



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



In the matter of: )  
)  
) ISCR Case No. 11-09955  
)  
)  
Applicant for Security Clearance )

**Appearances**

For Government, Alison O’Connell, Esquire, Department Counsel  
For Applicant: William F. Savarino, Esquire

05/14/2013

**Decision**

MASON, Paul J., Administrative Judge:

After weighing and balancing Applicant’s contacts with his wife and his parents-in-law against his strong ties in the United States, I conclude he has mitigated the security concerns associated with foreign influence. Eligibility for access to classified information is granted.

**Statement of the Case**

Applicant signed and certified his Electronic Questionnaires for Investigations Processing (e-QIP) on February 8, 2011. On April 21, 2011, he was interviewed by an investigator from the Office of Personnel Management (OPM). In interrogatory responses signed on August 29, 2012, Applicant indicated the typed interview summary was inaccurate. He provided an attachment containing corrections, clarifications, and updated information. The additional information appears in Government Exhibit (GE) 2 (GE 2 at I19-I20, I22-I40).<sup>1</sup>

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<sup>1</sup> Exhibit page numbers are located in the lower right hand corner of the page unless otherwise noted.

On October 4, 2012, the Department of Defense (DOD) issued a Statement of Reasons (SOR) detailing security concerns under foreign influence (Guideline B). The action was taken pursuant to 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 adjudicative guidelines (AG), implemented by DOD on September 1, 2006.

Applicant submitted his answer to the SOR on October 25, 2012. The Defense Office of Hearings and Appeals (DOHA) issued a notice of hearing on February 14, 2013, and the hearing was held as scheduled on March 12, 2013. At the hearing, the Government submitted three exhibits which were admitted into evidence without objection.<sup>2</sup> Applicant and one witness testified at the hearing. Applicant's five exhibits (AE A-AE E) were admitted into evidence without objection. DOHA received the transcript on March 22, 2013. The record in this case closed on March 22, 2013.

### **Rulings on Procedure**

I am taking administrative notice of facts about China, which are contained in the documents provided by Department Counsel. (GE 3) The administrative facts are limited to matters that are obvious to the average person, easily verifiable, and relevant to this case.

### **Findings of Fact**

The SOR has two factual allegations under foreign influence (Guideline B). Applicant admitted his wife is a citizen of the Peoples Republic of China (PRC or China) and a resident of the United States. (SOR 1.a) He admitted her parents are citizens and residents of China. (SOR 1.b)

Applicant was born in the United States and is 27 years old. He married his wife, a citizen of China and U.S. resident, in July 2010. He has no children, but he and his wife plan to have and raise their children in the United States. (Tr. 63, 70) His parents were born and live in the United States. His two brothers, 25 and 22 years old, were born and live in the United States. His sister, 13 years old, is a naturalized U.S. citizen, living at home with Applicant's parents. (GE 1 at 31)<sup>3</sup>

Following an internship of ten weeks in the summer of 2010, Applicant was hired full-time as a consultant by a defense contractor. His initial assignment was to research foreign companies producing counterfeit parts for DOD user agencies and clients. In May 2012, Applicant moved to the cyber analytics center of his employer. He is

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<sup>2</sup> The third Government exhibit contains administrative notice source documents regarding the Peoples Republic of China (PRC or China).

<sup>3</sup> Page numbers in this exhibit are located in upper right hand corner.

currently a lead analyst of a ten-member team at the cyber analytics center, where he assesses cyber threats for clients to help them understand: (1) the extent of the threat; (2) the types of villainous activities that may be directed at their infrastructure; and (3) who may be perpetrating the threat. Applicant has several certifications in computer infrastructures, security procedures, and hacking techniques. (GE 2 at I23-I24; Tr. 25-28, 71-72)

### **Overseas Travel and Employment Background**

Applicant was awarded a high school diploma in June 2003. In June 2008, he received a bachelor of arts degree (economics) from a prestigious university. In June 2011, he was awarded a master's of arts degree in international affairs and international economics, with a focus in contemporary China affairs. (Tr.19; GE 2 at I31) From high school to June 2011, when he last traveled to China, Applicant periodically traveled overseas to Asian countries for: (1) work/study reasons related to his university-course curriculum; (2) tourism reasons; and (3) internship employment with the U.S. Department of State (DOS). In October 2006, he met his current wife during an overseas study program in China, and visited her on several occasions in the country until she permanently moved to the United States in 2010. (GE 1, GE 2 at I24)

Applicant's desire to study abroad germinated in high school. After discussing possible overseas locations with his father, he settled on China. Sponsored by an American-study-abroad summer exchange program, Applicant spent three months in 2001 with a group of teenagers studying and performing community service in China. (Tr. 21-22)

From June 2004 to August 2004, Applicant spent a few days visiting a university classmate in Hong Kong and 65 days attending his U.S. university satellite education facility at a language and cultural university in China . (GE 2 at I16, I23, I39)

In August 2005, Applicant spent six days in Japan at a student conference sponsored by his university. He also spent a few days touring the country. (GE 2 at I16, I39)

For 60 days between June 2005 and August 2005, Applicant and other students attended his U.S. university satellite education facility at the same Chinese language and cultural university that he had attended from June to August 2004. (GE 2 at I16, I39)

From August 2006 to June 2007, Applicant and other students spent the school year participating in his university-sponsored study program at a Chinese university. In October 2006, he met his current wife at a talent show sponsored by students (Applicant's university and his wife's Chinese university) in the study program. (Tr. 33; GE 2 at I24)

From July 2007 to September 2007, Applicant worked in Taiwan for the DOS as a junior Foreign Service Officer (FSO). He had a secret security clearance. His assignments were to accompany FSOs in their duties of collecting information and general research. He also assisted in the preparation of the U.S.-China Economics Security Review, a report included in the administrative notice documents. Applicant spent five days visiting two classmates in South Korea. At the conclusion of foreign service duties, Applicant traveled to China to visit his current wife for eight days, before returning to the United States. (GE 1 at 52, GE 2 at I16, I38; Tr. 29-30)<sup>4</sup>

Between January 2008 and February 2008, Applicant traveled to Hong Kong for five days, then on to China for 14 days to see his current wife. (GE 2 at I15, I38)

In June 2008, Applicant traveled to Hong Kong to meet his current wife and a mutual friend. He spent six days sightseeing at that location. (GE at I15, I38)

In August 2008, Applicant spent 14 days in China with his current wife. During this trip, he contacted the Chinese corporate offices of an American discount store regarding work-related activities for his U.S. employer at the time. (GE 1 at 21, GE 2 at I15, I37)

From January 2009 to February 2009, Applicant went to China for 12 days to see his current wife and to tour the country. He spent 30 days between June 2009 and July 2009, attending his current wife's graduation in China and sightseeing. (GE 2 at I15)

Between January 2010 and April 2010, Applicant worked in the United States for DOS as a junior FSO for the Office of Chinese-Mongolian Affairs. In this position, he assisted foreign and civil service officers and interacted with Chinese and Mongolian officials. Applicant held a secret clearance. (GE 1 at 20; Tr. 29-30)

On August 24, 2010, while Applicant was still in graduate school, and completing his internship for his current employer, DOS granted him security clearance access up to and including the top secret classification. DOS offered Applicant an FSO position, which he had applied for in 2008, his senior year at the university. He declined the offer because he desired to complete his graduate studies. He obtained his master's degree in June 2011, while working for his current employer. (GE 1 at 16, GE 2 at 3-4, AE B, AE C; Tr. 24-25, 31)

In June 2010, Applicant married at a U.S. courthouse. The couple's final trip to China was in June 2011, when Applicant, his wife, his parents, and two brothers traveled to China to meet his wife's parents at a reception and public ceremony. They stayed eight days at a hotel in her parent's hometown. (GE 2 at I24; Tr. 37-38, 59)

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<sup>4</sup> The report, which appears in the administrative notice source documents within GE 3 (marked "V" on the first page), is entitled U.S.-China Security Review Commission, *2009 Report to Congress*, dated November 2009.

In January 2011, Applicant began working part-time (15 to 20 hours a week) as a research consultant for a U.S. university assistant professor. His primary employer approved this part-time employment. (GE 2 at I10, I31)

### **Background of Applicant's Wife**

Applicant's wife (SOR 1.a) was born in China in January 1987. She is an only child. She is 26 years old. She met Applicant in China at a talent show in October 2006, sponsored by their Chinese and American universities they were attending.

Beginning in 2008, Applicant's wife made several trips to the United States on a tourist visa to spend time with him to determine their long-term plans. In December 2009, Applicant and his wife decided to marry. His wife returned to China and worked from January 2010 to May 2010 as an English language tutor for a private company, while waiting for complete processing of her K-1 visa application. After their marriage in July 2010, his wife obtained a U.S. work authorization in August 2010, and began working as a self-employed language instructor. In January 2011, she received her permanent resident status. In May 2012, she began working as a contractor language instructor for the DOS. Currently, she anticipates receiving a permanent green card this year, and intends to apply for U.S. citizenship when she is eligible in January 2014. Neither Applicant nor his wife intends to return to China. (GE 2 at I23-I24; Tr. 51, 59, 67)

During Applicant's U.S. Foreign Service examination in 2009, he informed the DOS decision makers about his relationship with his current wife, a Chinese citizen. She had to fill out a questionnaire and a foreign-born spouse questionnaire. The two questionnaires were examined by DOS security officers in China. Upon completion of the investigation into Applicant's security clearance qualifications and a supplemental investigation of his wife, Applicant was granted a top secret clearance with the restriction he could not be assigned to China or Hong Kong. He declined the follow-up job offer because he wanted to complete his graduate studies. (GE 2 at I24-25; Tr. 30-31, 64)

### **Applicant's Contacts With His Parents-in-law and His Security Education**

Applicant's parents-in-law are 59 years old. They are citizens and residents of China. (SOR 1.b) They live in a relatively underdeveloped city that is about 200 miles from larger and well-known cities in China. His father-in-law was employed as a commercial fisherman most of his life. Then, he was employed as a truck driver delivering consumer goods. He retired in the late 1990s and began receiving a pension from his trucking employer. He then opened a photo and snack shop. (GE 1 at 32, GE 2 at I15-I16, I26; Tr. 38-39, 41-42, 53-54)

Applicant's mother-in-law was employed as an accountant for a small business. She retired and receives a pension from her accounting job. She helps her husband operate the photo shop. Neither parent-in-law is aware of Applicant's security clearance application. Neither parent-in-law has worked nor is affiliated with the Chinese

government. They are apolitical. They have never been in adverse incidents or been coerced by anyone in the Chinese government. (GE 1 at 32, GE 2 at I15-I16, I26; Tr. 38-39, 41-42, 53-54)

Applicant has no regular contact with his parents-in-law. Applicant does not consider himself close to his parents-in-law. He saw them in China when visiting his current wife in January 2008, January 2009, June 2009, and June 2011. Her parents only trip to the United States was in October 2011. The last two contacts were wedding receptions in China and the United States. Applicant has trouble communicating with them because he does not understand their local dialect, so his exchanges initiated by his wife are limited. The last communication he had with his wife's parents occurred by telephone during the Chinese New Year in January 2012. Joining his wife, he extended a happy Chinese New Year to them. His wife contacts her parents about once or twice a week through Skype (voice over Internet protocol technology) transmissions because the Internet in their Chinese hometown is insufficient to support a reliable transmission. (GE 2 at I15, I22; Tr. 42-43, 55)

Neither Applicant nor his wife provides nor receives financial support from her parents. When her parents came to the United States to celebrate Applicant's marriage in October 2011, his father paid their travel expenses. Applicant's wife receives no remuneration from China. She does not contribute to any Chinese charities. She has no assets, property, obligations or political affiliations in China. She has never been targeted by foreign entities searching for information about Applicant. (Tr. 42, 49-52, 60, 68)

Applicant never had any foreign financial interests in businesses, bank accounts, or real estate in China. He never served as a consultant for any foreign government. His appearance at Asian conferences and study abroad programs are documented in GE 1 and GE 2 (GE 1 at 42-49, GE 2)

Applicant's wife knows he is under investigation for a security clearance, but she does not know the specifics. His wife is not aware of the sponsoring agency. She does not know the subject matter of Applicant's work. He has instructed his wife not to talk to anyone about the security investigation. He does not believe she has talked to her parents about his security clearance application. He does not talk to her about his work. Applicant and his wife maintain separate computer systems and accounts that are password protected. Their cellular lines are separate and password protected. (GE 2 at I15; Tr. 44-49)

Applicant never encountered any security problems or security-related incidents during his travels to China as a student. He never had any problems entering or exiting the country. The security training provided by his employer has elevated Applicant's understanding of the potential threats in the secured environment. Applicant knows not to reveal information about his work and can field general inquiries by indicating he is a consultant. When the attempts for information become more targeted, he knows to report the attempts to his security officer. (GE 2 at I26-I27; Tr. 56-58)

## **Applicant's U.S. Assets**

Applicant's U.S. assets are set forth in AE A. He has a 25% interest in a family trust valued at \$4,000,000. His condominium is worth \$365,000. He has a \$20,000 car. He and his wife have a shared bank account of approximately \$20,000. (GE 2 at 123; Tr. 60-62)

## **Character Evidence**

Witness A testified that she was employed by Applicant's employer from approximately January 2012 to February 28, 2013, when she left the company to operate a business in the Midwest. She worked in the employer's cyber analytics center providing services to commercial and government clients. In May 2012, she began to supervise Applicant on several projects. She quickly recognized his potential and assigned him additional responsibilities, including editing projects and monitoring junior analysts. In Witness A's opinion, Applicant's reliability, trustworthiness, and security consciousness, made him one of the best analysts in the center. She never doubted his loyalty to the United States. He produced quality work with no disciplinary problems. He always abided by the employer's rules and regulations while complying with security rules. She never heard him talk about any subject that led her to believe he had a preference for China. (Tr. 75-83)

Applicant provided two character references from coworkers. Reference B has interacted as Applicant's coworker on a daily basis since May 2012. Based on their professional and social relationship, Reference B believes Applicant is conscientious, honest and trustworthy. (AE D)

Reference C, a supervisor at the employer's analytics center, considers Applicant's job performance to be above expectations. Reference C has consistently observed Applicant deliver a quality product in a timely fashion. He had always complied with the employer's internal rules and code of ethics, and the pertinent non-disclosure agreements. He responsibly seeks guidance on job-related issues. In Reference C's view, Applicant is dependable and trustworthy. (AE E)

## **People's Republic of China**

China's government is authoritarian and controlled by the Communist Party. The country has a poor human rights record, curbs political dissent, conducts arbitrary arrests, involuntary confessions, and torture.

China commits most of its industrial and domestic production to its enormous military force and nuclear arsenal.

China is a major trading partner with the United States. Both countries worked together in counter-terrorism efforts after September 11, 2001. On the other hand, China directly competes with the United States on several geopolitical and economic

levels. China has targeted the U.S. with legal and illegal intelligence gathering operations. The country is a leading collector of military, economic, industrial, and technological information from the United States. Recent examples of China's attempts to collect technological information suggests that the country's collection efforts are at a level that poses a substantial threat to U.S. national security.

## **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, the adjudicative guidelines list potentially disqualifying and mitigating conditions that are useful in evaluating an Applicant's eligibility for access to classified information.

These guidelines must be considered in the context of the nine general factors known as the whole-person concept to enable the administrative judge to 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."

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.

## **Analysis**

### **Foreign Influence**

AG ¶ 6 sets forth the security concern of the foreign influence guideline:

Foreign contacts and interests may be a security concern if the individual has divided loyalties or foreign financial interests, may be manipulated or induced to help a foreign person, group, organization, or government in a way that is not in U.S. interests, or is vulnerable to pressure or coercion by any foreign interest. Adjudication under this guideline can and should consider the identity of the foreign country in which the foreign contact or financial interest is located, including, but not limited to, such considerations as whether the foreign country is known to target U.S. citizens to obtain protected information and/or is associated with a risk of terrorism.



AG ¶ 7 contains three conditions that are pertinent to this case:

(a) contact with a foreign family member, business or professional associate, friend, or other person who is a citizen of or resident in a foreign country if that contact creates a heightened risk of foreign exploitation, inducement, manipulation, pressure, or coercion;

(b) connections to a foreign person, group, government, or country that create a potential conflict of interest between the individual's obligation to protect sensitive information or technology and individual's desire to help a foreign person, group, or country by providing that information; and

(d) sharing living quarters with a person or persons, regardless of citizenship status, if that relationship creates a heightened risk of foreign inducement, manipulation, pressure, or coercion.

The mere possession of close ties and contacts with a family member in a foreign country is not disqualifying under Guideline B. On the other hand, if an applicant has contacts with a relative or friend living in a foreign country like China, this single factor may create a potential for foreign influence that is disqualifying under the guideline. China is a communist-ruled country that has a poor human rights record exemplified by arbitrary police action and disrespect for freedom of speech and assembly. U.S. citizens with family members in China are at a heightened risk of manipulation and pressure.

Applicant's wife is a citizen of China and a permanent U.S. resident. She shares living quarters with Applicant. Through his wife, Applicant has ties and contacts with her parents-in-law, citizens and residents of China. I interpret her once to twice a week contacts with her parents by Skype as a close relationship that is important to her. Though Applicant does not consider himself close to his parents-in-law, he had face-to-face contact with them five times between January 2007 and October 2011. Applicant's ties and contacts to his Chinese family members creates a heightened risk of exploitation within the scope of AG ¶¶ 7(a), (b), and (d). Applicant's travel to China and several other countries between July 2003 and June 2011, for work/study, for tourism, for internship employment, and for visits with his current wife, has no independent security significance. There is no evidence that Applicant engaged in any questionable conduct that activates any other disqualifying condition under foreign influence.

The Government has established its initial case of foreign influence. Because of the PRC's active intelligence gathering programs directed at the U.S., Applicant bears a heavy burden of persuasion to establish that his ties and contacts to his wife and parents-in-law do not present an increased risk of manipulation. The pertinent mitigating conditions under AG ¶ 8 are:

(a) the nature of the relationships with foreign persons, the country in which these persons are located, or the position or activities of those

persons in that country are such that it is unlikely the individual will be placed in a position of having to choose between the interests of a foreign individual, group, organization, or government and the interests of the U.S.;

(b) there is no conflict of interest, either because the individual's sense of loyalty or obligation to the foreign person, group, government, or country is minimal, or the individual has such deep and long-lasting relationships and loyalties in the U.S., that the individual can be expected to resolve any conflict of interest in favor of the U.S. interest; and

(c) contact or communication with foreign citizens is so casual and infrequent that there is little likelihood that it could create a risk for foreign influence or exploitation.

While an increased risk of foreign influence could be directed at Applicant through his wife to place Applicant in a position of having to choose between the foreign and U.S. interest, the prospects are diminished because she is a permanent resident of the U.S. She does not intend to return to China and anticipates applying for U.S. citizenship when she becomes eligible in January 2014. She has been employed as a tutor for DOS and is pursuing advanced educational opportunities in the United States. She has no property or financial interests in China. AG ¶ 8(a) applies to Applicant's wife.

Both of Applicant's parents-in-law live in an underdeveloped city that is about 200 miles from the largest cities in China. They were employed by private companies and are retired. They draw their retirement pensions from the companies where they worked and are presently operating a photo and snack shop. They have never been involved in politics and they never have been affiliated with the Chinese government. They have never been pressured by the Chinese government for information or targeted for any other reason. They have never been involved in any incidents with the Chinese government. They do not know the nature of Applicant's employment and are not aware he is applying for a security clearance. Though there is always a chance a Chinese agent or criminal could try to reach Applicant by targeting his parents-in-law, Applicant's overarching security consciousness reduces the chance to some degree. Nonetheless, because of China's reputation for targeting U.S. citizens for technological and economic information, AG ¶ 8(a) does not fully apply to Applicant's parents.

Applicant has lived his entire life in the U.S. He was educated in this country. He owns a condominium and has substantial assets in this country. His relationship with the United States must be weighed against the conflict of interest caused by the imputed relationship he has with his parents-in-law in China. While his parents-in-law have no connection to the Chinese government and have never been targeted for coercion, because of China's persistent collection practices against the United States, a future attempt to pressure Applicant through his parents-in-law could still occur if China decided it was beneficial for its collection activities. AG ¶ 8(b) is not fully applicable.

AG ¶ 8(c) does not apply to Applicant's parents-in-law because of the rebuttable presumption that contacts with an applicant's immediate family members in a foreign country are not considered casual.

### **Whole-Person Concept**

I have examined the evidence under the disqualifying and mitigating conditions of the foreign influence guideline. I have also weighed the circumstances within the context of nine variables known as the whole-person concept. In evaluating the relevance of an individual's conduct, the administrative judge should consider the following factors set forth in 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 the participation was 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 a commonsense judgment based on careful consideration of the guidelines and the whole-person concept.

There is important evidence that substantiates the granting of Applicant's security clearance application. Considering the record as a whole, including Applicant's demeanor and conduct at the hearing, I found Applicant's testimony to be credible. He was born and raised in the United States. His parents and two brothers were born and live in the United States. His sister is a naturalized U.S. citizen living with Applicant's parents. Applicant received a bachelor's degree in June 2008 and master's degree in June 2011. While he was attending the university in 2007, and during graduate school in 2010, Applicant worked as junior FSO for DOS and had a security clearance. In August 2010, DOS offered him an FSO position after granting him access up to and through the top secret level.

When Applicant began employment with his present company in 2010, he was assigned to research foreign companies that were producing counterfeit parts for the DOD-user agencies and clients. Since May 2012, he has been working in the cyber analytics center, applying his certifications in network infrastructures, security procedures, and hacking techniques, to assess cyber threats for clients and identify the sources of the threats. When Witness A was Applicant's supervisor, she believed Applicant was one of the best analysts in the cyber center. References B and C consider Applicant to be trustworthy and reliable. In Reference C's opinion, Applicant's work product is at a high caliber.

Applicant's wife, a citizen of China, has been a permanent resident of the United States since January 2011. After obtaining a work authorization in August 2010, her first job in the United States was as a self-employed language instructor. In May 2012, she was hired as a contractor language instructor for DOS and intends to apply for U.S. citizenship when eligible in January 2014.

Applicant's wife has no property or other interest in China. Neither she nor Applicant provides or receives financial support from her parents. Applicant has no financial interests or property in China. He has a 25% interest in a U.S. family trust valued at \$4,000,000. His condominium is worth \$365,000, and he and his wife have about \$20,000 in a shared bank account.

Because of Applicant's parents-in-law's resident citizenship in China, only the eighth factor of the whole-person concept, "a potential for pressure, coercion, exploitation, and duress," may apply against Applicant's security clearance application. Although there has never been any attempt to target Applicant's parents-in-law, and China could attempt to coerce Applicant at any time through his parents-in-law, Applicant's security tools and valuable (not irreplaceable) cyber expertise justify complete confidence that he will recognize and report any attempt by China to coerce or manipulate him through his family members.

After balancing the disqualifying and mitigating conditions under the foreign influence guideline, and evaluating the evidence in the context of the whole-person concept, I conclude Applicant has mitigated the security concerns under foreign influence.

### **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 B):	FOR APPLICANT
Subparagraphs 1.a, 1.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.

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Paul J. Mason  
Administrative Judge