



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



In the matter of: )  
 )  
----- ) ISCR Case No. 11-11578  
 )  
Applicant for Security Clearance )

**Appearances**

For Government: Richard Stevens, Esquire, Department Counsel  
For Applicant: William E. Wyrrough, Jr., Esquire

05/28/2013

**Decision**

GALES, Robert Robinson, Administrative Judge:

Applicant mitigated the security concerns regarding financial considerations. Eligibility for a security clearance and access to classified information is granted.

**Statement of the Case**

On May 10, 2011, Applicant applied for a security clearance and submitted an Electronic Questionnaire for Investigations Processing (e-QIP) version of a Security Clearance Application (SF 86).<sup>1</sup> On an unspecified date, the Department of Defense (DOD) issued him a set of interrogatories. He responded to the interrogatories on October 17, 2012.<sup>2</sup> On an unspecified date, the DOD issued him another set of interrogatories. He responded to the interrogatories on October 17, 2012.<sup>3</sup> On January 3, 2013, the DOD issued a Statement of Reasons (SOR) to him, under Executive Order 10865, *Safeguarding Classified Information within Industry* (February 20, 1960), as

<sup>1</sup> GE 1 ((SF 86), dated May 10, 2011).

<sup>2</sup> GE 2 (Applicant's Answers to Interrogatories, dated October 17, 2012).

<sup>3</sup> GE 3 (Applicant's Answers to Interrogatories, dated October 17, 2012).

amended and modified; DOD 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 Guideline F (Financial Considerations), and detailed reasons why the DOD adjudicators were 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 received the SOR on January 14, 2013. In a sworn statement, dated February 6, 2013, Applicant responded to the SOR allegations and requested a hearing before an administrative judge. Department Counsel indicated the Government was prepared to proceed on March 27, 2013. The case was assigned to me on April 2, 2013. A Notice of Hearing was issued on April 17, 2013, and I convened the hearing by video teleconference as scheduled on May 15, 2013.

During the hearing, five Government exhibits (GE 1 through GE 5) and ten Applicant exhibits (AE A through AE J) were admitted into evidence without objection. Applicant testified. The transcript (Tr.) was received on May 23, 2013. I kept the record open to enable Applicant to supplement it. Applicant took advantage of that opportunity, and he submitted five additional documents which were marked as exhibits (AE K through AE O) and admitted into evidence without objection. The record closed on May 23, 2013.

### **Findings of Fact**

In his Answer to the SOR, Applicant admitted both of the factual allegations (¶¶ 1.a. and 1.b.) pertaining to financial considerations. 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 45-year-old employee of a defense contractor who, since April 2011, has served as an electronics technician. He was previously employed by other employers as a fiber optics contractor, fiber optic technician, and restaurant manager.<sup>4</sup> Applicant served in an enlisted capacity with the U.S. Air Force Reserve from February 1985 until August 1997, and received an honorable discharge.<sup>5</sup> He was called to active duty on several occasions, including a January 1991 deployment for Operation Desert Storm.<sup>6</sup>

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<sup>4</sup> GE 1, *supra* note 1, at 11-15; Tr. at 26.

<sup>5</sup> GE 1, *supra* note 1, at 16-17; AE K (Certificate of Release or Discharge from Active Duty (DD Form 214), dated April 2, 1996).

<sup>6</sup> AE K, *supra* note 5.

During his military service he was awarded the Air Force Commendation Medal, the Armed Forces Reserve Medal, the Air Force Longevity Service Award (with one device), the Air Reserve Meritorious Service Medal (with two devices), the Air Force Training Ribbon, the Southwest Asia Service Medal (with one device), the National Defense Service Medal, the Small Arms Expert Marksmanship Ribbon (Rifle), the Armed Forces Expeditionary Medal, the Kuwait Liberation Medal, the Air Force Outstanding Unit Award (with four devices), and the Joint Meritorious Unit Award.<sup>7</sup> Applicant was granted a secret security clearance in 1985.<sup>8</sup>

A 1985 high school graduate, Applicant attended a junior college from October 1985 until June 1987, but did not receive a degree.<sup>9</sup> He was married the first time in February 1991, divorced in August 1993, and married the second time in August 2009, and divorced in May 2012.<sup>10</sup> He and his first wife have one son, born in August 1991.

### **Financial Considerations**

There apparently was nothing unusual about Applicant's finances until about February 2008. During the years leading up to that point, he was essentially debt free.<sup>11</sup> Applicant's second wife, with whom he resided for 14 years before they got married,<sup>12</sup> was a recovering alcoholic with a gambling problem, working at a casino and then at a small restaurant. She stole alcohol from the restaurant, and there was apparently a mutual agreement that she would leave her job.<sup>13</sup> Applicant travelled often with his job, and he was unable to pay sufficient attention to his finances.<sup>14</sup> His girlfriend, who later became his second wife, had no credit in her name, and Applicant permitted her to use his accounts. Without his knowledge or permission, she drained funds from Applicant's individual accounts, forged his name on checks, obtained cash advances, hid funds to use for purchasing alcohol and gambling, and "maxed out" the balances of other accounts in Applicant's name.<sup>15</sup> In December 2009, his second wife was convicted of driving under the influence of alcohol (DUI) and Applicant incurred a bill of \$3,100 which he paid on her behalf. When the economy started to stagnate, his earnings diminished.<sup>16</sup> With insufficient funds to continue covering her expenses and making his

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<sup>7</sup> AE K, *supra* note 5.

<sup>8</sup> GE 1, *supra* note 1, at 31-32.

<sup>9</sup> GE 1, *supra* note 1, at 10-11.

<sup>10</sup> GE 1, *supra* note 1, at 19-21; AE D (Final Judgment, dated May 23, 2012).

<sup>11</sup> Tr. at 66-67.

<sup>12</sup> Tr. at 27.

<sup>13</sup> Tr. at 57-58.

<sup>14</sup> Tr. at 28.

<sup>15</sup> Tr. at 28, 65.

<sup>16</sup> Tr. at 28, 58-59.

monthly payments, his accounts became delinquent, were placed for collection, charged off, or went to judgment.

Applicant and his second wife separated in April 2011.<sup>17</sup> In an effort to reduce expenses and stabilize his financial situation, he moved in with his mother, to whom he does not pay rent, but for whom he pays utilities and does work around the house.<sup>18</sup> He contacted his creditors, but because of the large amounts they required to resolve the accounts, he was not able to immediately attempt to pay them. He developed a repayment plan, withdrew funds from his 401(k) retirement account, and sold his truck. With those funds and his salary, he started paying his creditors.<sup>19</sup> He complied with the marital settlement agreement that was incorporated into the divorce decree, and paid off and gave his second wife title to an automobile, paid her \$2,000 in alimony, \$750 in legal fees, and \$990 for health insurance.<sup>20</sup> With time and effort, Applicant was able to dig himself out of the financial hole largely created by his second wife.<sup>21</sup> Applicant was able to address the remaining accounts, including non-SOR accounts, and they have either been settled, paid off, or are in the process of being paid.<sup>22</sup> With the exception of one account which is currently in a repayment plan, Applicant has no other delinquent accounts.<sup>23</sup>

In response to the DOD interrogatories, Applicant provided a personal financial statement reflecting a monthly net salary of \$2,975.92; monthly household, utility, transportation, and food expenses of \$1,552; and monthly debt repayments of \$565; leaving a monthly remainder of \$858.92.<sup>24</sup> Although there have been some changes in the various line items, with some expenses no longer existing, and some increasing, Applicant estimates that his monthly remainder is still about \$800.<sup>25</sup>

The SOR identified two purportedly continuing delinquencies. There is a credit card account with a credit limit of \$6,900 and an unpaid balance of \$7,316 that was placed for collection and charged off (SOR ¶ 1.a.).<sup>26</sup> Although the attorney representing the creditor has referred to the account as a final judgment,<sup>27</sup> there is no other evidence

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<sup>17</sup> GE 2 (Personal Subject Interview, dated June 14, 2011), at 1.

<sup>18</sup> Tr. at 29-31.

<sup>19</sup> Tr. at 68.

<sup>20</sup> Tr. at 49-50.

<sup>21</sup> Tr. at 45.

<sup>22</sup> GE 2, *supra* note 17, at 2-3; AE F (Satisfaction of Judgment, dated April 26, 2012).

<sup>23</sup> Tr. at 66.

<sup>24</sup> GE 3 (Personal Financial Statement, undated).

<sup>25</sup> Tr. at 45-48.

<sup>26</sup> GE 5 (Equifax Credit Report, dated August 31, 2012), at 2.

<sup>27</sup> AE L (Letter, dated February 12, 2013).

to confirm that assertion. Applicant had repeatedly attempted to resolve the account, but the creditor required a payment in full, something Applicant was unable to do at the time.<sup>28</sup> On February 12, 2013, the creditor agreed to settle the account for \$4,920, provided monthly payments of \$820 were made commencing on or before the 25<sup>th</sup> day of the month.<sup>29</sup> Applicant made his first payment on February 25, 2013, and made subsequent payments in March and April 2013.<sup>30</sup> The account is in the process of being resolved.

There is a credit card account with a credit limit of \$13,500, a past due balance of \$2,222, and an unpaid balance of \$13,141 (SOR ¶ 1.b.).<sup>31</sup> After numerous unsuccessful attempts to resolve the account,<sup>32</sup> in March 2013, Applicant and the creditor finally agreed to settle the account for \$8,000, and that payment was received by the creditor on March 29, 2013.<sup>33</sup> The account has been resolved.

Applicant has never received any financial counseling. Nevertheless, now that his formerly delinquent accounts have been settled, paid off, or are in the process of being paid, Applicant's financial problems have been resolved and his finances are under control.

## **Work Performance and Character References**

Applicant's work performance and character have been described by senior company officials in extremely positive terms. The facility security officer, project manager, and the chief of the section, all refer to his integrity, maturity, dedication, resolve, reliability, trustworthiness, upbeat attitude, dependability, and work ethic. Applicant is considered an integral part of the teams deployed all over the world.<sup>34</sup> A former coworker, who has known Applicant since 2008, characterized him as loyal, honest, considerate, and supportive.<sup>35</sup> He also was aware of Applicant's financial situation, and stated that Applicant "was always focused on paying his bills and trying to get himself out of debt. Just when things would be going his way, [Applicant's second wife] would start drinking and spending money. [Applicant] was always trying to fix the

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<sup>28</sup> Applicant's Answer to the SOR, dated February 6, 2013, at 1.

<sup>29</sup> AE L, *supra* note 27.

<sup>30</sup> AE M (Cancelled Check, dated February 25, 2013); AE N (Cancelled Check, dated March 25, 2013); AE O (Cancelled Check, dated April 25, 2013).

<sup>31</sup> GE 4 (Combined Experian, TransUnion, and Equifax Credit Report, dated May 18, 2011), at 7.

<sup>32</sup> Tr. at 33.

<sup>33</sup> AE E (Letter, dated April 1, 2013).

<sup>34</sup> AE A (Character Reference, dated April 16, 2013); AE B (Character Reference, dated April 18, 2013); AE C (Character Reference, undated).

<sup>35</sup> AE I (Character Reference, undated).

negative situations [Applicant's second wife] would get herself into."<sup>36</sup> A friend of Applicant's mother has known Applicant for approximately 30 years, and she was aware of his marriages, finances, and family activities. She is now retired after a career in the banking industry. She considers Applicant to be trustworthy.<sup>37</sup> A high school classmate, who is now a master-level mental health therapist, has kept in touch with Applicant over the years, and they have shared life's events. She considers Applicant to be fair, generous, frugal, responsible, and dependable, with a strong sense of duty.<sup>38</sup>

## Policies

The U.S. Supreme Court has recognized the substantial discretion of the Executive Branch in regulating access to information pertaining to national security, and has emphasized that "no one has a 'right' to a security clearance."<sup>39</sup> 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 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."<sup>40</sup>

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."<sup>41</sup> The Government initially has the burden of producing evidence to establish

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<sup>36</sup> AE I, *supra* note 35.

<sup>37</sup> AE G (Character Reference, undated).

<sup>38</sup> AE H (Character Reference, undated).

<sup>39</sup> *Department of the Navy v. Egan*, 484 U.S. 518, 528 (1988).

<sup>40</sup> Exec. Or. 10865, *Safeguarding Classified Information within Industry* § 2 (Feb. 20, 1960), as amended and modified.

<sup>41</sup> "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,

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.<sup>42</sup>

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."<sup>43</sup>

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."<sup>44</sup> 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 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

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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 (4<sup>th</sup> Cir. 1994).

<sup>42</sup> See ISCR Case No. 02-31154 at 5 (App. Bd. Sep. 22, 2005).

<sup>43</sup> *Egan*, 484 U.S. at 531

<sup>44</sup> See Exec. Or. 10865 § 7.

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. Commencing in 2008, Applicant started experiencing some financial difficulties, and over the next few years those difficulties increased to the point where he was unable to make routine monthly payments for a number of accounts. His accounts eventually started becoming delinquent and were placed for collection or went to judgment. AG ¶¶ 19(a) and 19(c) apply.

The guideline also includes examples of conditions that could mitigate security concerns arising from financial difficulties. Under AG ¶ 20(a), the disqualifying condition 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*. Also, under AG ¶ 20(b), financial security concerns may be mitigated where *the conditions that resulted in the financial problem were largely beyond the person's control (e.g., loss of employment, a business downturn, unexpected medical emergency, or a death, divorce or separation), and the individual acted responsibly under the circumstances*. Evidence that *the person has received or is receiving counseling for the problem and/or there are clear indications that the problem is being resolved or is under control* is potentially mitigating under AG ¶ 20(c). Similarly, AG ¶ 20(d) applies where the evidence shows *the individual initiated a good-faith effort to repay overdue creditors or otherwise resolve debts*.<sup>45</sup>

AG ¶¶ 20(a), 20(b), 20(c), and 20(d) apply. Applicant's indebtedness was not caused by frivolous or irresponsible spending, and he did not spend beyond his means. Instead, his financial problems were caused by circumstances largely beyond his control. Without his knowledge or permission, Applicant's second wife drained funds from his individual accounts, forged his name on checks, obtained cash advances, hid funds to use for purchasing alcohol and gambling, and "maxed out" the balances of

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<sup>45</sup> The Appeal Board has previously explained what constitutes a good-faith effort to repay overdue creditors or otherwise resolve debts:

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

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



other accounts in Applicant's name. When the economy started to stagnate, his earnings diminished, and he had insufficient funds to continue covering his second wife's expenses and making his monthly payments. Applicant and his second wife separated, and in an effort to reduce expenses, and get his financial situation stabilized, he moved in with his mother. He contacted his creditors, developed a repayment plan, withdrew funds from his 401(k) retirement account, and sold his truck. With those funds and his salary, he started paying his creditors. He complied with the marital settlement agreement that was incorporated into the divorce decree. With time and effort, Applicant was able to dig himself out of the financial hole largely created by his second wife. Applicant was able to address the remaining accounts, including non-SOR accounts, and they have either been settled, paid off, or are in the process of being paid.<sup>46</sup> With the exception of one account which is currently in a repayment plan, Applicant has no other delinquent accounts. While Applicant never received any financial counseling, his financial problems have been resolved and his finances are under control. Furthermore, now that Applicant has divorced his second wife, her actions can no longer impact his finances. Applicant's actions under the circumstances confronting him do not cast doubt on his current reliability, trustworthiness, or good judgment.<sup>47</sup>

### **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

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<sup>46</sup> "Even if Applicant's financial difficulties initially arose, in whole or in part, due to circumstances outside his [or her] control, the Judge could still consider whether Applicant has since acted in a reasonable manner when dealing with those financial difficulties." ISCR Case No. 05-11366 at 4 n.9 (App. Bd. Jan. 12, 2007) (citing ISCR Case No. 99-0462 at 4 (App. Bd. May 25, 2000); ISCR Case No. 99-0012 at 4 (App. Bd. Dec. 1, 1999); ISCR Case No. 03-13096 at 4 (App. Bd. Nov. 29, 2005)). A component is whether he or she maintained contact with creditors and attempted to negotiate partial payments to keep debts current.

<sup>47</sup> See ISCR Case No. 09-08533 at 3-4 (App. Bd. Oct. 6, 2010).

aspects of this case in light of the totality of the record evidence and have not merely performed a piecemeal analysis.<sup>48</sup>

There is some evidence against mitigating Applicant's conduct. Applicant permitted his second wife to gain access to his accounts, knowing she was an alcoholic and a gambler. As a direct result of her actions, a number of accounts became delinquent. As a result, accounts were placed for collection or went to judgment.

The mitigating evidence under the whole-person concept is more substantial. A veteran of the Gulf War, Applicant is highly thought of by his colleagues and friends. His indebtedness was not caused by his frivolous or irresponsible spending, and he did not spend beyond his means. Instead, his financial problems were caused by the actions of his second wife. He contacted his creditors, developed a repayment plan, gathered his available assets, and started paying his creditors. Applicant's delinquent accounts have either been settled, paid off, or are in the process of being paid. His financial problems have been resolved and his finances are under control. Applicant's actions under the circumstances confronting him do not cast doubt on his current reliability, trustworthiness, or good judgment.

The Appeal Board has addressed a key element in the whole-person analysis in financial cases stating:<sup>49</sup>

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

Applicant has demonstrated a "meaningful track record" of debt reduction and elimination. Overall, the evidence leaves me without questions and doubts as to

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<sup>48</sup> 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).

<sup>49</sup> ISCR Case No. 07-06482 at 2-3 (App. Bd. May 21, 2008) (internal citations omitted).

Applicant's eligibility and suitability for a security clearance. For all of these reasons, I conclude Applicant has mitigated the security concerns arising from his financial considerations. 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 F:	FOR APPLICANT
Subparagraph 1.a:	For Applicant
Subparagraph 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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ROBERT ROBINSON GALES  
Administrative Judge