



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



In the matter of:)	
)	
-----)	ISCR Case No. 08-08968
SSN: -----)	
)	
Applicant for Security Clearance)	

Appearances

For Government:
Melvin A. Howry, Esquire, Department Counsel

For Applicant:
Pro se

August 13, 2009

Decision

ROSS, Wilford H., Administrative Judge:

The Applicant submitted his Questionnaire for National Security Positions (SF86), on May 29, 2008 (Government Exhibit 1). On February 19, 2009, the Defense Office of Hearings and Appeals (DOHA) issued a Statement of Reasons (SOR) to the Applicant, which detailed security concerns under Guidelines F, J, and E stating why DOHA 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 the Applicant, and recommended referral to an Administrative Judge to determine whether a clearance should be denied or revoked. The action was taken under Executive Order 10865, *Safeguarding Classified Information within Industry* (February 20, 1960), as amended; Department of Defense Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (January 2, 1992), as amended (Directive); and the revised adjudicative guidelines (AG) promulgated by President Bush on December 29,

2005, and effective within the Department of Defense for SORs issued after September 1, 2006.

The Applicant answered the SOR in writing on March 16, 2009, and requested a hearing before an Administrative Judge. Department Counsel was prepared to proceed on March 30, 2009. The case was assigned to another administrative judge on April 2, 2009. This case was reassigned to me on April 6, 2009. DOHA issued a notice of hearing on April 6, 2009, and I convened the hearing as scheduled on April 28, 2009. The Government offered Government Exhibits 1 through 8, which were received without objection. The Applicant testified on his own behalf and submitted Applicant's Exhibits A through C, also without objection. The record was left open at the Applicant's request for the submission of additional documentation. The Applicant submitted Applicant's Exhibit D on May 22, 2009. This exhibit was also received without objection. DOHA received the transcript of the hearing on May 13, 2009. The record closed on May 22, 2009. Based upon a review of the case file, pleadings, exhibits, and testimony, eligibility for access to classified information is granted.

Findings of Fact

The Applicant is 46 and divorced. He is employed by a defense contractor and seeks a security clearance in connection with his employment in the defense industry. In his Answer to the SOR, Applicant admitted all the factual allegations in the SOR, with the exception of subparagraph 1.e. Those admissions are hereby deemed findings of fact. He also provided explanations with his responses.

Paragraph 1 (Guideline F - Financial Considerations)

The Government alleges in this paragraph that the Applicant is ineligible for clearance because he is financially overextended and therefore at risk of engaging in illegal acts to obtain funds.

1.a. The Applicant admits that he is indebted to a collection agency in the amount of \$205 for a returned check. The Applicant sent a letter to the creditor in October 2008 to determine how he could pay this debt. He had not heard from them as of the date of the hearing. He has obtained other contact information and intends to pay this debt as soon as possible. (Transcript at 45-46; Applicant's Answer at 1.)

1.b. The Applicant admits that he owed a jaywalking ticket in the amount of \$85. The debt was paid in April 2009. (Transcript at 46-47; Applicant's Exhibit B.)

1.c. The Applicant admits that he owes a medical bill in the amount of \$614. The Applicant testified that the first time he knew he owed this debt was October 2008, when he obtained a credit report. He stated that he had insurance at the time this debt was incurred and believed all of his medical expenses were covered. He intends to pay this bill quickly. (Transcript at 48-49; Applicant's Answer at 1.)

1.d. The Applicant admits that he owes a medical bill in the amount of \$297. The Applicant testified that the first time he knew he owed this debt was October 2008, when he obtained a credit report. He stated that he had insurance at the time this debt was incurred and believed all of his medical expenses were covered. He intends to pay this bill quickly. (Transcript at 48-49; Applicant's Answer at 1.)

1.e. The Applicant denied that he owes \$649 for a past due credit card bill. The Applicant presented documentary evidence that he paid this debt in August 2008. The Government's latest credit report confirms that this debt has been paid. (Transcript at 44-45; Government Exhibit 2 at 14, and Exhibit 7 at 2.)

The Applicant testified that his financial situation was severely impacted by the incident described below under subparagraph 2.a. (Transcript at 44.) The Applicant was accused of a crime and, because he could not make bail, spent seven months in pre-trial confinement. He was acquitted of the charge at trial.

In addition to the debts in the SOR, which he has recently paid, the Applicant provided documentary evidence showing that he has also paid the State almost \$4,000 to clear various driving fines on his record. The Applicant stated that his priorities were taking care of his past due credit card bill and the courts. (Transcript at 45; Applicant's Exhibit C.)

Paragraph 2 (Guideline J - Criminal Conduct)

The Government alleges in this paragraph that the Applicant is ineligible for clearance because he has engaged in criminal acts, which call into question the Applicant's ability to comply with rules, laws and regulations. In order to provide a workable context to the allegations they will be discussed in chronological order, rather than the order they are alleged in the SOR.

2.k. In 1981, when he was 18 years old, the Applicant was involved in a fight in State A with a person to whom he had lent money. While chasing this person, the Applicant hit and broke a door. He was charged with Breaking and Entering and spent two months in pre-trial confinement because he could not afford the bail. He pled guilty and received credit for time served. He was also awarded two years probation and fined. (Transcript at 24-26; Government Exhibit 2 at 7-8.)

2.j. The Applicant's next arrest occurred in October 1993. The Applicant had moved to State B, where he still lives. The Applicant had bought a double edged knife at the flea market. Such knives are illegal in State B. During a traffic stop the police found the knife and confiscated it. He was charged with Carrying a Deadly Weapon. The Applicant did not appear in court until 1995. At that time he was charged with Criminal Contempt of Court and forfeited his \$50 bail. The underlying charge was dismissed. Both charges were misdemeanors. (Transcript at 27-28; Government Exhibit 2 at 8, and Exhibit 3 at 6-7.)

2.i. The Applicant has no current memory of a Criminal Contempt of Court citation in December 1993. For this misdemeanor he was sentenced to pay a \$25 fine. (Transcript at 28-29; Government Exhibit 3 at 5-6.)

2.h. The Applicant was arrested in December 1993 as the result of a fight that he got into with his now ex-wife. During an argument he threatened her, hit her truck with a hammer, and then drove the truck away to try and get it fixed. When he returned he was arrested and charged with Making a Terrorist Threat, Criminal Property Damage and Unlawful Control of a Powered Vehicle. He was found guilty and served 57 days in jail, five years probation, required to take a mental health assessment and pay restitution. He successfully completed all the terms of his sentence. (Transcript at 29-33; Government Exhibit 3 at 5-6.)

2.g. The Applicant has no current memory of a Criminal Contempt of Court citation in January 1995. This misdemeanor charge was dismissed. (Transcript at 33-34; Government Exhibit 3 at 4.)

2.f. The Applicant testified that he cannot remember the particulars of a charge of Abusing a Family Member in January 1995. The police records state that the disposition is unavailable. In his Answer, the Applicant stated that he believes the charges were dismissed. (Transcript at 34; Government Exhibit 3 at 4; Applicant's Answer at 3.)

2.e. The Applicant testified, and stated in his Answer, that he has no current knowledge of a Criminal Contempt of Court charge in February 2001. This misdemeanor charge was *nolle prosequi* by State B authorities. (Transcript at 34-35; Government Exhibit 3 at 4; Applicant's Answer at 3.)

2.d. The events in subparagraphs 2.d., 2.b. and 2.a. all concern the same person. This was a woman (Miss One) that the Applicant became involved with who, after a period of time, began stalking the Applicant. On May 21, 2005, she had the Applicant arrested for Abuse of a Family Member and Criminal Property Damage. The Applicant could not make bail and spent 23 days in jail. The charges were dismissed without prejudice on June 13, 2005. The Applicant obtained an Order For Protection against Miss One on June 29, 2005. This Order continues in effect to this day. (Transcript at 35-38; Government Exhibit 2 at 8; Applicant's Exhibit D at 4-11.)

2.c. The Applicant was arrested in August 2005 for Unauthorized Control of a Propelled Vehicle. According to the Applicant, he was involved in a dispute with a former employer that involved a vehicle. The Applicant was discharged by the police pending further investigation. There is no evidence the case ever went to court. (Transcript at 39-40; Government Exhibit 3 at 3.)

2.b. The Applicant ran into Miss One in January 2006. He saw that she needed help, so he bought some groceries and other items for her at a grocery store. According to the Applicant, while at a drug store, she put stolen items into a bag he was

carrying. He was stopped by store security, arrested and charged with Petty Theft. (Government Exhibit 2 at 8-9; Government Exhibit 3 at 2.) This incident is not alleged in the SOR, but is connected to the incident alleged in subparagraph 2.b.

Subparagraph 2.b. states that, in May 2006, Miss One accused the Applicant of assaulting her and stealing her cell phone. He was charged with Petty Theft, Abuse of a Family Member and Criminal Contempt of Court. As part of a plea bargain, he plead guilty to the two misdemeanor counts of Petty Theft and the other charges were dismissed. The Applicant states that, in retrospect, it was a mistake to plead guilty to something he did not do. (Transcript at 40-41; Government Exhibit 2 at 9; Exhibit 3 at 2-3.)

2.a. The Applicant was arrested for allegedly assaulting Miss One on August 23, 2007. She claimed that the Applicant threw her off of a cliff. As stated earlier, the Applicant could not make bail and spent seven months in pre-trial confinement. The Applicant's lawyer submitted a letter describing the mental problems of Miss One and stated, "After 7 months of preparation for trial and 1 week of testimony in a jury trial, it took the jury less than 30 minutes in rejecting [Miss One's] claims and finding [the Applicant] not guilty." The acquittal occurred on March 17, 2008. The Applicant's ex-wife also confirms the attorney's statements. (Transcript at 41-42, 68-72; Government Exhibit 2 at 9-10, Exhibit 3 at 1-2; Applicant's Exhibit D at 12-13.)

Paragraph 3 (Guideline E - Personal Conduct)

The Government alleges in this paragraph that the Applicant is ineligible for clearance because he has made false statements to the Department of Defense during the clearance screening process.

3.a. The Applicant started work for his current employer in May 2008. He filled out an SF86 the same month. (Government Exhibit 1.) Question 23.a. asks whether the Applicant had ever been charged or convicted of any felony offense. He answered "No." This answer was false, as described above.

3.b. Question 23.f. of Government Exhibit 1 asks the Applicant whether, in the last seven years, he had been arrested, charged with or convicted of any offense not listed elsewhere on the form. He answered "No." This answer was also false, as described above.

3.c. The Government also alleges that the facts stated in Paragraph 2 above, have separate security significance under this Guideline as well.

The Applicant testified at length on the falsification issue. He did not attempt to minimize his falsification in any way. Rather, he stated that he had been declined employment close to 100 times because of his record. He stated that he felt if he could get his foot in the door he could show his employer what he could do. According to the Applicant, he fully expected his employer or the Government to do a criminal

background check and he would have to explain himself. He testified that his employer knows all about his criminal history background and his lying on the questionnaire and still wants him to work for them. The Applicant further testified that he realizes his decision to falsify his SF86 was a mistake. Finally, the Applicant credibly testified that he would always be truthful in the future. (Transcript at 52-56.)

Mitigation

The Applicant's supervisor submitted letters on the Applicant's behalf. (Applicant's Exhibit A and Exhibit D at 2-3.) She states that the Applicant is a "very reliable and trustworthy person, on and off the job."

The Applicant's ex-wife also submitted a letter. She says, "He [the Applicant] never misses work and very much enjoys what he [is] doing. He is very proud of his job and feels like what he does makes a difference not only for [him] self but other people['s] lives." (Applicant's Exhibit D at 12.)

The Applicant's attorney for the allegation in 2.a. submitted a letter where he states, "During the 7 months that I worked with [the Applicant], I found him to be a very kind and respectful gentle man. He was a very intelligent, calm, rational and patient individual. He did not exhibit any signs of hostility or irrational behavior. Without any reservations, I would recommend [the Applicant] for employment." (Applicant's Exhibit D at 13.)

Policies

When evaluating an applicant's suitability for a security clearance, the administrative judge must consider the revised adjudicative guidelines (AG). In addition to brief introductory explanations for each guideline, the adjudicative guidelines list potentially disqualifying conditions and mitigating conditions, which are useful 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. In addition, the administrative judge may also rely on his own common sense, as well as his knowledge of the law, human nature, and the ways of the world, in making a reasoned 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. Likewise, I have avoided drawing inferences grounded on mere speculation or conjecture.

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 as to obtaining 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 the applicant may deliberately or inadvertently fail to protect or safeguard classified information. Such decisions entail a certain degree of legally permissible extrapolation as to potential, rather than actual, risk of compromise of classified information.

Finally, as emphasized by President Eisenhower in Section 7 of Executive Order 10865, “Any determination under this order . . . shall be a determination in terms of the national interest and shall in no sense be a determination as to the loyalty of the applicant concerned.” See *also* EO 12968, Section 3.1(b) (listing multiple prerequisites for access to classified or sensitive information).

Analysis

It is the Government's responsibility to present substantial evidence to support the finding of a nexus, or rational connection, between the Applicant's conduct and the continued holding of a security clearance. If such a case has been established, the burden then shifts to the Applicant to go forward with evidence in rebuttal, explanation or mitigation which is sufficient to overcome or outweigh the Government's case. The Applicant bears the ultimate burden of persuasion in proving that it is clearly consistent with the national interest to grant him or her a security clearance.

In this case, the Government has met its initial burden of proving by substantial evidence that the Applicant had financial difficulties (Guideline F), has engaged in criminal conduct (Guideline J), and that the Applicant made false statements in the clearance screening process (Guideline E.) The Applicant, on the other hand, has successfully mitigated the Government's case.

Paragraph 1 (Guideline F - Financial Considerations)

The security concern relating to the guideline for Financial Considerations is set out in AG ¶ 18:

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

The guideline notes several conditions that could raise security concerns. Under AG ¶ 19(a), *an inability or unwillingness to satisfy debts* is potentially disqualifying. Similarly under AG ¶ 19(c), *a history of not meeting financial obligations* may raise security concerns. The Applicant failed to pay several of his debts for a period of years. The evidence is sufficient to raise these potentially disqualifying conditions, requiring a closer examination.

The guideline also includes examples of conditions that could mitigate security concerns arising from financial difficulties. Mitigating Condition ¶ 20(a) states that the disqualifying conditions may be mitigated where *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*. As described above, the Applicant's seven month pre-trial confinement for a crime he did not do was detrimental to the Applicant's ability to pay his debts. Since his acquittal, he has paid over \$4,000 to resolve several of his past due debts.

Under AG ¶ 20(b), the disqualifying conditions may be mitigated where *the conditions that resulted in the financial problem were largely beyond the person's control (e.g., loss of employment . . .), and the individual acted responsibly under the circumstances*. The Applicant was not earning income during the time he was wrongfully incarcerated. As soon as he was released from jail and employed, he began to pay his bills.

Evidence that *the individual initiated a good-faith effort to repay overdue creditors or otherwise resolve debts* is also mitigating under ¶ 20(d). The Applicant showed that he has successfully paid off two of the debts alleged in the SOR, in addition to showing a credible intent to pay his remaining debts. I conclude this potentially mitigating condition applies.

The Applicant has successfully mitigated the security concerns of this allegation. Paragraph 1 is found for the Applicant.

Paragraph 2 (Guideline J - Criminal Conduct)

The security concern relating to the guideline for Criminal Conduct is set out in AG ¶ 30:

Criminal activity creates doubts 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.

The Applicant was allegedly involved in criminal incidents from 1981 to 2007. AG ¶ 31(a) applies to this case, stating that a disqualifying condition is *a single serious crime or multiple lesser offenses*. In addition, AG ¶ 31(d) also applies, which states that a disqualifying condition is an *allegation or admission of criminal conduct, regardless of whether the person was formally charged, formally prosecuted or convicted*.

The Applicant's criminal conduct can be divided into two distinct periods. The first, from 1981 through 1995, occurred when the Applicant was a young man. (SOR subparagraphs 2.f. through 2.k.) All of these events took place over 13 years ago. Several of them involve the Applicant not showing up for court and being found in contempt. While still important in determining the Applicant's security worthiness, the span in time must be considered as a mitigating factor.

Three of the four incidents since 2005 revolve around the relationship of the Applicant and Miss One. The Applicant has presented compelling evidence, including a letter from his lawyer, that he was the subject of a stalker for several years. The truth of this event is shown by the fact that, after seven months in pre-trial confinement and a week long jury trial, he was acquitted in less than 30 minutes. The other incident (2.c.) can be explained as a conflict between employer and employee. Of importance is the fact that no court case ever occurred because of the incident in 2.c.

The Applicant's credible testimonial evidence is that he has learned his lesson from these incidents and they will not be repeated. In determining his credibility, I specifically considered all of the SOR allegations, and his admission that he falsified his SF86. He showed a mature grasp of what happened here, why, and how to avoid such incidents in the future. He is not the same person who got into trouble.

Under the particular facts of this case, several of the mitigating conditions also apply and justify a finding for the Applicant as to this Guideline. They are 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 AG ¶ 32(b), *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*. Upon cursory review, the Applicant's criminal history may be troubling, but a closer inspection shows that he has mitigated the concerns. Paragraph 2 is found for the Applicant.

Paragraph 3 (Guideline E - Personal Conduct)

The security concern relating to the guideline for Personal Conduct is set out in AG ¶ 15:

Conduct involving questionable judgment, lack of candor, dishonesty, or unwillingness to comply with rules and regulations can raise questions about an individual's reliability, trustworthiness and ability to protect classified 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.

The guideline notes several conditions that could raise security concerns. Under AG ¶ 16(a), the *deliberate omission, concealment, or falsification of relevant facts from any personnel security questionnaire*, is potentially disqualifying. The Applicant did provide false information on his questionnaire concerning his criminal history. Such falsifications normally result in an Applicant being denied a security clearance. I find that such a result is not justified in this case.

As described at length above, the Applicant had been released from jail after spending seven months there for a crime he did not commit. He needed to get back to work. Telling prospective employers the truth about his criminal history resulted in his being turned down many times. In order to get the job he now holds, the Applicant made the regrettable decision to lie about his criminal history. He credibly testified that the situation was desperate and that he would not make the same mistake again. He states that his employer is completely knowledgeable of the falsification and his criminal record, and still wants him to be an employee.

This is such a compelling case, based on the singular situation found here, I find that the Applicant meets the requirements of AG ¶ 17(c). This condition states that it can be mitigating where *the offense is so minor, or so much time has passed, or the behavior was so infrequent, or it happened under such unique circumstances that it is unlikely to recur and does not cast doubt on the individual's reliability, trustworthiness, or good judgment.*¹ (Emphasis supplied.) Human beings, and not just the Applicant, make mistakes. There is no denying this is a serious mistake. Yet, taking all of the evidence into account, considering all the circumstances of this particular case, I find that his conduct can be mitigated.

I have also separately considered the Paragraph 2 allegations under this Guideline. AG ¶ 16(c) sets forth the applicable disqualifying condition: *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,*

¹Such a conclusion finds support in DOHA/DISCR Appeal Board precedent. See DISCR OSD Case No. 88-2635 (Ap. Bd. January 19, 1990).

unreliability, lack of candor, unwillingness to comply with rules and regulations, or other characteristics indicating that the person may not properly safeguard protected information. However, based on all the available evidence, I find that Mitigating Condition AG ¶ 17(d) applies: *the individual has acknowledged the behavior and obtained counseling to change the behavior or taken positive steps to alleviate the stressors, circumstances, or factors that caused untrustworthy, unreliable, or other inappropriate behavior, and such behavior is unlikely to recur.* It became obvious during the hearing, and is supported by the letter from his lawyer, that the seven months the Applicant spent in jail on a spurious charge have changed him for the better.

The Applicant has mitigated all of the subparagraphs under Paragraph 3. Guideline E is found for the Applicant.

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 considered the potentially disqualifying and mitigating conditions in light of all the facts and circumstances surrounding this case, in particular the Applicant's criminal history, his payment of several of his bills since his release, and particularly his falsifications on a Government questionnaire. Three of the factors have the most impact on this case. First, I find that there is the "presence or absence of rehabilitation and other permanent behavioral changes," as set forth under AG ¶ 2(a)(6). The Applicant has shown that he has truly turned a corner on his life, his financial situation is under control, his falsifications were a unique circumstance not to be repeated, and he has demonstrated reliability and trustworthiness since he began working for his current employer. I find that he is eligible for a security clearance. Under the particular facts of this case, there is little or no "potential for pressure, coercion, exploitation, or duress" as set forth in AG ¶ 2(a)(8). Finally, given all the circumstances, I do not find that there is the "likelihood of continuation or recurrence" as discussed in AG ¶ 2(a)(9).

On balance, it is concluded that the Applicant has successfully overcome the Government's case opposing his request for a DoD security clearance. Accordingly, the evidence supports a finding for the Applicant as to the factual and conclusionary

allegations expressed in Paragraphs 1, 2 and 3 of the Government's Statement of Reasons.

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 THE APPLICANT
Subparagraph 1.a.:	For the Applicant
Subparagraph 1.b.:	For the Applicant
Subparagraph 1.c.:	For the Applicant
Subparagraph 1.d.:	For the Applicant
Subparagraph 1.e.:	For the Applicant
Paragraph 2, Guideline J:	FOR THE APPLICANT
Subparagraph 2.a.:	For the Applicant
Subparagraph 2.b.:	For the Applicant
Subparagraph 2.c.:	For the Applicant
Subparagraph 2.d.:	For the Applicant
Subparagraph 2.e.:	For the Applicant
Subparagraph 2.f.:	For the Applicant
Subparagraph 2.g.:	For the Applicant
Subparagraph 2.h.:	For the Applicant
Subparagraph 2.i.:	For the Applicant
Subparagraph 2.j.:	For the Applicant
Subparagraph 2.k.:	For the Applicant
Paragraph 3, Guideline E:	FOR THE APPLICANT
Subparagraph 3.a.:	For the Applicant
Subparagraph 3.b.:	For the Applicant
Subparagraph 3.c.:	For the Applicant

Conclusion

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

WILFORD H. ROSS
Administrative Judge