



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



In the matter of: )  
)  
) ADP Case No. 14-03438  
)  
)  
Applicant for Public Trust Position )

**Appearances**

For Government: Daniel F. Crowley, Esquire, Department Counsel  
For Applicant: Applicant's spouse, Personal Representative

05/12/2015

**Decision**

HENRY, Mary E., Administrative Judge:

Based upon a review of the pleadings, exhibits, and testimony, I conclude that Applicant's eligibility for access to sensitive information is granted.

**Statement of the Case**

Applicant completed and signed an Electronic Questionnaires for Investigations Processing (e-QIP) on February 17, 2013. The Department of Defense (DOD) Consolidated Adjudications Facility, (CAF) issued a Statement of Reasons (SOR) detailing the trustworthiness concerns under Guideline F, financial considerations, on November 21, 2014. The action was taken under DOD Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (January 2, 1992), as amended (Directive); and the *Adjudicative Guidelines For Determining Eligibility for Access to Classified Information* (AG) implemented on September 1, 2006.

Applicant acknowledged receipt of the SOR on December 4, 2014. He answered the SOR in writing in an undated response, and he requested a hearing before an administrative judge with the Defense Office of Hearings and Appeals (DOHA). Department Counsel was prepared to proceed on February 7, 2015, and I received the case assignment on February 23, 2015. DOHA issued a notice of hearing on March 4, 2015, and I convened the hearing as scheduled on March 25, 2015. The Government offered three exhibits (GE) 1 through 3, which were received, marked, and admitted into evidence without objection. Applicant and his personal representative testified. Applicant submitted eight exhibits (AE) A through H, which were received, marked, and admitted into evidence without objection. DOHA received the transcript of the hearing (Tr.) on April 2, 2015. I held the record open until April 15, 2015, for the submission of additional matters. Applicant timely submitted AE I through AE GG, which were received, marked, and admitted without objection. The record closed on April 15, 2015.

### **Procedural Rulings**

#### **Notice**

Applicant received the notice of the date, time and place of the hearing less than 15 days before the hearing. I advised Applicant of his right under ¶ E3.1.8. of the Directive to receive the notice at least 15 days before the hearing. Applicant affirmatively waived this right under the Directive. (Tr. 9-10)

#### **Findings of Fact**

In his Answer to the SOR, Applicant admitted all the factual allegations in the SOR, with explanations. He also provided additional information to support his request for eligibility for a public trust position.

Applicant, who is 54 years old, works as a manager for a DOD contractor. He began his current position in March 2013. His duties require him to provide complex case management services in health care. Applicant has received pay raises and favorable reviews from his employer.<sup>1</sup>

Applicant enlisted in the United States Navy in 1979 at the age of 20. He worked as an electrician's mate in the Navy. He received an honorable discharge from the Navy in May 1989, when he left to care for his ill father. After caring for his father, Applicant enrolled in nursing school and received a Bachelor of Science degree in Nursing in May 1994. He has worked as a floor nurse and in nursing management for more than 20 years.<sup>2</sup>

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<sup>1</sup>GE 1; Tr. 25-26.

<sup>2</sup>GE 1; Tr. 26-28.

Applicant married his first wife in 1979, and they divorced in 1983. Applicant and his current wife married in 1996. Applicant has two stepsons, ages 30 and 28. Applicant's wife holds a nursing degree and a master's degree in business administration. She also works in nursing management.<sup>3</sup>

Applicant worked as a staff nurse until October 2004. He left this position on October 2004 to work as a clinical director, a position he held until his position was eliminated in November 2007. He was unemployed from November 2007 until April 2008, when he accepted a management position in nursing home care. He voluntarily left this position in August 2008. Applicant was again unemployed until December 2008. From December 2008 until August 2011, Applicant worked as a clinical transplant coordinator. In August 2011, he accepted another nursing position at a speciality hospital, where he worked until February 2013, when he left for his current position. From January 2006 until February 2012, Applicant worked part time as an adjunct professor at a local college.<sup>4</sup>

When Applicant was laid off in 2007, he earned \$92,000 a year. His next position paid \$55,600 a year. He earned \$60,000 as a transport coordinator and \$68,000 a year at the speciality hospital. His starting salary at his current position was \$75,000 a year, and his current annual salary is \$91,000. Applicant did not accept or receive unemployment either time he was unemployed. His salary as an adjunct professor ranged between \$11,800 and \$20,000 a year. His earnings differed each year.<sup>5</sup>

Applicant and his wife worked for the same medical facility. After his job was eliminated, his wife continued to work for the medical facility until January 2009, when her position was eliminated. At this time, she earned approximately \$98,000. She was unemployed for three months in early 2009. She accepted a new position paying \$75,000 a year. She currently earns \$105,000 a year. Applicant's wife also worked as an adjunct professor at a local college at the same time Applicant did, earning between \$19,000 and \$26,000 a year, except in 2012 when she earned \$5,154.<sup>6</sup>

In April 2011, Applicant experienced a flare-up of his rheumatoid arthritis when the infusion medicines stopped working. After four months on leave under the Family and Medical Leave Act, he resigned from his job in August 2011. During this time, he received disability income. He believed that his disability income was paid at the rate of 50% of his total income.<sup>7</sup>

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<sup>3</sup>GE 1; Tr. 29, 35.

<sup>4</sup>GE 1; Tr. 29-34.

<sup>5</sup>Tr. 31-34.

<sup>6</sup>AE N; AE P; AE Q; AE S; AE U; AE W; Tr. 35-37.

<sup>7</sup>Tr. 33-34, 41.

Applicant requested a copy of his tax returns or tax transcripts for the tax years 2007 through 2013 from the Internal Revenue Service (IRS). The IRS advised that it does not provide a tax transcript for more than three years back.<sup>8</sup> Applicant provided a copy of his 2014 federal tax return and transcripts for the tax years 2011, 2012, and 2013.<sup>9</sup> Applicant obtained a copy of the IRS wage and income transcripts of his and his wife's earnings for the tax years 2007 through 2014. The wage and income transcripts provide information about all sources of income for Applicant and his wife. The sources of income include gross wages, interest, retirement distributions, state tax refunds, sale of stock, cancellation of debt, life insurance, and investments. The following table will show their income from wages, interest, and state tax refunds separately from the total income for each year:<sup>10</sup>

	<u>Wages/Interest/Tax Refund</u>	<u>Total Income</u>
2007	\$211,335	\$211,335
2008	\$185,428	\$191,678
2009	\$225,857	\$233,797
2010	\$201,969	\$237,422
2011	\$178,232	\$182,357
2012	\$168,963	\$206,877
2013	\$168,594	\$267,380
2014	\$178,089	\$211,980

The IRS documents reflect that Applicant or his wife received retirement distributions in the amount of \$6,250 in 2008, of \$7,940 in 2009, of \$26,524 in 2010, of \$1,246 in 2011, of \$23,809 in 2012, of \$7,400 in 2013, and of \$30,204 in 2014.<sup>11</sup> While this income information was forwarded to the IRS, it is unknown if this income treated as taxable income, used for living expenses, used for debt payment, or placed elsewhere because it is retirement funds. In 2013, Applicant received \$30,856 from an investment distribution, and his wife received \$60,530 in life insurance.<sup>12</sup> Again, the use of this income is unknown. Applicant and his wife received cancellation of debt income 1099-C forms in 2011 for \$1,962, in 2012 for \$1,442 and \$18,009, and in 2014 for \$9,421.<sup>13</sup>

The credit reports of record indicate that Applicant and his wife paid their bills until the summer of 2011 when they became overwhelmed by their debts. In June 2011,

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<sup>8</sup>AE L.

<sup>9</sup>AE AA - AE DD.

<sup>10</sup>AE M - AE DD; AE GG.

<sup>11</sup>AE O; AE Q; AE S; AE T; AE W - AE Y; AE DD.

<sup>12</sup>AE X; AE Y.

<sup>13</sup>AE T; AE V; AE W; AE DD - AE FF.

they contacted a debt resolution company to help them manage their debts. This debt resolution company identified approximately \$100,000 in credit card debt and offered to help them resolve their debts. They signed an agreement with the debt resolution company. In July 2011, they began paying the servicing company for the debt resolution company \$1,235 a month and made timely payments every month until April 2014, when the debt resolution company ceased operations. The servicing company for the debt resolution company managed their account until October 2014. At that time, the servicing company mailed them a small refund check.<sup>14</sup>

The SOR identified six purportedly continuing delinquencies as reflected by February 2013 and April 2014 credit reports, totaling approximately \$94,766. In his efforts to resolve these debts, Applicant learned that some accounts have been transferred, reassigned, or sold to other creditors or collection agents. He pursued payment of the debts with the new holders of the debts. Accounts have been changed and otherwise hard to identify because only partial account numbers are shown, in some instances eliminating the last four digits and in others eliminating other digits.

SOR allegation 1.a concerns a credit card debt to a bank for \$22,852. Applicant provided the debt resolution company information about this debt. The creditor refused to work with the debt resolution company. In 2011, Applicant spoke with the creditor independently, and the creditor refused to negotiate a settlement. This debt remains unresolved.<sup>15</sup>

SOR allegations 1.b (\$22,712) and 1.d (\$13,895) concern two credit cards with the same creditor. The creditor sold both debts to debt collectors. Through the debt resolution company, Applicant settled the larger debt with the collection creditor for \$14,100. The settlement terms required an initial payment of \$2,000, which was made in August 2012, and monthly payments of \$450 until paid. Applicant provided documentation indicating that of 28 the required payments, 25 were made through the debt resolution company by September 2014. He made the last payment on this debt in December 2014. The creditor has not yet provided verification, advising Applicant that it takes about six months to provide the notification. The smaller debt has been paid as shown by the March 2015 credit reports. The March 2015 Experian credit report shows nine payments totaling \$4,475 to the creditor through the debt resolution company. The creditor provided Applicant with a 1099-C form for the remaining balance of \$9,421. Applicant included the unpaid and forgiven debt balance as income on his 2014 federal income tax return.<sup>16</sup>

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<sup>14</sup>AE F - AE H; Tr. 51-52.

<sup>15</sup>Tr. 47-48.

<sup>16</sup>AE B; AE C; AE H; AE DD; AE FF; Tr. 42-45.

The \$20,645 debt in SOR allegation 1.c relates to a credit card. The creditor provided Applicant with a 1099-C cancellation of debt form for \$18,009 in 2012. Applicant claimed this amount as income for taxes in 2012. This debt is resolved.<sup>17</sup>

SOR allegation 1.e (\$11,711) relates to another credit card debt. Applicant had his checking accounts and an equity line of credit with this creditor. He spoke with the creditor on two separate occasions about resolving this debt since he continued to conduct his banking needs with it. The creditor refused to discuss a settlement of the debt and has not issued a 1099-C form. This debt remains unpaid.<sup>18</sup>

The last SOR allegation 1.f (\$2,951) concerns a furniture store account. Applicant paid this debt, as shown by the March 2015 credit reports. The March 2015 Experian credit report shows eight payments totaling \$2,100 to the creditor through the debt resolution company. This debt is resolved.<sup>19</sup>

Applicant and his wife advised that when their income declined, they used their credit cards to pay for food, clothing, school books for a son, some vacation, and travel to care for her ill parents who lived about 700 miles away. The debt resolution company worked with them on budgeting and credit counseling. Applicant and his wife prepared a budget for the debt resolution company in 2011. Their net monthly income totaled approximately \$8,900 and their monthly expenses totaled approximately \$7,466. They indicated that they were timely on their mortgage payment. Between July 2011 and April 2014, Applicant and his wife paid the debt resolution company approximately \$42,750. On their behalf, the debt resolution company made payments totaling \$21,704 to five creditors. While the creditors paid are identified, some of these creditors are not the original holders of the debts. Payments to three creditors relate directly to the SOR debts as previously discussed. The payments to two remaining creditors have not been connected to SOR debts.<sup>20</sup>

Applicant recently received a pay raise. He earns \$7,039 in gross income, and he receives \$4,135 a month in net income. Applicant's wife earns \$8,243 a month in gross income, and she receives \$5,042 a month in net income. Their total net monthly household income is \$9,177. For their federal and state tax withholding amounts, Applicant claims zero exemptions as a single person, and his wife claims zero exemptions as a married person. The record lacks any evidence that they have unpaid taxes.<sup>21</sup>

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<sup>17</sup>AE V; AE EE; Tr. 45-46.

<sup>18</sup>GE 2; GE 3; AE A - AE C; Tr. 48-49.

<sup>19</sup>GE 2; GE 3; AE A - AE C; AE H; Tr. 45.

<sup>20</sup>AE A - AE C; AE F - AE H; Tr. 39.

<sup>21</sup>AE K; AE L; Tr. 39.

Applicant also provided an updated budget. They indicate that their net income is \$9,177. They listed their housing and transportation expenses at \$5,250. They pay \$850 on credit cards, \$300 on student loans, and \$1,200 on food. Multiple miscellaneous expenses include pet food, personal care, gifts, and some savings. Since these expenses are variable, Applicant has sufficient income to pay his usual and customary monthly living expenses. The credit reports of record reflect that Applicant and his wife pay or paid many debts in a timely manner and in full. The six debts in the SOR are the only unpaid debts identified in the credit reports.<sup>22</sup>

## Policies

Positions designated as ADP I and ADP II are classified as “sensitive positions.” (See Regulation ¶¶ C3.1.2.1.1.7 and C3.1.2.1.2.3.) “The standard that must be met for . . . assignment to sensitive duties is that, based on all available information, the person’s loyalty, reliability, and trustworthiness are such that . . . assigning the person to sensitive duties is clearly consistent with the interests of national security.” (See Regulation ¶ C6.1.1.1.) The Deputy Under Secretary of Defense (Counterintelligence and Security) Memorandum, dated November 19, 2004, indicates trustworthiness adjudications will apply to cases forwarded to DOHA by the Defense Security Service and Office of Personnel Management. Department of Defense contractor personnel are afforded the right to the procedures contained in the Directive before any final unfavorable access determination may be made. (See Regulation ¶ C8.2.1.)

When evaluating an applicant’s suitability for a public trust position, the administrative judge must consider the disqualifying and mitigating conditions in the AG. 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 over-arching adjudicative goal is a fair, impartial, and commonsense decision. According to AG ¶ 2(c), 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 access to [sensitive] information will be resolved in favor of 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. Likewise, I have avoided drawing inferences grounded on mere speculation or conjecture.

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

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<sup>22</sup>GE 2, GE 3; AE A - AE C; AE I.

applicant has the ultimate burden of persuasion to obtain a favorable trustworthiness decision.

A person who seeks access to sensitive 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 sensitive information. Decisions include, by necessity, consideration of the possible risk the applicant may deliberately or inadvertently fail to protect or safeguard sensitive information. Such decisions entail a certain degree of legally permissible extrapolation as to potential, rather than actual, risk of compromise of sensitive information.

## **Analysis**

### **Guideline F, Financial Considerations**

The trustworthiness 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 questions about an individual's reliability, trustworthiness and ability to protect [sensitive] 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 trustworthiness concerns. Under AG ¶ 19(a), an "inability or unwillingness to satisfy debts" and under AG ¶ 19(c), "a history of not meeting financial obligations" may raise trustworthiness concerns. Similarly, AG ¶ 19(e) "consistent spending beyond one's means, which may be indicated by excessive indebtedness, significant negative cash flow, high debt-to-income ratio, and/or other financial analysis" may also raise trustworthiness concerns. Applicant and his wife incurred high levels of debt despite a high income. They were unable to pay all their bills, which resulted in unpaid debts. These disqualifying conditions are applicable.

The Financial Considerations guideline also includes examples of conditions that can mitigate trustworthiness concerns. I have considered mitigating factors AG ¶ 20(a) through ¶ 20(f), and the following are potentially applicable:

(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, or a death, divorce or separation), and the individual acted responsibly under the circumstances;

(c) 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; and

(d) the individual initiated a good-faith effort to repay overdue creditors or otherwise resolve debts.

Applicant's loss of his job in late 2007 began a slow, steady decline in wages in his household. The combined income of Applicant and his wife is still lower today than their income in 2007. Part of this income decline is directly related to the fact that they no longer work part time as associate professors at a local college. By 2011, they were unable to manage their monthly bills and sought help. Since then, they have worked to improve their finances. The loss of control over their finances occurred four years ago and is the only time in their marriage they incurred financial issues. AG ¶ 20(a) has some applicability because, except for this period of time, Applicant has managed his finances.

Between November 2007 and March 2009, Applicant or his wife were unemployed for a total time of one year. They returned to work at jobs paying substantially less income than their prior jobs. In 2011, Applicant received only 50% of his salary because he was on disability for health problems. These are circumstances beyond their control. Until 2011, Applicant and his wife continued with efforts to pay their bills. Eventually, they sought help by hiring a debt resolution company. They complied with the terms of their agreement with the debt resolution company until it ceased operations in April 2014. They continued payments to the creditor in SOR allegation 1.b as negotiated when the servicing company ceased making further payments on their behalf. They acted reasonably under the circumstances. AG ¶ 20(b) applies.

Applicant and his wife received debt counseling through the debt resolution company. They developed a realistic budget and have sufficient income to pay their living expenses, their mortgage, their car payments, their student loans, and their credit cards. They have resolved four SOR debts through negotiated settlements or receipt of 1099-C forms to include the forgiven debt as taxable income. They attempted to work with the creditors holding the two remaining debts, but the creditors refused to work with them or their representative, the debt resolution company. AG ¶¶ 20(c) and 20(d) apply.

### **Whole-Person Concept**

Under the whole-person concept, the administrative judge must evaluate an applicant's eligibility for a public trust position 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) 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 public trust position must be an overall commonsense judgment based upon careful consideration of the guidelines and the whole-person concept. The decision to grant or deny a trustworthiness determination requires a careful weighing of all relevant factors, both favorable and unfavorable. In so doing, an administrative judge must review all the evidence of record, not a single item in isolation, to determine if a trustworthiness concern is established and then whether it is mitigated. A determination of an applicant's eligibility for a public trust position should not be made as punishment for specific past conduct, but on a reasonable and careful evaluation of all the evidence of record to decide if a nexus exists between established facts and a legitimate trustworthiness concern.

In assessing whether an Applicant has established mitigation under Guideline F, the Appeal Board provided the following guidance in ISCR Case No. 07-06482 at 3 (App. Bd. May 21, 2008):

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.” *See, e.g.*, ISCR Case No. 05-01920 at 5 (App. Bd. Mar. 1, 2007). 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. *See, e.g.*, ISCR Case No. 02-25499 at 2 (App. Bd. Jun. 5, 2006). 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.” *See, e.g.*, ISCR Case No. 04-09684 at 2 (App. Bd. Jul. 6, 2006). 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. *See, e.g.*, ISCR Case No. 06-25584 at 4 (App. Bd.

Apr. 4, 2008). 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.

The evidence in support of granting a trustworthiness determination to Applicant under the whole-person concept is more substantial than the evidence in support of denial. In reaching a conclusion, I considered the potentially disqualifying and mitigating conditions in light of all the facts and circumstances surrounding this case. Applicant and his wife earn a substantial income and have for many years. When each lost their jobs in 2007 and 2009, they continued to pay their debts. While their monthly earnings declined and remain lower now than their earnings in 2007, the IRS wage and earnings transcripts reflect other sources of income. Some of this income came from forgiven debt. This money would not be available to pay bills, only to eliminate a monthly payment. The varying amounts of retirement money may have been household income, but that is unclear from the evidence in the record. Applicant and his wife received two large income payments in 2013, resulting in higher income and taxes. All of this information reflects that Applicant and his wife had a high level of income. They also had high expenses. Their credit reports reflect that they paid all their expenses until 2011.

When they encountered difficulty paying all their bills, Applicant and his wife sought assistance in 2011. The debt resolution company sought to resolve many of their credit cards debts. To do so, they stopped paying on specific bills. With the assistance of the debt resolution company, they paid three SOR debts plus two other non-SOR debts. Although the creditor in SOR allegation 1.c refused to work with the debt resolution company, this creditor issued a 1099-C for debt forgiveness. While they did not have to pay the debt, they had to include the debt as income on their tax returns and pay the resulting taxes. Despite their independent efforts, two creditors refused to work with their debt resolution company or with them to resolve their debts. Applicant cannot force these companies to resolve these debts. After reviewing all the evidence of record, Applicant has shown a track record for payment of many debts on time, and he has shown a track record for resolution of the debts identified in the SOR. He and his wife took control of their runaway finances in 2011 and have worked steadily to reduce their debts. They have been unable to resolve all their debts because the creditors refused to work with them. Of course, the issue is not simply whether all his debts are paid: it is whether his financial circumstances raise concerns about his fitness to hold a public trust position. While some debts remain unpaid, they are insufficient to raise trustworthiness concerns. (See AG ¶ 2(a)(1).)

Overall, the record evidence leaves me without questions or doubts as to Applicant's eligibility and suitability for a position of trust. For all these reasons, I conclude Applicant mitigated the trustworthiness concerns arising from his finances under Guideline F.

## 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
Subparagraph 1.c:	For Applicant
Subparagraph 1.d:	For Applicant
Subparagraph 1.e:	For Applicant
Subparagraph 1.f:	For Applicant

## Conclusion

In light of all of the circumstances presented by the record in this case, it is clearly consistent with the interests of national security to grant Applicant eligibility for a position of trust. Eligibility for access to sensitive information is granted.

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MARY E. HENRY  
Administrative Judge