



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



In the matter of:

Applicant for Security Clearance

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ISCR Case No. 15-04970

Appearances

For Government: Bryan J. Olmos, Esq., Department Counsel
For Applicant: Mark L. Leemon, Esq.

10/20/2017

Decision

HARVEY, Mark, Administrative Judge:

Applicant provided sufficient evidence of progress towards resolution of her financial issues. She paid two debts, and two debts are in established payment plans. She did not intentionally fail to disclose her delinquent debts on her Questionnaire for National Security Positions (SF 86) or security clearance application (SCA) with intent to deceive. Financial considerations and personal conduct security concerns are mitigated. Eligibility for access to classified information is granted.

Statement of the Case

On October 9, 2014, Applicant signed her SCA. Government Exhibit (GE) 1. On January 3, 2016, the Department of Defense (DOD) Consolidated Adjudications Facility (CAF) issued a statement of reasons (SOR) to Applicant under Executive Order (Exec. Or.) 10865, *Safeguarding Classified Information within Industry*, February 20, 1960; DOD Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (Directive), January 2, 1992; and the *Adjudicative Guidelines for Determining Eligibility for Access to Classified Information*, effective on September 1, 2006. Hearing Exhibit (HE) 2. The SOR set forth security concerns arising under the financial considerations and personal conduct guidelines. HE 2.

On January 28, 2016, Applicant provided a response to the SOR, and she requested a hearing. HE 3. On August 15, 2016, Department Counsel was ready to

proceed. On April 17, 2017, the case was assigned to me. On April 25, 2017, the Defense Office of Hearings and Appeals (DOHA) issued a notice of hearing, setting the hearing for May 18, 2017. HE 1. Applicant's hearing was held as scheduled.

During the hearing, Department Counsel offered 4 exhibits; Applicant offered 10 exhibits; there were no objections; and all proffered exhibits were admitted into evidence. Transcript (Tr.) 18-19; GE 1-4; Applicant Exhibits (AE) A-J. On May 31, 2017, DOHA received a copy of the hearing transcript.

The Director of National Intelligence (DNI) issued Security Executive Agent Directive 4, establishing in Appendix A the *National Security Adjudicative Guidelines for Determining Eligibility for Access to Classified Information or Eligibility to Hold a Sensitive Position* (AGs), which he made applicable to all covered individuals who require initial or continued eligibility for access to classified information or eligibility to hold a sensitive position on or after June 8, 2017. The new AGs supersede the previous AGs. Accordingly, I have evaluated Applicant's security clearance eligibility under the new AGs.¹

Findings of Fact²

In Applicant's SOR response, she denied the SOR allegations in SOR ¶¶ 1.a through 1.d and 2.a. HE 3. She also provided extenuating and mitigating information. HE 3.

Applicant is 59 years old. Tr. 59. She was in the Reserve Officer's Training Corps in college, and she was commissioned as an Army second lieutenant in the Medical Service Corps. Tr. 20. In 1982, she received a bachelor's degree in microbiology. Tr. 60. She received a medical technology degree, and in 2008, she received a master's degree in clinical research administration. Tr. 19, 60. She served as an active duty Army officer from 1982 to 1992. Tr. 20-22, 60. She received an honorable discharge as a captain. Tr. 60. After leaving the Army, she worked for the Public Health Service and the Food and Drug Administration. Tr. 23. Since 2005, she has worked for her current employer, and in March 2016, she started working in her current position. Tr. 37.

Applicant was married from 1986 to 1987. Tr. 59. She married her current spouse in 1992. Tr. 59. Her children were born in 1993 and 2000. Tr. 60. The Federal Government has employed Applicant's husband for 35 years. Tr. 36. When the government shutdown occurred in 2012, he was sent home. He struggled with problems with their son and from depression. Tr. 37-38. His depression contributed to her financial problems.

¹ Application of the AGs that were in effect as of the issuance of the SOR would not change my decision in this case. The new AGs are available at http://ogc.osd.mil/doha/SEAD4_20170608.pdf.

² Some details were excluded to protect Applicant's right to privacy. Specific information is available in the cited exhibits.

Financial Considerations

Applicant's current salary is \$141,000. Tr. 37. Immediately after receipt of the SOR, she hired a credit report correction service (CRCS) to dispute erroneous entries on her credit report. Tr. 28, 31-32, 51-52. She asked CRCS to verify every negative entry on her credit report. Tr. 51. She has paid CRCS \$99 monthly since she received the SOR. Tr. 58. Her overall statement made it clear that in 2014 she did not have a good understanding of her finances. She did not know whether and when her husband made payments on many of their debts.

Applicant's SOR alleges four delinquent debts totaling \$15,824, and their status is as follows:

SOR ¶ 1.a is a charged-off bank debt for \$1,992. Applicant used a payment plan and paid this debt. Tr. 48-50, 77. A debt to this creditor is not reflected on her current credit report. Tr. 77; GE 4.

SOR ¶ 1.b is a home improvement store debt placed for collection for \$1,380. Applicant paid this debt in 2014. Tr. 30-31, 52; AE I. This debt is not reflected on her current credit report. GE 4.

SOR ¶ 1.c is a second mortgage debt for \$100,000, which is delinquent in the amount of \$6,148. Tr. 31. In 1995, Applicant and her spouse purchased their residence. Tr. 54. In 2006, Applicant and her husband refinanced their mortgage, and they borrowed \$400,000 on a first mortgage and \$100,000 on their second mortgage. Tr. 54, 86. Around 2015, Applicant consolidated her first and second mortgage, and her mortgage is current. Tr. 31, 54-55, 74, 85-88; AE B-AE D. Property records indicate the second mortgage lien on her home was released. Tr. 73. The lien release means the debt is paid. Tr. 73. The second mortgage was probably substantially discounted when it was merged into her first mortgage because the current mortgage is \$395,322. Tr. 84-88; AE E. Applicant was unable to explain how much the second mortgage was discounted when it was merged into her first mortgage.

SOR ¶ 1.d is a charged-off store debt for \$6,304. In February 2015, Applicant and the creditor agreed upon a \$229 monthly payment plan; she is current on the payment plan; and the balance as of May 2017 is \$2,177. Tr. 29; AE J.

Applicant's May 17, 2017 Equifax credit report lists 25 accounts, and none of the accounts show any past due amounts. GE 4. The only SOR creditor on her May 17, 2017 credit report is the creditor in SOR ¶ 1.d, and the entry for the creditor shows a zero balance and zero past due; however, the status indicates the debt is charged off even though she is making payments to the original creditor. GE 4. Applicant's May 6, 2017 FICO score is 677 for a rating of fair to good. AE F.

Applicant's personal financial statement shows: monthly net income of \$15,771; monthly expenses of \$5,529; monthly debt payments of \$5,560; and monthly net

remainder of \$4,682. AE E. Applicant has ample income to keep all of her debts in current status.

Applicant and her husband had joint credit cards and joint accounts. Tr. 61. Bills were paid on an ad hoc basis with her husband sometimes paying them, and Applicant sometimes paying them. Tr. 61. Applicant does not have a credit card. Tr. 33. She is current on her car loan and the family time share. Tr. 33. She does not have any delinquent debts. Tr. 57. All of her tax returns were timely filed. Tr. 57.

Personal Conduct

In October 2014, Applicant was extremely busy working on a short-suspense project for the Pentagon when she was notified that she needed to complete her SCA. Tr. 25, 62. She allocated her lunch hour over three to five days to complete her SCA. Tr. 25, 44-46. She focused on collecting the correct contact information for her relatives and references on her SCA. She had never reviewed her credit report, and she did not understand the definition of “charge off” before learning of the SOR allegations. There is no standard definition of “charge off,” and creditors do not necessarily inform debtors when a debt is placed in charged-off status. Tr. 75. She did not receive any help from her security officer in the completion of her SCA. Tr. 46. She did not give her SCA the careful attention it deserved. Tr. 62.

Applicant’s October 9, 2014 SCA asked whether she was currently delinquent over 120 days on any debts, and in the last seven years has she been delinquent over 120 days on any debts, had debts charged off, defaulted on debts, or had debts placed for collection. GE 1. She neglected to disclose the delinquent debts in SOR ¶¶ 1.a through 1.d. Tr. 26-27, 34. She had additional non-SOR charged-off debts listed in her October 17, 2014 credit report. GE 4. Several of the negative entries were errors, and the CRCS succeeded in getting the incorrect negative entries removed from her credit report. She was aware that some debts were occasionally late a few days. Tr. 47. In some instances, creditors contacted her, and told her a debt was going to collections. She believed she set up a payment plan before the debt went into collections. Tr. 64-65. She was surprised that she had delinquent debts that met the reporting criteria in her SCA. Tr. 26. She was unaware that she had any debts that were 120 days delinquent, charged off, defaulted, or in collections. Tr. 26, 47, 63. An expert witness on financial reports explained that Applicant’s credit reports are consistent with her description of learning a debt was delinquent, and then starting a payment plan without knowing the creditor had turned the debt in to a credit reporting company as “charged off” or in collections. Tr. 75-76.

The next time Applicant completes an SCA, she will review her credit report first, and ensure her SCA is accurate. Tr. 34. She will ensure she allocates sufficient time to complete her SCA. Tr. 34.

Character Evidence

Applicant’s division manager said Applicant has been a reliable and trustworthy employee since 2005. AE G. Her section chief described Applicant as a professional,

reliable, and responsible employee who provides critical support to her employer and DOD. AE H.

Policies

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

Eligibility for a security clearance is predicated upon the applicant meeting the criteria contained in the adjudicative guidelines. These guidelines are not inflexible rules of law. Instead, recognizing the complexities of human behavior, these guidelines are applied in conjunction with an evaluation of the whole person. An administrative judge’s overarching adjudicative goal is a fair, impartial, and commonsense decision. An administrative judge must consider all available, reliable information about the person, past and present, favorable and unfavorable.

The Government reposes a high degree of trust and confidence in persons with access to classified information. This relationship transcends normal duty hours and endures throughout off-duty hours. Decisions include, by necessity, consideration of the possible risk the applicant may deliberately or inadvertently fail to safeguard classified information. Such decisions entail a certain degree of legally permissible extrapolation about potential, rather than actual, risk of compromise of classified information. Clearance decisions must be “in terms of the national interest and shall in no sense be a determination as to the loyalty of the applicant concerned.” See Exec. Or. 10865 § 7. Thus, nothing in this decision should be construed to suggest that it is based, in whole or in part, on any express or implied determination about applicant’s allegiance, loyalty, or patriotism. It is merely an indication the applicant has not met the strict guidelines the President, Secretary of Defense, and DNI have established for issuing a clearance.

Initially, the Government must establish, by substantial evidence, conditions in the personal or professional history of the applicant that may disqualify the applicant from being eligible for access to classified information. The Government has the burden of establishing controverted facts alleged in the SOR. See *Egan*, 484 U.S. at 531. “Substantial evidence” is “more than a scintilla but less than a preponderance.” See *v. Washington Metro. Area Transit Auth.*, 36 F.3d 375, 380 (4th Cir. 1994). The guidelines presume a nexus or rational connection between proven conduct under any of the criteria listed therein and an applicant’s security suitability. See ISCR Case No. 95-0611 at 2 (App. Bd. May 2, 1996).

Once the Government establishes a disqualifying condition by substantial evidence, the burden shifts to the applicant to rebut, explain, extenuate, or mitigate the facts. Directive ¶ E3.1.15. An applicant “has the ultimate burden of demonstrating that it is clearly consistent with the national interest to grant or continue his security clearance.” ISCR Case No. 01-20700 at 3 (App. Bd. Dec. 19, 2002). The burden of disproving a mitigating condition never shifts to the Government. See ISCR Case No. 02-31154 at 5 (App. Bd. Sept. 22, 2005). “[S]ecurity clearance determinations should err, if they must, on the side of denials.” *Egan*, 484 U.S. at 531; see AG ¶ 2(b).

Analysis

Financial Considerations

AG ¶ 18 articulates the security concern for financial problems:

Failure 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 or sensitive information. . . . An individual who is financially overextended is at greater risk of having to engage in illegal or otherwise questionable acts to generate funds. . . .

The Appeal Board explained the scope and rationale for the financial considerations security concern in ISCR Case No. 11-05365 at 3 (App. Bd. May 1, 2012) (citation omitted) as follows:

This concern is broader than the possibility that an applicant might knowingly compromise classified information in order to raise money in satisfaction of his or her debts. Rather, it requires a Judge to examine the totality of an applicant’s financial history and circumstances. The Judge must consider pertinent evidence regarding the applicant’s self-control, judgment, and other qualities essential to protecting the national secrets as well as the vulnerabilities inherent in the circumstances. The Directive presumes a nexus between proven conduct under any of the Guidelines and an applicant’s security eligibility.

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

It is well-settled that adverse information from a credit report can normally meet the substantial evidence standard and the government’s obligations under [Directive] ¶ E3.1.14 for pertinent allegations. At that point, the burden

shifts to applicant to establish either that [he or] she is not responsible for the debt or that matters in mitigation apply.

(internal citation omitted). AG ¶ 19(a) is not established because Applicant had ample financial income available to pay her debts. AG ¶ 19(b) is not established because Applicant showed she was willing to pay her debts. The record establishes the disqualifying condition in AG ¶ 19(c) because she has a history of delinquent debt, and additional inquiry about the possible applicability of mitigating conditions is required.

Five financial considerations mitigating conditions under AG ¶ 20 are potentially applicable in this case:

(a) the behavior happened so long ago,³ was so infrequent, or occurred under such circumstances that it is unlikely to recur and does not cast doubt on the individual's current reliability, trustworthiness, or good judgment;

(b) the conditions that resulted in the financial problem were largely beyond the person's control (e.g., loss of employment, a business downturn, unexpected medical emergency, a death, divorce or separation, clear victimization by predatory lending practices, or identity theft), and the individual acted responsibly under the circumstances;

(c) the individual has received or is receiving financial counseling for the problem from a legitimate and credible source, such as a non-profit credit counseling service, and there are clear indications that the problem is being resolved or is under control;

(d) the individual initiated and is adhering to a good-faith effort to repay overdue creditors or otherwise resolve debts;⁴ and

³ A debt that became delinquent several years ago is still considered recent because "an applicant's ongoing, unpaid debts evidence a continuing course of conduct and, therefore, can be viewed as recent for purposes of the Guideline F mitigating conditions." ISCR Case No. 15-06532 at 3 (App. Bd. Feb. 16, 2017) (citing ISCR Case No. 15-01690 at 2 (App. Bd. Sept. 13, 2016)).

⁴ 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) 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)).

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

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

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

ISCR Case No. 10-04641 at 4 (App. Bd. Sept. 24, 2013).

Applicant employed CRCS to ensure her credit report is accurate. Her SOR listed four debts. Two debts were paid; one debt is in a payment plan; her second mortgage was merged into her first mortgage; and her first mortgage is current. All of her delinquent debts are now current or paid. AG ¶ 20(a) and 20(d) apply.

Based on Applicant's track record of paying or resolving her debts, future delinquent debt "is unlikely to recur and does not cast doubt on [Applicant's] current reliability, trustworthiness, or good judgment," and "there are clear indications that the problem is being resolved or is under control." Her payments to address her debts showed good faith. She has sufficient income to keep her debts in current status and to continue making progress paying her remaining debts. Applicant assures she will conscientiously endeavor to maintain her financial responsibility. Her efforts are sufficient to mitigate financial considerations security concerns.

Personal Conduct

AG ¶ 15 explains why personal conduct is a security concern stating:

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 or sensitive information. Of special interest is any failure to cooperate or provide truthful and candid answers during national security investigative or adjudicative processes.

AG ¶ 16 describes one condition that could raise a security concern and may be disqualifying in this case, “(a) deliberate omission, concealment, or falsification of relevant facts from any personnel security questionnaire . . . used to conduct investigations, . . . [to] determine security clearance eligibility or trustworthiness. . . .”⁵ Applicant’s October 9, 2014 SCA asked whether she was currently delinquent over 120 days on any debts, in the last seven years has she been delinquent over 120 days on debts, had debts charged off, defaulted on debts, or had debts placed for collection. She neglected to disclose the delinquent debts in SOR ¶¶ 1.a through 1.d and possibly additional non-SOR charged-off debts listed in her October 17, 2014 credit report. Several of the negative entries were errors, and the CRCS succeeding in getting the incorrect negative entries removed from her credit report. In 2014, Applicant lacked knowledge of the true status of her debts. She was unaware that she had any debts that were 120 days delinquent, charged off, defaulted, or in collections. Applicant was surprised that she had delinquent debts that met the reporting criteria in her SCA.

Applicant’s statements that she honestly and sincerely believed her answers to questions on the SCA were accurate to the best of her knowledge are credible. Her husband handled some of the family finances and paid some of the family debts. She had an obligation to make reasonable inquiries to obtain correct information for her SCA, and she was negligent in her preparation of her SCA. Her handling of her finances was also negligent. In 2014, her work and her family situation distracted her from giving her finances and SCA the attention they required. Applicant did not intend to deceive security officials about her finances. She has ample income to maintain all of her debts in current status. She refuted the allegation that she intentionally failed to disclose information about her delinquent debts, and she mitigated personal conduct security concerns.

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(d):

- (1) the nature, extent, and seriousness of the conduct; (2) the circumstances surrounding the conduct, to include knowledgeable

⁵ The Appeal Board has cogently explained the process for analyzing falsification cases, stating:

(a) when a falsification allegation is controverted, Department Counsel has the burden of proving falsification; (b) proof of an omission, standing alone, does not establish or prove an applicant’s intent or state of mind when the omission occurred; and (c) a Judge must consider the record evidence as a whole to determine whether there is direct or circumstantial evidence concerning the applicant’s intent or state of mind at the time the omission occurred. [Moreover], it was legally permissible for the Judge to conclude Department Counsel had established a prima facie case under Guideline E and the burden of persuasion had shifted to the applicant to present evidence to explain the omission.

ISCR Case No. 03-10380 at 5 (App. Bd. Jan. 6, 2006) (citing ISCR Case No. 02-23133 (App. Bd. June 9, 2004)).

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), “[t]he ultimate determination” of whether to grant a security clearance “must be an overall commonsense judgment based upon careful consideration of the guidelines” and the whole-person concept. My comments under Guidelines F and E are incorporated in my whole-person analysis. Some of the factors in AG ¶ 2(d) were addressed under those guidelines but some warrant additional comment.

Applicant is 59 years old. In 1982, she received a bachelor's degree in microbiology. She received a medical technology degree, and in 2008, she received a master's degree in clinical research administration. She served as an active duty Army officer from 1982 to 1992, and she received an honorable discharge as a captain. After leaving the Army, she worked for the Public Health Service and the Food and Drug Administration. Since 2005, she has worked for her current employer, and in March 2016, she started working in her current position. Applicant's division manager said Applicant has been a reliable and trustworthy employee since 2005. Her section chief described Applicant as a professional, reliable, and responsible employee who provides critical support to her employer and DOD.

The Federal Government has employed Applicant's husband for 35 years. When the government shutdown occurred in 2012, he was sent home. He had problems with their son, and he suffered from depression. His depression contributed to her financial problems. Applicant and her husband held joint bank and credit accounts, and they shared the responsibility for paying the family debts.

Applicant's SOR alleges four delinquent debts. She paid two SOR debts, and the other two debts are in established payment plans. Applicant's other payment plans are current, and her most recent credit report of record does not show any delinquent debts. The Appeal Board has addressed a key element in the whole-person analysis in financial cases stating:

. . . the concept of meaningful track record necessarily includes evidence of actual debt reduction through payment of debts. However, an applicant is not required, as a matter of law, to establish that he has paid off each and every debt listed in the SOR. All that is required is that an applicant demonstrate that he has . . . established a plan to resolve his financial problems and taken significant actions to implement that plan. The Judge can reasonably consider the entirety of an applicant's financial situation and his actions in evaluating the extent to which that applicant's plan for the reduction of his outstanding indebtedness is credible and realistic. See Directive ¶ E2.2(a) (Available, reliable information about the person, past and present, favorable and unfavorable, should be considered in reaching

a determination.) There is no requirement that a plan provide for payments on all outstanding debts simultaneously. Rather, a reasonable plan (and concomitant conduct) may provide for the payment of such debts one at a time. Likewise, there is no requirement that the first debts actually paid in furtherance of a reasonable debt plan be the ones listed in the SOR.

ISCR Case No. 07-06482 at 2-3 (App. Bd. May 21, 2008) (internal citations and quotation marks omitted). She understands what she needs to do to establish and maintain her financial responsibility. She took reasonable actions under her particular financial circumstances to address her delinquent debts. Applicant has established a “meaningful track record” of debt re-payment, and she assures she will maintain her financial responsibility.

I have carefully applied the law, as set forth in *Egan*, Exec. Or. 10865, the Directive, and the AGs, to the facts and circumstances in the context of the whole person. I conclude that financial considerations and personal conduct security concerns are mitigated. It is clearly consistent with the interests of national security to grant Applicant security clearance eligibility.

Formal Findings

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

Paragraph 1, Guideline F:	FOR APPLICANT
Subparagraphs 1.a through 1.d:	For Applicant
Paragraph 2, Guideline E:	FOR APPLICANT
Subparagraph 2.a:	For Applicant

Conclusion

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

Mark Harvey
Administrative Judge