



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



In the matter of:)
)
) ISCR Case No. 17-01935
)
Applicant for Security Clearance)

Appearances

For Government: Andre M. Gregorian, Esq., Department Counsel
For Applicant: Peter H. Noone, Esq.

03/30/2018

Decision

MATCHINSKI, Elizabeth M., Administrative Judge:

During his divorce, Applicant did not timely file federal and state income tax returns for tax years 2013 and 2014. He did not pay his federal taxes for tax years 2011 through 2014 or his state taxes for tax years 2013 and 2014 when they were due. His tax issues have been resolved, and he intends to comply with tax-filing and tax-payment deadlines in the future now that his financial situation has stabilized. Clearance is granted.

Statement of the Case

On June 24, 2017, the Department of Defense Consolidated Adjudications Facility (DOD CAF) issued a Statement of Reasons (SOR) to Applicant, detailing security concerns under Guideline F, financial considerations. The SOR explained why it was unable to find it clearly consistent with the national interest to grant or continue his access eligibility to classified information. The DOD CAF took the action under Executive Order (EO) 10865, *Safeguarding Classified Information within Industry* (February 20, 1960), as amended; DOD Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (January 2, 1992), as amended (Directive); and the National Security Adjudicative Guidelines (AG) effective June 8, 2017, for all adjudications for national security eligibility or eligibility to hold a sensitive position.

On August 17, 2017, Applicant answered the SOR allegations and requested a hearing before an administrative judge from the Defense Office of Hearings and Appeals (DOHA). On September 22, 2017, the case was assigned to me to conduct a hearing to determine whether it is clearly consistent with the national interest to grant or continue a security clearance for Applicant. On October 30, 2017, I scheduled a hearing for December 5, 2017.

At the hearing, two Government exhibits (GEs 1-2) and eight Applicant exhibits (AEs A-H) were admitted in evidence. Two hearing exhibits (HE) were marked but not entered into evidence: a September 8, 2017 letter forwarding discovery of GEs 1-2 to Applicant (HE 1) and a list of the Government's exhibits (HE 2). Applicant and his daughter testified, as reflected in a transcript (Tr.) received on December 12, 2017.

Findings of Fact

The SOR alleges that Applicant failed to pay his federal and state income taxes for tax years 2011 through 2014 as required (SOR ¶ 1.a); that he owed federal income taxes of \$1,200 for each tax year 2011 and 2012 (SOR ¶¶ 1.b-1.c) and \$1,000 for each tax year 2013 and 2014 as of June 24, 2017 (SOR ¶¶ 1.d-1.e); that he owed state income taxes of \$1,000 for each tax year 2013 and 2014 as of June 24, 2017 (SOR ¶¶ 1.f-1.g); and that he failed to timely file his federal and state income tax returns for tax years 2013 and 2014 (SOR ¶¶ 1.h-1.i). In a detailed response to the SOR allegations, Applicant denied that he failed to pay his state income taxes for 2011 and 2012 on time.¹ He admitted late filing of his federal and state income tax returns for tax years 2013 and 2014, and late payment of his federal income taxes for tax years 2011-2014 and his state income taxes for tax years 2013-2014. He attributed his tax issues to his divorce and indicated that his tax issues have been resolved. After considering the pleadings, exhibits, and transcript, I make the following findings of fact.

Applicant is 61 years old and has a bachelor's degree awarded in 1990. He has been employed by a DOD contractor most recently since November 2005. He previously worked for his employer from January 1983 to January 1996. He started in a non-degree position, but was promoted to a professional staff position based on his commitment that he would finish his degree that he had started in 1974. Applicant held a DOD secret clearance for most of that employment. His clearance eligibility was renewed when he returned to the DOD contractor after a decade in the commercial sector. (GEs 1-2; Tr. 24-26, 33, 68.)

Applicant and his ex-wife married in September 1985 and divorced in April 2015. Their daughters are ages 29 and 31 and their son is 26. Their older daughter has an eight-year-old daughter. (GE 1; Tr. 21.) In July 2011, Applicant's ex-wife abandoned the marriage without any notice. (Tr. 22, 34.) She stopped the deposit of her employment earnings of approximately \$22,000 annually into her and Applicant's joint account. (Tr. 36.) He needed his ex-wife's income to fully meet the household expenses for himself, his older

¹ The Government conceded at the hearing that Applicant paid his state income taxes on time for tax years 2011 and 2012. (Tr. 73.)

daughter, his granddaughter, and his son. Applicant also had college tuition and student loan payments for his children. (AE D; Tr. 35-38.) He was paying \$600 per month in college tuition costs. (Answer.) Not one for extravagant spending, he became even more frugal. (Tr. 96, 99.)

When Applicant filed his federal and state income tax returns for tax years 2011 and 2012, he paid his state income tax liabilities but only some of his federal taxes owed due because he did not have the money. (Tr. 39-40.) Applicant did not timely file his federal or state income tax returns or pay his taxes owed for tax years 2013 and 2014. Applicant attests that he completed his 2013 federal income tax return using computer software, and he tried to submit it electronically. The Internal Revenue Service rejected it, and he was led to understand it was because he owed taxes. He assumed that he could not file returns without paying the taxes owed, and he did not even attempt to file his returns for 2014. (Tr. 46-47.) Applicant's wage and tax statements (W-2 forms) for 2011 through 2014 show taxed wages of \$98,324 for 2011, \$105,289 for 2012, \$104,808 for 2013, and \$108,894 for 2014. Applicant had federal and state taxes withheld from his income each year. (AE H.)

Applicant had no contact with his ex-wife for over three years. He knew that he could have filed his tax returns separately from his spouse, but it would have placed him in a higher tax bracket. (Tr. 72.) In November 2014, Applicant's ex-wife filed for divorce. (Tr. 69-70.) In separating their marital assets, Applicant's 401(k) account with his employer became the subject of protracted court proceedings resulting in Qualified Domestic Relations Orders (QDRO) needing court approval. Applicant and his spouse signed a separation agreement that was incorporated into their divorce in January 2015 in which his ex-spouse received half of his 401(k) account plus \$40,000 by QDRO. Applicant was also to transfer \$6,000 annually from his 401(k) to his ex-wife for seven years starting in January 2016. To avoid the expense of approving and filing additional QDROs required by his 401(k) for the transfers, the QDRO was modified with the court's approval in September 2015. Under the modified QDRO, Applicant's ex-wife was to receive a lump sum assignment of \$229,201 from Applicant's 401(k). (AE G.) As of December 2017, the funds had not been released from Applicant's 401(k). (Tr. 64.)

On January 26, 2016, Applicant completed and certified to the accuracy of a Questionnaire for National Security Positions (SF 86). Applicant responded affirmatively to an inquiry into whether he had failed to file or pay federal, state, or other taxes when required by law in the last seven years. He indicated that he had not fully paid his federal income taxes for tax years 2011 and 2012, and that he had neither filed his returns nor paid his federal and state income taxes for tax years 2013 and 2014. He explained that returns were not filed or taxes paid because of his divorce:

Under my divorce agreement, in particular the qualified domestic relations order (QDRO), my ex-spouse is getting an excess amount from my 401k to satisfy any outstanding tax liability if any. This should have happened over a year ago but because of legal technical issues the QDRO kept getting bounced around in court. The QDRO has finally been approved by the courts

and I expect a disbursement to my ex-spouse will occur in the next few months. Any tax liability, fines or late fees will then be paid.

Applicant estimated that he owed \$1,200 in federal taxes for each tax year 2011 and 2012, and \$1,000 in federal and state taxes for each tax year 2013 and 2014. In summary, he added that his taxes “got so messed up” because he and his ex-wife lived separately for four years before their divorce but were never legally separated. Despite their uncontested divorce, it took several court appearances for the judge to approve the QDRO. (GE 1.)

On March 22, 2016, Applicant was interviewed by an authorized investigator for the Office of Personnel Management (OPM). Concerning his delinquent taxes and tax returns, Applicant indicated that he agreed to the award of more than half of his 401(k) to his ex-wife with the stipulation that she pay any income tax, fines, and penalties for the late taxes. He indicated that he and his ex-wife would file their delinquent returns and pay their past-due taxes in April 2016 with their tax returns for tax year 2015. Applicant denied any likelihood of him not filing or paying taxes on time in the future. (GE 2.)

Applicant filed his delinquent state income tax returns and paid his outstanding state tax liabilities for tax years 2013 and 2014 in late May 2016 under a state tax amnesty program. He paid \$291 for tax year 2013 and received a \$49 refund for 2014. (AE A; Tr. 41-42.)

On March 8, 2017, the OPM investigator contacted Applicant to sign a release for federal income tax transcripts. Applicant indicated that his divorce was finalized but he had “not gotten around to filing taxes.” He added that he needed to file joint returns for the tax years involved and had yet to coordinate a meeting with his ex-spouse, which he did not anticipate would be a problem. (GE 2.) Applicant did not understand at the time that his tax delinquencies would be a problem for his security clearance. (Tr. 75.) He intended to file his delinquent returns and pay any outstanding tax liabilities once the QDRO was executed. (Tr. 79.)

Applicant filed his 2016 state income tax return in June 2017, within his October 2017 extended filing deadline. He did not file his 2015 state income tax return until early September 2017. He had no outstanding tax returns or owed any tax liabilities as of December 2017. (AE A; Tr. 81-82.)

Applicant filed his federal income tax return for tax year 2016 in April 2017. He submitted a payment of \$1,635 with his return. He filed his federal returns for tax years 2013 through 2015 in August 2017. (Tr. 80-81.) He paid the Internal Revenue Service \$2,546 for tax year 2011, \$4,273 for 2012, \$4,973 for 2013, \$4,993 for 2014, and \$4,278 for 2015. (AE A.) After he received the SOR, he realized that his non-compliance with his income tax obligations “was a real security problem.” Since the QDRO had not been executed, his ex-wife had not given him any money for their back taxes. He could no longer wait to resolve his tax matters and so decided to file his delinquent federal returns and pay the taxes owed. (Tr. 79-80.)

Applicant focused on paying down college debt taken out for his children's educations. He began repaying a tuition loan at \$542 per month in 2014. In 2015, he began making \$300 monthly payments toward a private student loan obtained for one of his children. (Answer.) Some college loans have been fully satisfied. He is no longer paying any educational expenses for his son who, after earning his associate's degree, enrolled and withdrew from several colleges. In hindsight, Applicant realizes that he should not have continued to pay college expenses for his son when he owed outstanding income taxes. (Tr. 42-44.) He considers his failure to file timely income tax returns as "the biggest mistake [he] ever made." He plans to comply with his tax obligations in the future and to seek professional guidance if he encounters any problems. (Tr. 47-48.)

Applicant's financial situation has stabilized. With his current salary of approximately \$127,000 a year, he is able to pay all of his household expenses and college loans obtained for his children's educations. (Tr. 45, 51, 67.) He has about \$5,000 to \$6,000 in total checking and savings deposits. (Tr. 83.) He has almost \$400,000 in his 401(k), although his ex-wife will be receiving a lump sum of \$229,201 when the QDRO is executed. (AE G; Tr. 83.) Applicant has an excellent credit score. (AE B.) He has not had any financial counseling. (Tr. 85.) Applicant has a close relationship with the older of his daughters and her child, who were still living with him as of December 2017. He brings his granddaughter to daycare so that his daughter can report to her job on time. (Tr. 93-94.)

Character and Work References

Applicant's performance reviews and awards at work show a record of dedication and accomplishment. Applicant and a colleague received his employer's best invention award in 2010. Applicant was recognized by his employer for his contributions to his team from 2016 to 2017. (AE F.) In annual performance ratings since 2008, Applicant's work has been rated as excellent every year but one. In 2015, he was given a very good performance rating with positive comments for his dedication, willingness to work after hours and on weekends, and his ability to provide technical feedback while maintaining a positive team environment. (AE E.)

The co-worker with whom Applicant shared the invention award in 2010 attests that Applicant is "very security minded and above reproach." He has no concerns about Applicant's ability to handle material classified secret or top secret. They started a project several years ago with a university and Applicant was adamant about only U.S. students being allowed to work on the program because of the future implications of the technology. A manager, who previously served as Applicant's direct supervisor for six years, also has absolute confidence in Applicant's security clearance eligibility. He has known Applicant for over 20 years. Applicant has demonstrated an excellent work ethic, reliability, and trustworthiness. Applicant has been known to prompt others to follow security regulations. A company employee in another department has not worked on any programs with Applicant, but she knows him to be professional in his handling of sensitive and classified information. She considers Applicant to be an excellent father and outstanding grandfather. To her knowledge, Applicant supported his older daughter during the last two years while she successfully pursued her associate's degree. A co-worker supervised by Applicant for

two years opined that it would be a great loss to their employer and to the national defense were Applicant to lose his security clearance eligibility and ability to remain on the job. Other co-workers with daily or almost daily interaction with Applicant for the past ten years confirm that Applicant has an unblemished security record. Applicant has demonstrated his commitment to ensuring that vital defense programs stay on track. He has been a key member of many teams over the years. (AE C.)

The elder of Applicant's daughters provided a character reference letter and testified about the difficult situation Applicant faced after her mother abandoned them. Her mother took the best car. Applicant had to pay the mortgage, property taxes, two vehicle loans, school tuition, cell phones, and medical and dental insurance. Applicant has continued to provide a home and financial support for her and her child. He pays all the household bills. She pays the bills that are solely in her name. A single parent who held part-time work that paid just above minimum wage until July 2017, Applicant's daughter received no child support for her own child during the time that her father was struggling to pay all the bills. With her father's financial and emotional support, she obtained her associate's degree in the spring of 2017 and started a new career in the medical field. She described Applicant as "a very cautious spender." He made sacrifices to ensure that bills were paid. In her opinion, he exercises sound financial judgment. (AE D; Tr. 96-101.)

Policies

The U.S. Supreme Court has recognized the substantial discretion the Executive Branch has in regulating access to information pertaining to national security, emphasizing that "no one has a 'right' to a security clearance." *Department of the Navy v. Egan*, 484 U.S. 518, 528 (1988). When evaluating an applicant's suitability for a security clearance, the administrative judge must consider the adjudicative guidelines. In addition to brief introductory explanations for each guideline, the adjudicative guidelines list potentially disqualifying conditions and mitigating conditions, which are required to be considered in evaluating an applicant's eligibility for access to classified information. These guidelines are not inflexible rules of law. Instead, recognizing the complexities of human behavior, these guidelines are applied in conjunction with the factors listed in the adjudicative process. The administrative judge's overall adjudicative goal is a fair, impartial, and commonsense decision. According to AG ¶ 2(a), the entire process is a conscientious scrutiny of a number of variables known as the "whole-person concept." The administrative judge must consider all available, reliable information about the person, past and present, favorable and unfavorable, in making a decision.

The protection of the national security is the paramount consideration. AG ¶ 2(b) requires that "[a]ny doubt concerning personnel being considered for national security eligibility will be resolved in favor of the national security." In reaching this decision, I have drawn only those conclusions that are reasonable, logical, and based on the evidence contained in the record. 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 to obtain a favorable security decision.

A person who seeks access to classified information enters into a fiduciary relationship with the Government predicated upon trust and confidence. This relationship transcends normal duty hours and endures throughout off-duty hours. The Government reposes a high degree of trust and confidence in individuals to whom it grants access to classified information. Decisions include, by necessity, consideration of the possible risk that 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. Section 7 of EO 10865 provides that decisions shall be “in terms of the national interest and shall in no sense be a determination as to the loyalty of the applicant concerned.” See *also* EO 12968, Section 3.1(b) (listing multiple prerequisites for access to classified or sensitive information).

Analysis

Guideline F: Financial Considerations

The security concerns about financial considerations are articulated in AG ¶ 18:

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. Financial distress can also be caused or exacerbated by, and thus can be a possible indicator of, other issues of personnel security concern such as excessive gambling, mental health conditions, substance misuse, or alcohol abuse or dependence. An individual who is financially overextended is at greater risk of having to engage in illegal or otherwise questionable acts to generate funds. Affluence that cannot be explained by known sources of income is also a security concern insofar as it may result from criminal activity, including espionage.

Applicant filed his federal and state income tax returns on time for tax years 2011 and 2012. While he paid the taxes owed with his state returns, he had outstanding federal tax liabilities that he could not afford to pay. After his federal income tax return for tax year 2013 was rejected by the IRS, Applicant made no effort to resubmit it or file his federal income tax returns for tax year 2014 or his state income tax returns for tax years 2013 and 2014 because he could not afford to pay the taxes that he believed he owed. Applicant candidly disclosed his noncompliance with his income tax filing and payment obligations on his January 2016 SF 86. At that time, he estimated his total tax liability at \$4,400. Subsequent tax payments show that he owed state income taxes of \$291 for 2013 and federal income taxes of approximately \$16,785 for tax years 2011 through 2014. Applicant’s noncompliance with his income tax filing and tax payment obligations establishes AG ¶ 19(f), “failure to file or fraudulently filing annual Federal, state, or local

income tax returns or failure to pay annual Federal, state, or local income tax as required.” His income tax delinquencies also raise financial concerns under AG ¶ 19(a), “inability to satisfy debts,” and 19(c), “a history of not meeting financial obligations.”

Applicant has the burden of presenting evidence of explanation, extenuation, or mitigation to overcome the security concerns raised by his repeated failure to comply with the tax-filing and tax-payment deadlines. The following mitigating conditions under AG ¶ 20 may apply:

(a) 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;

(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 person has received or is receiving 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;

(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; and

(g) the individual has made arrangements with the appropriate tax authority to file or pay the amount owed and is in compliance with those arrangements.

Applicant's failure to comply with his income tax filing obligation persisted from 2014, when his returns for 2013 were due, until September 2017. Although he filed his state returns for tax years 2013 and 2014 and paid his outstanding tax liability for 2013 in late May 2016 under a tax amnesty program, he did not file his state income tax return for tax year 2015 until September 2017. He filed delinquent federal income tax returns for tax years 2013 through 2015 in August 2017. The SOR does not allege his late filings for tax year 2015, but they are properly considered for matters in mitigation. He did not pay his delinquent federal income taxes for tax years 2011 through 2015 until August 2017, when he paid \$16,785. His tax problems are too recent and recurrent for mitigation under AG ¶ 20(a).

AG ¶ 20(b) is partially established because his tax issues started with his ex-spouse abandoning their marriage in 2011. The unexpected loss of her income compromised Applicant's finances such that he could not pay all the taxes owed for several tax years. Moreover, his plan to resolve the taxes required the execution of the QDRO and the financial settlement in his divorce. He and his ex-spouse had the QDRO modified in 2015 so that she would receive the payout of her share of his 401(k) account plus additional funds. In return, she reportedly was to provide Applicant with the funds to satisfy the delinquent income taxes. However, Applicant's obligation to file timely returns does not depend on whether he has the funds to pay his taxes. AG ¶ 20(b) is not mitigating of his late tax return filings, including for tax year 2015. The evidence shows that when it was to Applicant's advantage under the state tax amnesty program, he managed to file his delinquent returns for 2013 and 2014. Applicant did not exercise the responsible financial judgment required for full mitigation under AG ¶ 20(b) when he failed to make resolving his federal income tax returns a priority. He testified that he did not understand that he could file his returns without having the funds to pay his taxes, but as soon as his taxes became an issue for his security clearance needed to maintain his employment, he addressed his tax issues.

AG ¶¶ 20 (c), 20(d), and 20(g) apply because Applicant had filed his delinquent returns and paid all taxes owed as of September 2017. He intends on filing his income tax returns on time in the future. Even where tax problems have been corrected and an applicant is motivated to present such problems in the future, the administrative judge is not precluded from considering an applicant's trustworthiness in light of longstanding prior behavior evidencing irresponsibility. See *e.g.*, ISCR Case No. 14-01894 at 5 (App. Bd. Aug. 2015). The Appeal Board has long held that the failure to file tax returns suggests a problem with complying with well-established government rules and systems. See *e.g.*, ISCR Case No. 14-04437 (App. Bd. Apr. 15, 2016.) Applicant's belated compliance with his tax filing obligation is not condoned, but it is not likely to reoccur. Applicant filed his federal and state income tax returns for 2016 on time. He owed federal taxes of \$1,635 and submitted payment with his return. Applicant is not likely to jeopardize his longtime defense contractor employment by failing to timely file his income tax returns and paying his taxes in the future. His financial situation has stabilized sufficiently to make recurrence of unpaid taxes also unlikely. AG ¶ 20(e) applies in that Applicant paid his state income taxes for 2011 and 2012 on time. The evidence also failed to establish that Applicant owed delinquent state taxes for tax year 2014.

Whole-Person Concept

In the whole-person evaluation, the administrative judge must consider the totality of an applicant's conduct and all relevant circumstances in light of the nine adjudicative process factors in AG ¶ 2(d).² Some of the factors in AG ¶ 2(d) were addressed under Guideline F, but some warrant additional comment.

² The factors under AG ¶ 2(d) are as follows:

(1) the nature, extent, and seriousness of the conduct; (2) the circumstances surrounding the

Applicant is a longtime defense-contractor employee with no evidence of any security infractions or violations. Applicant's performance reviews and awards at work show a record of dedication and accomplishment. Applicant and a colleague received his employer's best invention award in 2010. Applicant was recognized by his employer for his contributions to his team from 2016 to 2017. His co-workers attest to his excellent work ethic, reliability, and trustworthiness. The uniformly positive endorsements of his colleagues weigh in his favor under the whole-person assessment.

Applicant exercised questionable judgment with regard to his tax matters as discussed. It is well settled that once a concern arises regarding an applicant's security clearance eligibility, there is a strong presumption against the grant or renewal of a security clearance. *See Dorfmont v. Brown*, 913 F. 2d 1399, 1401 (9th Cir. 1990). At the same time, security clearance decisions are not intended as punishment for past wrongdoing, but rather involve an assessment of future risk that one may not properly handle or safeguard classified information. Applicant had no record of late filing or late tax payments before his ex-spouse abandoned their marriage without notice. He had no contact with her for some three years until she filed for divorce in November 2014. Applicant acknowledged that he could have filed individual rather than joint tax returns. He was concerned that he would be placed in a higher tax bracket, and he already was in a financial situation where he could not afford to pay the taxes owed. Applicant was placed in a difficult situation emotionally and financially when his ex-wife left him and their children. His failure to comply with his tax filing and payments was situational and not reflective of a cavalier disregard of the tax laws. After considering all the facts and circumstances, I conclude that it is clearly consistent with the national interest to continue Applicant's security clearance eligibility for access to classified information.

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-1.i: For Applicant

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.

Conclusion

In light of all of the circumstances, it is clearly consistent with the national interest to continue Applicant's eligibility for a security clearance. Eligibility for access to classified information is granted.

Elizabeth M. Matchinski
Administrative Judge