



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



In the matter of:

Applicant for Security Clearance

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ISCR Case No. 11-00575

Appearances

For Government: Julie Mendez, Esquire, Department Counsel
For Applicant: *Pro se*

06/25/2012

Decision

GALES, Robert Robinson, Administrative Judge:

Applicant mitigated the security concerns regarding drug involvement and personal conduct. Eligibility for a security clearance and access to classified information is granted.

Statement of the Case

On July 11, 2005, Applicant applied for a security clearance and submitted an EPSQ version of a Security Clearance Application (EPSQ).¹ On June 17, 2010, Applicant applied for a security clearance and submitted an Electronic Questionnaire for Investigations Processing (e-QIP) version of a Security Clearance Application (SF 86).² On an unspecified date, the Defense Office of Hearings and Appeals (DOHA) issued him a set of interrogatories. It is unclear when he responded to the interrogatories, for

¹ Government Exhibit 2 ((EPSQ), dated July 11, 2005). There is an unexplained inconsistency regarding the EPSQ. One entry indicates the form was signed on October 15, 2003 (at 1), but another entry indicates it was signed on "7-11-05," which could mean November 5, 2007, July 11, 2005, or November 7, 2005 (at 6). In the absence of evidence to the contrary, the date July 11, 2005 has been designated the actual date.

² Government Exhibit 1 ((SF 86), dated June 17, 2010).

he failed to sign the response.³ On another unspecified date, DOHA issued him a set of interrogatories. He responded to the interrogatories on February 13, 2012.⁴ His response included an acknowledgment and response regarding the contents of the first set of interrogatories.⁵ DOHA issued a Statement of Reasons (SOR) to him on March 23, 2012, pursuant to Executive Order 10865, *Safeguarding Classified Information within Industry* (February 20, 1960), as amended and modified; Department of Defense Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (January 2, 1992), as amended and modified (Directive); and the *Adjudicative Guidelines for Determining Eligibility For Access to Classified Information* (December 29, 2005) (AG) applicable to all adjudications and other determinations made under the Directive, effective September 1, 2006. The SOR alleged security concerns under Guidelines H (Drug Involvement) and E (Personal Conduct), and detailed reasons why DOHA was unable to find that it is clearly consistent with the national interest to grant or continue a security clearance for Applicant. The SOR recommended referral to an administrative judge to determine whether a clearance should be granted, continued, denied, or revoked.

Applicant acknowledged receipt of the SOR on March 28, 2012. In a sworn statement, dated April 6, 2012, Applicant requested a hearing before an administrative judge. Department Counsel indicated that the Government was prepared to proceed on May 9, 2012, and the case was assigned to me on May 14, 2012. A Notice of Hearing was issued on May 17, 2012, and I convened the hearing, as scheduled, on June 11, 2012.

During the hearing, four Government exhibits (GE 1 through 4) and one Applicant exhibit (AE A) were admitted into evidence without objection. Applicant and two witnesses testified. The transcript (Tr.) was received on June 20, 2012.

Findings of Fact

In his Answer to the SOR, Applicant admitted, with explanations, one (¶ 1.a.) of the factual allegations as well as a portion of another factual allegation (¶ 1.b.) pertaining to drug involvement of the SOR, and a portion of the factual allegation pertaining to personal conduct (¶ 2.a.) of the SOR. He denied the remaining allegations or portions thereof. Applicant's admissions are incorporated herein as findings of fact. After a complete and thorough review of the evidence in the record, and upon due consideration of same, I make the following additional findings of fact:

Applicant is a 42-year-old employee of a defense contractor who, from May 2008, has served as a technician.⁶ He was previously employed in a variety of positions

³ Government Exhibit 4 (Applicant's Answers to Interrogatories, undated).

⁴ Government Exhibit 3 (Applicant's Answers to Interrogatories, dated February 13, 2012).

⁵ Government Exhibit 3, *supra* note 4, at 8-9.

⁶ Government Exhibit 1, *supra* note 2, at 15.

including team lead, technician, product selector, pizza distributor, and loan officer.⁷ Applicant has never served in the U.S. military.⁸ Although he denied ever receiving a security clearance,⁹ the facility security officer at the facility where Applicant worked until April 6, 2006, indicated that a security clearance was granted to Applicant, effective April 13, 2006.¹⁰ The previous security officer did not inform Applicant of the security clearance as Applicant had already left that employer.¹¹ If Applicant had still been an employee of the company, he would have received the prescribed security briefing and signed an acknowledgment of his obligations.¹²

Applicant has never been married.¹³ He has a daughter, born from a previous relationship in April 1997.¹⁴ A June 1989 high school graduate,¹⁵ Applicant attended a community college from September 1989 until May 1990, but never received a degree.¹⁶

Drug Involvement

During the period 1989 until August 2009, Applicant was a substance abuser whose choice of substances was marijuana.¹⁷ He first experimented with marijuana one time during “senior week after graduation” from high school.¹⁸ Thereafter, he sometimes did not use it for several months at a time, and at other times he used it about one time per week.¹⁹ There was no specific pattern for his frequency of use, and he characterized such use as sporadic.²⁰ He used marijuana on an average of once a week or less from

⁷ Government Exhibit 1, *supra* note 2, at 15-20; Government Exhibit 2, *supra* note 1-2.

⁸ Government Exhibit 1, *supra* note 2, at 22; Government Exhibit 2, *supra* note 1, at 3.

⁹ Government Exhibit 1, *supra* note 2, at 36; Government Exhibit 2, *supra* note 1, at 5.

¹⁰ Letter from Facility Security Officer (FSO), undated, attached to Applicant’s Answer to the SOR.

¹¹ Letter from FSO, *supra* note 10; Letter of Resignation, dated March 30, 2006, attached to Applicant’s Answer to the SOR.

¹² Applicant’s Answer to the SOR, dated April 6, 2012, at 1.

¹³ Government Exhibit 1, *supra* note 2, at 25.

¹⁴ Government Exhibit 4 (Personal Subject Interview, dated October 17, 2011), at 4, attached to Applicant’s Answers to the Interrogatories.

¹⁵ Government Exhibit 4 (2011 Personal Subject Interview), *supra* note 13, at 2.

¹⁶ Government Exhibit 2, *supra* note 1, at 1.

¹⁷ Government Exhibit 4 (Personal Subject Interview, dated July 16, 2010), at 1, attached to Applicant’s Answers to the Interrogatories; Government Exhibit 4 (2011 Personal Subject Interview), *supra* note 14, at 5.

¹⁸ Government Exhibit 4 (2011 Personal Subject Interview), *supra* note 14, at 5.

¹⁹ Government Exhibit 4 (2011 Personal Subject Interview), *supra* note 14, at 5.

²⁰ Government Exhibit 4 (2011 Personal Subject Interview), *supra* note 14, at 5.

October 2001 to approximately 2005, and once a month from approximately 2005 until August 2009.²¹ He used the marijuana generally while with friends at parties and social gatherings, but also alone at home.²² Applicant usually took two or three puffs from the marijuana cigarette at any given time.²³ Applicant never purchased marijuana, but did, on about seven to ten occasions, contribute to the purchase of marijuana by someone else.²⁴ He has never cultivated, manufactured, sold, or distributed marijuana or any other drug.²⁵ Applicant's use of marijuana made him feel "drained, hungry and tired."²⁶ In August 2009, Applicant decided to stop using marijuana and he has abstained from using marijuana since that point.²⁷ He is not proud of his past substance abuse, and has changed his behavior and attitude toward illegal drug use and made a conscious decision to avoid environments where it may occur.²⁸ He no longer associates with the former friends who do continue to use marijuana.²⁹ He intends to never use marijuana or any other drug in the future.³⁰ Applicant has never been treated or diagnosed for using marijuana.³¹

Personal Conduct

On July 11, 2005, when Applicant completed and submitted his EPSQ, he responded to a question set forth therein. The SOR alleges Applicant falsified material facts when he deliberately failed to disclose that he had used marijuana, with varying frequency, between at least October 2001 and July 2005, in response to § 27: Your Use of Illegal Drugs and Drug Activity. The question asked if Applicant had, since the age of 16 or in the last 7 years, whichever is shorter, used a variety of illegal substances, including marijuana. Applicant answered "no" to the question.³² That response was false, for Applicant by his own admissions had been using marijuana for approximately

²¹ Government Exhibit 4 (2010 Personal Subject Interview), *supra* note 17, at 1.

²² Government Exhibit 4 (2010 Personal Subject Interview), *supra* note 17, at 1; Government Exhibit 4 (2011 Personal Subject Interview), *supra* note 14, at 5; Tr. at 32-33.

²³ Government Exhibit 4 (2010 Personal Subject Interview), *supra* note 17, at 1.

²⁴ Government Exhibit 4 (2010 Personal Subject Interview), *supra* note 17, at 1-2; Government Exhibit 4 (2011 Personal Subject Interview), *supra* note 14, at 5; Tr. at 34-35.

²⁵ Government Exhibit 4 (2011 Personal Subject Interview), *supra* note 14, at 5; Tr. at 50.

²⁶ Government Exhibit 4 (2010 Personal Subject Interview), *supra* note 17, at 1.

²⁷ Government Exhibit 4 (2011 Personal Subject Interview), *supra* note 14, at 5.

²⁸ Applicant's Answer to the SOR, *supra* note 12, at 1; Tr. at 53; Government Exhibit 4 (2010 Personal Subject Interview), *supra* note 17, at 2; Government Exhibit 3, *supra* note 4, at 8.

²⁹ Government Exhibit 4 (2011 Personal Subject Interview), *supra* note 14, at 5; Tr. at 33, 35-36.

³⁰ Government Exhibit 4 (2010 Personal Subject Interview), *supra* note 17, at 2; Government Exhibit 4 (2011 Personal Subject Interview), *supra* note 14, at 6.

³¹ Government Exhibit 4 (2011 Personal Subject Interview), *supra* note 14, at 6; Tr. at 50.

³² Government Exhibit 2, *supra* note 1, at 5.

16 years before the date of the EPSQ, and he was still using it. He acknowledged the answer was a mistake made out of “some fear” of losing his job,³³ but he still denied the response was deliberate or an attempt to falsify the material facts.³⁴

On June 17, 2010, when Applicant completed and submitted his SF 86, he responded to a similar question set forth therein. The question (§ 23 a: Illegal Use of Drugs or Drug Activity) asked if Applicant had, in the last 7 years, used a variety of illegal substances, including marijuana. Applicant answered “yes” to the question and added that he had used cannabis once a week from October 2001 until August 2009.³⁵ In response to another question that asked if he had done so while possessing a security clearance (§ 23 b), Applicant responded “no.”³⁶ He denied the response was a deliberate attempt to falsify the material facts, and explained that he was not aware that he had previously been given a security clearance.³⁷

Character References

A coworker, who has periodically been Applicant’s supervisor and has known him since July 2000, as well as Applicant’s girlfriend, who has known him since the fall of 2009 and cohabited with him since June 2010, are fully supportive of Applicant’s application. Both witnesses have security clearances. Applicant has been characterized as trustworthy, loyal, hardworking, honest, and very reliable.³⁸ His girlfriend trusts Applicant with her life, and, since she has known him, has seen no evidence of any continuing substance abuse by him.³⁹

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.”⁴⁰ 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. The President has authorized the Secretary of Defense or his

³³ Tr. at 42.

³⁴ Applicant’s Answer to the SOR, *supra* note 12, at 2.

³⁵ Government Exhibit 1, *supra* note 2, at 34-35.

³⁶ Government Exhibit 1, *supra* note 2, at 34-35.

³⁷ Applicant’s Answer to the SOR, *supra* note 12, at 1-2.

³⁸ Tr. at 59-60, 67.

³⁹ Tr. at 64, 67.

⁴⁰ *Department of the Navy v. Egan*, 484 U.S. 518, 528 (1988).

designee to grant an applicant eligibility for access to classified information “only upon a finding that it is clearly consistent with the national interest to do so.”⁴¹

When evaluating an applicant’s suitability for a security clearance, the administrative judge must consider the AG. In addition to brief introductory explanations for each guideline, the AG list potentially disqualifying conditions and mitigating conditions, which are used in evaluating an applicant’s eligibility for access to classified information.

An administrative judge need not view the guidelines as inflexible, ironclad rules of law. Instead, acknowledging 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. 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 meaningful decision.

In the decision-making process, facts must be established by “substantial evidence.”⁴² The Government initially has the burden of producing evidence to establish a potentially disqualifying condition under the Directive, and has the burden of establishing controverted facts alleged in the SOR. Once the Government has produced substantial evidence of a disqualifying condition, under Directive ¶ E3.1.15, the applicant has the burden of persuasion to present evidence in refutation, explanation, extenuation or mitigation, sufficient to overcome the doubts raised by the Government’s case. The burden of disproving a mitigating condition never shifts to the Government.⁴³

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 as well. It is because of this special relationship that the Government must be able to repose a high degree of trust and confidence in those 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 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. Furthermore, “security clearance determinations should err, if they must, on the side of denials.”⁴⁴

⁴¹ Exec. Or. 10865, *Safeguarding Classified Information within Industry* § 2 (Feb. 20, 1960), as amended and modified.

⁴² “Substantial evidence [is] such relevant evidence as a reasonable mind might accept as adequate to support a conclusion in light of all contrary evidence in the record.” ISCR Case No. 04-11463 at 2 (App. Bd. Aug. 4, 2006) (citing Directive ¶ E3.1.32.1). “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).

⁴³ *See* ISCR Case No. 02-31154 at 5 (App. Bd. Sep. 22, 2005).

⁴⁴ *Egan*, 484 U.S. at 531

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.”⁴⁵ 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 as to Applicant’s allegiance, loyalty, or patriotism. It is merely an indication the Applicant has or has not met the strict guidelines the President and the Secretary of Defense have established for issuing a clearance. 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.

Analysis

Guideline H, Drug Involvement

The security concern relating to the guideline for Drug Involvement is set out in AG ¶ 24:

Use of an illegal drug or misuse of a prescription drug can raise questions about an individual's reliability and trustworthiness, both because it may impair judgment and because it raises questions about a person's ability or willingness to comply with laws, rules, and regulations.

(a) Drugs are defined as mood and behavior altering substances, and include:

(1) Drugs, materials, and other chemical compounds identified and listed in the Controlled Substances Act of 1970, as amended (e.g., marijuana or cannabis, depressants, narcotics, stimulants, and hallucinogens), and

(2) inhalants and other similar substances;

(b) drug abuse is the illegal use of a drug or use of a legal drug in a manner that deviates from approved medical direction.

The guideline notes several conditions that could raise security concerns. Under AG ¶ 25(a), “*any drug abuse (see above definition)*,” is potentially disqualifying. Similarly, under AG ¶ 25(c), “*illegal drug possession, including cultivation, processing, manufacture, purchase, sale, or distribution; or possession of drug paraphernalia*,” may raise security concerns. Also, AG ¶ 25(g) may apply when there is “*any illegal drug use after being granted a security clearance*.” During the period 1989 to August 2009, Applicant contributed to the purchase of marijuana on a number of occasions and used marijuana with varying frequency. AG ¶¶ 25(a) and 25(c) apply. However, as to his use

⁴⁵ See Exec. Or. 10865 § 7.

of marijuana after being granted a security clearance, technically that security clearance was approved, but since Applicant had already left the employ of his employer and he was never advised that the clearance had been granted or briefed on his responsibilities, the evidence fails to establish AG ¶ 25(g).

The guideline also includes examples of conditions that could mitigate security concerns arising from drug involvement. Under AG ¶ 26(a), the disqualifying condition may be mitigated where “*the behavior happened so long ago, was so infrequent, or happened under such circumstances that it is unlikely to recur or does not cast doubt on the individual's current reliability, trustworthiness, or good judgment.*” Under AG ¶ 26(b), drug involvement concerns may also be mitigated where there is “*a demonstrated intent not to abuse any 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.”*

Applicant’s substance abuse commenced when he experimented one time in 1989 upon graduation from high school, and continued thereafter until August 2009. Sometimes he did not use it for several months at a time, and at other times he used it about one time per week. He admitted there was no specific pattern for his frequency of use. He used marijuana on an average of once a week or less from October 2001 to approximately 2005, and once a month from approximately 2005 until August 2009. He finally made a decision to stop using marijuana, and has abstained since August 2009. As noted above, Applicant has changed his behavior and attitude toward illegal drug use and made a conscious decision to avoid environments where it may occur; he no longer associates with the former friends who do continue to use marijuana; he is not proud of his substance abuse; and he intends to never use marijuana or any other drug in the future. He has exhibited an understanding of the significance of holding a security clearance. Considering his period of abstinence, his continuing social and professional relationships, and his new appreciation of the illegality of marijuana use, his behavior is unlikely to recur, and no longer casts doubt on Applicant’s current reliability, trustworthiness, or good judgment. AG ¶¶ 26(a) and 26(b) apply.

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 a condition that could raise security concerns. Under AG ¶ 16(a), security concerns may be raised when there is 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's response to the inquiry in his 2005 EPSQ of critical information pertaining to marijuana use provides sufficient evidence to examine if his submission was a deliberate falsification, as alleged in the SOR, or merely the result of misunderstanding or a mistake made out of "some fear" of losing his job, as he also contends. He denied the false response was deliberate or an attempt to falsify the material facts. Considering the inconsistencies in Applicant's positions, AG ¶ 16(a) has been established.

The guideline also includes examples of conditions that could mitigate security concerns arising from personal conduct. AG ¶ 17(a) may apply if "*the individual made prompt, good-faith efforts to correct the omission, concealment, or falsification before being confronted with the facts.*" If "*the offense is so minor, or so much time has passed, or the behavior is 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,*" AG ¶ 17(c) may apply. Also, AG ¶ 17(d) may apply if "*the individual has acknowledged the behavior and obtained counseling to change the behavior or taken other positive steps to alleviate the stressors, circumstances, or factors that caused untrustworthy, unreliable, or other inappropriate behavior, and such behavior is unlikely to recur.*" Similarly, if "*the individual has taken positive steps to reduce or eliminate vulnerability to exploitation, manipulation, or duress,*" AG ¶ 17(e) may apply.

In June 2010, before the Government knew of his marijuana abuse and before he could be confronted by an investigator from the U.S. Office of Personnel Management (OPM), Applicant answered a similar question in his SF 86 truthfully. In July 2010, and again in October 2011, when Applicant was interviewed by OPM, he again answered the questions truthfully. Applicant has been characterized as honest and trustworthy by those who know him well. His action in 2005 – seven years ago – in responding falsely to the inquiry regarding marijuana use was clearly aberrant and out of character for him. Applicant subsequently changed his lifestyle and made a conscious decision to avoid environments where drug abuse may occur. The stressors, circumstances, and factors that led to his aberrant behavior in making the false response are unlikely to recur because he has clearly taken positive steps to reduce or eliminate any vulnerability to exploitation, manipulation, or duress. AG ¶¶ 17(a), 17(c), 17(d), and 17(e) apply.

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. Moreover, I have evaluated the various aspects of this case in light of the totality of the record evidence and have not merely performed a piecemeal analysis.⁴⁶

There is some evidence against mitigating Applicant's conduct. He used marijuana from 1989 until August 2009, and in 2005, when asked if had ever used marijuana, he lied and said no. (See AG ¶ 2(a)(8).)

The mitigating evidence under the whole-person concept is more substantial. Applicant was a substance abuser who finally made a decision to stop using marijuana, and has abstained since August 2009. He changed his behavior and attitude and made a conscious decision to avoid environments where marijuana use may occur. He stopped associating with the former friends who do continue to use marijuana. He is not proud of his substance abuse, and he intends to never use marijuana or any other drug in the future. Considering his period of abstinence, his continuing social and professional relationships, and his new appreciation of the illegality of marijuana use, his behavior related to substance abuse is unlikely to recur, and no longer casts doubt on Applicant's current reliability, trustworthiness, or good judgment. With respect to his personal conduct, Applicant's response to the inquiry in his 2005 EPSQ was both a deliberate falsification, as alleged in the SOR, as well as a mistake made out of some fear of losing his job. Nevertheless, he denied the false response was deliberate or an attempt to falsify the material facts. In June 2010, before the Government knew of his marijuana abuse and before he could be confronted by OPM, Applicant answered a similar question in his SF 86 truthfully. In July 2010, and again in October 2011, when Applicant was interviewed by OPM, he again answered the questions truthfully. According to those who know him well, Applicant is honest and trustworthy. His action seven years ago in

⁴⁶ See *U.S. v. Bottone*, 365 F.2d 389, 392 (2d Cir. 1966); See also ISCR Case No. 03-22861 at 2-3 (App. Bd. Jun. 2, 2006).

responding falsely to the inquiry regarding marijuana use was clearly aberrant and out of character for him. Applicant subsequently changed his lifestyle and made a conscious decision to avoid environments where drug abuse may occur. Under the evidence presented, I have no questions about Applicant's reliability, trustworthiness, and ability to protect classified information. See AG ¶ 2(a)(1) through AG ¶ 2(a)(9).

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
Subparagraph 1.a:	For Applicant
Subparagraph 1.b:	For Applicant
Paragraph 2, Guideline E:	FOR APPLICANT
Subparagraph 2.a:	For Applicant
Subparagraph 2.b:	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.

ROBERT ROBINSON GALES
Administrative Judge