interview, Applicant obtained a credit report, and he discovered two of the SOR debts. (Tr. 81) In December 2013, shortly after Applicant returned from Afghanistan, an OPM investigator interviewed Applicant. (Tr. 99) He volunteered information to the OPM investigator about his delinquent debts. (Tr. 81, 94)

Character Evidence

Applicant served in Afghanistan for several years. He was involved in over 1,000 flights in Afghanistan. (Tr. 84) More than 100 wounded soldiers were evacuated, and on hundreds of occasions items were delivered to soldiers in the combat zone. (Tr. 84) He received letters of support, positive evaluations, and certificates of appreciation from generals, colonels, and civilians lauding his initiative, dedication, and contributions to mission accomplishment in Afghanistan. (Tr. 84-90; AE B-L)

² Applicant cited the following paragraph on page 3 of his SF 86 (GE 1) to support his statement that he believed he could correct his SF 86 during his subsequent OMP interview:

Some investigations will include an interview with you as a routine part of the investigative process. The investigator may ask you to explain your answers to any question on this form. This provides you the opportunity to update, clarify, and explain information on your form more completely, which often assists in completing your investigation. It is imperative that the interview be conducted immediately after you are contacted.

Policies

The U.S. Supreme Court has recognized the substantial discretion of the Executive Branch in regulating access to information pertaining to national security emphasizing, “no one has a ‘right’ to a security clearance.” *Department of the Navy v. Egan*, 484 U.S. 518, 528 (1988). As Commander in Chief, the President has the authority to control access to information bearing on national security and to determine whether an individual is sufficiently trustworthy to have access to such information.” *Id.* at 527. The President has authorized the Secretary of Defense or his designee to grant applicant’s eligibility for access to classified information “only upon a finding that it is clearly consistent with the national interest to do so.” Exec. Or. 10865, *Safeguarding Classified Information within Industry* § 2 (Feb. 20, 1960), as amended.

Eligibility for a security clearance is predicated upon the applicant meeting the criteria contained in the 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 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 Executive Order 12968 (Aug. 2, 1995), § 3.1. Thus, nothing in this Decision should be construed to suggest that I have based this decision, in whole or in part, on any express or implied determination about applicant’s allegiance, loyalty, or patriotism. It is merely an indication the applicant has not met the strict guidelines the President and the Secretary of Defense have established for issuing a clearance.

Initially, the Government must establish, by substantial evidence, conditions in the personal or professional history of the applicant that may disqualify the applicant from being eligible for access to classified information. The Government has the burden of establishing controverted facts alleged in the SOR. See *Egan*, 484 U.S. at 531. “Substantial evidence” is “more than a scintilla but less than a preponderance.” See *v. Washington Metro. Area Transit Auth.*, 36 F.3d 375, 380 (4th Cir. 1994). The guidelines presume a nexus or rational connection between proven conduct under any of the criteria listed therein and an applicant’s security suitability. See ISCR Case No. 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

Financial Considerations

AG ¶ 18 articulates the security concern relating to financial problems:

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

AG ¶ 19 provides two disqualifying conditions that could raise a security concern and may be disqualifying in this case: “(a) inability or unwillingness to satisfy debts;” and “(c) a history of not meeting financial obligations.” In ISCR Case No. 08-12184 at 7 (App. Bd. Jan. 7, 2010), the Appeal Board explained:

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

(internal citation omitted). Applicant’s history of delinquent debt is documented in his credit reports, SOR response, and hearing record. Applicant’s SOR alleges three delinquent debts totaling \$35,931. He also had a bankruptcy about 15 years ago. The Government established the disqualifying conditions in AG ¶¶ 19(a) and 19(c), requiring additional inquiry about the possible applicability of mitigating conditions.

Five mitigating conditions under AG ¶ 20 are potentially applicable:

(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;

(b) the conditions that resulted in the financial problem were largely beyond the person’s control (e.g., loss of employment, a business

downturn, unexpected medical emergency, or a death, divorce or separation), and the individual acted responsibly under the circumstances;

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

(d) the individual initiated a good-faith effort to repay overdue creditors or otherwise resolve debts;³ and

(e) the individual has a reasonable basis to dispute the legitimacy of the past-due debt which is the cause of the problem and provides documented proof to substantiate the basis of the dispute or provides evidence of actions to resolve the issue.

The Appeal Board concisely explained Applicant's responsibility for proving the applicability of mitigating conditions as follows:

Once a concern arises regarding an Applicant's security clearance eligibility, there is a strong presumption against the grant or maintenance of a security clearance. See *Dorfmont v. Brown*, 913 F. 2d 1399, 1401 (9th Cir. 1990), *cert. denied*, 499 U.S. 905 (1991). After the Government presents evidence raising security concerns, the burden shifts to the applicant to rebut or mitigate those concerns. See Directive ¶ E3.1.15. The standard applicable in security clearance decisions is that articulated in *Egan, supra*. "Any doubt concerning personnel being considered for access to classified information will be resolved in favor of the national security." Directive, Enclosure 2 ¶ 2(b).

ISCR Case No. 10-04641 at 4 (App. Bd. Sept. 24, 2013). The SOR contains three debts, and each will be addressed in turn.

AG ¶ 20(e) applies to the debt in SOR ¶ 1.a. A state erroneously believed Applicant was a state resident and filed a tax lien in 1999 for \$2,455. On October 4,

³The Appeal Board has previously explained what constitutes a good-faith effort to repay overdue creditors or otherwise resolve debts:

In order to qualify for application of [the good-faith mitigating condition], an applicant must present evidence showing either a good-faith effort to repay overdue creditors or some other good-faith action aimed at resolving the applicant's debts. The Directive does not define the term "good-faith." However, the Board has indicated that the concept of good-faith "requires a showing that a person acts in a way that shows reasonableness, prudence, honesty, and adherence to duty or obligation." Accordingly, an applicant must do more than merely show that he or she relied on a legally available option (such as bankruptcy) in order to claim the benefit of [the good-faith mitigating condition].

(internal citation and footnote omitted) ISCR Case No. 02-30304 at 3 (App. Bd. Apr. 20, 2004) (quoting ISCR Case No. 99-9020 at 5-6 (App. Bd. June 4, 2001)).

2005, the state filed an order dismissing the tax lien because it was “in error.” This debt is mitigated under AG ¶ 20(e).

AG ¶ 20(e) applies to the debt in SOR ¶ 1.b. Applicant concedes that he owes the creditor several thousand dollars for wages paid in 2011, and he asked the creditor to substantiate the amount of the debt because he believes the figure LA cited is substantially inflated. He disputed the debt with the creditor and credit reporting company. Based on his overall excellent credit, and availability of funds to settle the debt, I accept Applicant’s promise that he will act in good faith to settle the debt owed to LA once the amount of the debt is established.

AG ¶ 20(d) applies to the rental car debt in SOR ¶ 1(c). On May 21, 2014, Applicant paid this debt.

Applicant’s bankruptcy in the late 1990s is too remote in time to raise a security concern. Moreover, his debts resulted from unemployment and divorce, and he is credited with successfully completing the Chapter 13 bankruptcy payment plan. His bankruptcy is not alleged in the SOR, and it does not raise a security concern.

Applicant admitted responsibility for and took reasonable actions to resolve as much of his SOR debt as was possible based on his circumstances. There are clear indications the problem is being resolved and is under control. His efforts are sufficient to fully mitigate financial considerations security concerns.

Personal Conduct

AG ¶ 15 expresses the security concern pertaining to personal conduct:

Conduct involving questionable judgment, lack of candor, dishonesty, or unwillingness to comply with rules and regulations can raise questions about an individual's reliability, trustworthiness and ability to protect classified information. Of special interest is any failure to provide truthful and candid answers during the security clearance process or any other failure to cooperate with the security clearance process.

AG ¶ 16 describes one condition that could raise a security concern and may be disqualifying in this case, “(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 security clearance eligibility or trustworthiness, or award fiduciary responsibilities.”

Applicant refuted the application of AG ¶ 16(a). Although Applicant had two debts that should have been disclosed on his August 16, 2013 SF 86, he was not aware of the debts in SOR ¶¶ 1.b and 1.c. He was aware that a state sought payment of a tax debt, and that the state concluded the debt was erroneous. He did not believe he had any

delinquent debts to disclose. He did not deliberately omit any financial information from his SF 86 with intent to conceal derogatory financial information.

When Applicant returned to the United States from Afghanistan in December 2013, he obtained a credit report, discovered the allegations of two delinquent SOR debts, and he volunteered this information to an OPM investigator in December 2013. See AG ¶ 17(a) (stating “the individual made prompt, good-faith efforts to correct the omission, concealment, or falsification before being confronted with the facts”).

The allegation that he deliberately failed to disclose derogatory financial information on his August 16, 2013 SF 86 is not substantiated. See AG ¶ 17(f) (stating “the information was unsubstantiated”). Personal conduct concerns are mitigated.

Whole-Person Concept

Under the whole-person concept, the administrative judge must evaluate an Applicant’s eligibility for a security clearance by considering the totality of the Applicant’s conduct and all the circumstances. The administrative judge should consider the nine adjudicative process factors listed at AG ¶ 2(a):

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

Under AG ¶ 2(c), the ultimate determination of whether to grant eligibility for a security clearance must be an overall commonsense judgment based upon careful consideration of the guidelines and the whole-person concept. I have incorporated my comments under Guideline F and E in my whole-person analysis. Some of the factors in AG ¶ 2(a) were addressed under those guidelines, but some warrant additional comment.

Applicant is 55 years old, and he has worked in the aviation field for 30 years. In 1983, he was awarded a bachelor’s of science degree in biology with a minor in chemistry, and in 2005, he received a master’s degree in business administration. He served on active duty in the Air Force from 1984 to 1996, and in the Air Force Reserve from 1997 to 2013. He honorably retired as a lieutenant colonel. He is sufficiently mature to understand and comply with his security responsibilities. He deserves substantial credit for volunteering to support the U.S. Government as an employee of a contractor and for his Air Force service in Afghanistan for several years. He was involved in over 1,000 flights in Afghanistan. More than 100 wounded soldiers were evacuated, and on hundreds of occasions items were delivered to soldiers in the combat zone. He received letters of support, positive evaluations, and certificates of

appreciation from generals, colonels, and civilians lauding his initiative, dedication, and contributions to mission accomplishment in Afghanistan. There is every indication that he is loyal to the United States and his employer.

Applicant is credited with either paying or bringing all of his delinquent debts, except for one debt owed to LA, to current status. His credit reports establish that he has kept numerous debts in current status or resolved them through payment. The Appeal Board has addressed a key element in the whole-person analysis in financial cases stating:

. . . the concept of meaningful track record necessarily includes evidence of actual debt reduction through payment of debts. However, an applicant is not required, as a matter of law, to establish that he has paid off each and every debt listed in the SOR. All that is required is that an applicant demonstrate that he has . . . established a plan to resolve his financial problems and taken significant actions to implement that plan. The Judge can reasonably consider the entirety of an applicant's financial situation and his actions in evaluating the extent to which that applicant's plan for the reduction of his outstanding indebtedness is credible and realistic. See Directive ¶ E2.2(a) (Available, reliable information about the person, past and present, favorable and unfavorable, should be considered in reaching a determination.) There is no requirement that a plan provide for payments on all outstanding debts simultaneously. Rather, a reasonable plan (and concomitant conduct) may provide for the payment of such debts one at a time. Likewise, there is no requirement that the first debts actually paid in furtherance of a reasonable debt plan be the ones listed in the SOR.

ISCR Case No. 07-06482 at 2-3 (App. Bd. May 21, 2008) (internal citations and quotation marks omitted).

Applicant understands what he needs to do to establish and maintain his financial responsibility. His efforts at debt resolution have established a "meaningful track record" of debt re-payment. I am confident he will continue to pay his debts, continue efforts to resolve the LA debt in good faith, and maintain his financial responsibility.⁴

⁴Of course, the Government can re-validate Applicant's financial status at any time through credit reports, investigation, and additional interrogatories. Approval of a clearance now does not bar the Government from subsequently revoking it, if warranted. "The Government has the right to reconsider the security significance of past conduct or circumstances in light of more recent conduct having negative security significance." ISCR Case No. 10-06943 at 4 (App. Bd. Feb. 17, 2012). Violation of a promise made in a security context to pay legitimate debts also raises judgment concerns under Guideline E, and may support future revocation of a security clearance. An administrative judge does not have "authority to grant an interim, conditional, or probationary clearance." ISCR Case No. 10-06943 at 4 (App. Bd. Feb. 17, 2012) (citing ISCR Case No. 10-03646 at 2 (App. Bd. Dec. 28, 2011)). See *also* ISCR Case No. 04-03907 at 2 (App. Bd. Sep. 18, 2006) (stating, "The Board has no authority to grant [a]pplicant a conditional or probationary security clearance to allow her the opportunity to have a security clearance while she works on her financial problems."). This footnote does not imply that this Applicant's security clearance is conditional.

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. Financial considerations and personal conduct concerns are mitigated.

Formal Findings

Formal findings For or Against Applicant on the allegations set forth in the SOR, as required by Section E3.1.25 of Enclosure 3 of the Directive, are:

Paragraph 1, Guideline F:	FOR APPLICANT
Subparagraphs 1.a to 1.c:	For Applicant
Paragraph 2, Guideline E:	FOR APPLICANT
Subparagraphs 2.a and 2.b:	For Applicant

Conclusion

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

Mark Harvey
Administrative Judge