



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



In the matter of:)	
)	
REDACTED)	ISCR Case No. 14-03774
)	
Applicant for Security Clearance)	

Appearances

For Government: Andrea M. Corrales, Esq., Department Counsel
For Applicant: Jacob T. Ranish, Esq.

01/14/2016

Decision

MENDEZ, Francisco, Administrative Judge:

Applicant mitigated security concerns raised by his familial and other personal connections to Pakistan. Clearance is granted.

History of the Case

On February 15, 2015, the Department of Defense (DOD) issued Applicant a Statement of Reasons (SOR) alleging that his circumstances raised security concerns under the foreign influence guideline.¹ Applicant answered the SOR and requested a hearing to establish his eligibility for access to classified information (Answer).

On July 30, 2015, Department Counsel notified the Hearing Office that the Government was ready to proceed to hearing. After conferring with the parties, I scheduled Applicant's hearing for October 22, 2015. To ensure Applicant was provided fair notice of the evidence to be offered against him at hearing and to alleviate the

¹ This action was taken under Executive Order (E.O.) 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 Adjudicative Guidelines implemented by DOD on September 1, 2006.

danger of unfair surprise to either party, I issued a prehearing order requiring the parties to exchange documents prior to the hearing. See Hearing Exhibit (Hx.) I (case management order and scheduling correspondence).

The parties exchanged documents, including their respective requests for administrative notice, well in advance of the hearing. The parties also noted *in writing* that they did not object to the factual matters each was requesting for administrative notice. See Hx. II and III.

The hearing was convened as scheduled. Department Counsel offered exhibits (Ex.) 1 – 3. Department Counsel's request for administrative notice is Ex. 3, which summarizes facts about Pakistan taken from publically available U.S. Government reports or official statements of key U.S. Government officials (collectively referred to hereinafter as "source documents"). Applicant testified, called his wife as a witness, and offered Ex. A – G. Applicant's request for administrative notice is Ex. A and the source documents cited in the request were collectively marked Ex. B. All exhibits were admitted into the record without objection.² The transcript was received by the Defense Office of Hearing and Appeals (DOHA) on November 5, 2015.

On November 4, 2015, I reopened the record to provide Department Counsel the opportunity to submit of the source documents cited in her request for administrative notice, Ex. 3. See ISCR Case No. 14-01655 (App. Bd. Nov. 3, 2015) (case remanded because source documents not included in the record).³ Applicant was afforded a further opportunity to review the source documents cited by the Government and submit any objections, comments, or matters challenging the matters requested by the Government for administrative notice. Applicant was also given the opportunity to provide any additional matters for my consideration. See Hx. IV

Department Counsel timely submitted portions of the source documents referenced in Ex. 3. These documents were collectively marked Hx. V. Applicant did not object to Hx. V, and it was admitted into the record. No additional matters were submitted for my consideration and the record closed on November 20, 2015.

² In cases, such as the present one, where the parties knowingly waive any objection or stipulate to the accuracy, reliability, and relevancy of the facts summarized in a request for administrative notice, such a document could be admitted as a summary of the pertinent facts contained in the source document(s). See *generally*, Directive, Enclosure 3, ¶ E3.1.19 (Federal Rules of Evidence (F.R.E.) shall serve as a guide in DOHA proceedings and technical rules of evidence may be relaxed to permit the development of a full and complete record); F.R.E. 201; F.R.E. 1006. See, e.g., ISCR Case No. 14-03112 (App. Bd. Nov. 3, 2015), Board affirms adverse decision regarding individual who previously held a Pakistani security clearance and maintained substantial ties to Pakistan, including a family member in a high-level military position. No source documents about Pakistan were offered, but the Government's administrative notice request, which summarized the relevant facts taken from source documents, was admitted as a summary.

³ Recently, after receiving "some two dozen additional documents" that addressed the challenged matters accepted for administrative notice, the Board affirmed the adverse decision. ISCR Case No. 14-01655 at 2 (App. Bd. Dec. 9, 2015).

The Islamic Republic of Pakistan (Pakistan)

DOHA administrative judges may accept for administrative notice uncontroverted, easily verifiable facts regarding a foreign country derived from official U.S. Government reports, the official position of appropriate federal agencies, or the pertinent statement(s) of key U.S. Government officials. The source document(s) (or, at a minimum, the relevant portion(s) of the source document) that a judge relies upon for administrative notice regarding a foreign country should be included in the record for potential appellate review regarding the accuracy and relevancy of the fact(s) administratively noticed. See *generally*, ISCR Case No. 08-09480 (App. Bd. Mar. 17, 2010); ISCR Case No. 05-11292 (App. Bd. Apr. 12, 2007).

Additionally, as Department Counsel correctly notes, upon request of the administrative judge, the proponent of a fact for administrative notice must provide the source documents, either the pertinent parts or the full document, to allow the judge to assess the reliability, accuracy, and relevancy of any fact proposed for administrative notice. See Hx. V at 4 (“[T]he Government recognizes an Administrative Judge’s responsibility to confirm the facts for which administrative notice is sought warrant such a status.”) After reviewing the matters admitted into the record, the following relevant facts regarding Pakistan are accepted for administrative notice:

The United States has had diplomatic relations with Pakistan since Pakistan’s creation in 1947. Over the decades, the two countries’ relationship has been guided by their common interests in a peaceful, stable, and prosperous region. The United States is Pakistan’s largest trading partner and one of the largest sources of foreign direct investment in Pakistan. (Ex. A at 1 - 2; Ex. B at 1, 6, 8)

In 2013, at the invitation of President Obama, Pakistan’s Prime Minister paid an official visit to Washington to mark the strength of U.S.-Pakistani relations and advance the countries shared interest in a stable, secure, and prosperous Pakistan and the region. (Ex. A at 2; Ex. B at 5 - 13) President Obama, in his opening remarks, said:

Pakistani Americans here in the United States are enormous contributors to the growth and development of the United States. And my hope is, is that despite what inevitably will be some tensions between our two countries and occasional misunderstandings between our two countries, that the fundamental goodwill that is shared between the Pakistani people and the American people, that that will be reflected in our governments’ relationships and that we will continue to make progress in the coming years. (Ex. B at 17)

The September 11, 2001, attacks in the United States by al-Qaida led to closer coordination between Pakistan and the United States on security and stability in South Asia. Pakistan pledged cooperation with the United States in counterterrorism efforts, which included locating and shutting down terrorist camps within Pakistan’s borders,

cracking down on extremist groups, and withdrawing support for the Taliban regime in Afghanistan. (Ex. A at 1 - 2; Ex. B at 1, 10)

The United States remains concerned about the continued presence of terrorist and other extremist groups in Pakistan. These groups operate, plan, and conduct domestic, regional, and global attacks from safe havens within Pakistan. In 2014, Pakistan launched military operations to eliminate these terrorist safe havens. Although the military operations had a significant impact, some terrorist organizations continue to operate within Pakistan. The presence of these groups and other armed elements in Pakistan pose a significant threat to U.S. citizens and U.S. interests. These groups have carried out attacks against the United States, the Pakistani government, and the citizens of both countries. The U.S. State Department warns U.S. citizens to defer all non-essential travel to Pakistan because of the potential danger posed by the presence of these groups and other armed elements. (Gx. 3 at 3 - 4; Hx. V at 9, 11, 25)

The U.S. State Department's recent human rights report on Pakistan reflects the reported commission of human rights violations by elements within Pakistan and the Pakistani government. The report also notes that the most serious human rights problems in Pakistan include extrajudicial and targeted killings, disappearances, and torture. The report states that corruption within the Pakistani government and police is a persistent problem, and the lack of accountability and failure to prosecute these abuses has led to a culture of impunity. (Gx. 3 at 4; Hx. V at 27-28)

Findings of Fact

Applicant was born in Pakistan. He and his wife married in 1993 in Pakistan. She was also born in Pakistan, but has lived in the United States for the past 25 years and is a naturalized U.S. citizen. She works as a public school teacher. Applicant's three children were born in the United States. They have lived in the United States continuously since their births and attend U.S. schools. Applicant immigrated to the United States in 1999, to provide his family with the opportunities that do not exist in Pakistan. He owns a home in the United States, which he has lived in with his family for the past 12 years. (Tr. at 16-19; Ex. 1)

Applicant became a U.S. citizen in 2008. Before taking the oath of allegiance, Applicant read it over and considered its significance. Applicant's understanding was that, in taking the oath, he was making a solemn promise to the United States and he has tried to keep that promise. He credibly testified that his immediate family in the United States is the most important thing in his life and he would never do anything to jeopardize them or the life they have in the United States. (Tr. at 20-21, 36-37) His wife, oldest son, and others also noted the high importance that Applicant places on his immediate family and the deep roots he has established in the United States. (Tr. at 74-75, 79-81, 86-89; Ex. F) He does not have any foreign bank accounts, property, or investments. His monthly net income is over \$6,500, with U.S. assets totaling over \$425,000. He votes in U.S. elections. (Tr. at 21-22; 58-59, 63-64; Ex. E)

Applicant has worked for his current employer, a federal contractor, for over two years. He has had access and handled sensitive, proprietary, and ITAR⁴-controlled information on various projects for over ten years, including for the past two years as a federal contractor on defense projects. He receives quarterly security briefings regarding his security responsibilities and obligations, to include reporting suspicious contacts. He does not discuss his work outside the workplace with anyone, to include his immediate family. Current and former co-workers and supervisors write that Applicant is an exemplary employee, who has exhibited honesty, reliability, and trustworthiness. (Tr. at 64-66, 70, 89; Answer at 2; Ex. F) His current manager writes:

[Applicant] always follows company policies, procedures, and ethical guidelines, even though at times, they may be inconvenient. [He] asks before proceeding if he is unsure whether a course of action would stray from these principles. He is honest and accountable for his actions. For example, when he accidentally broke an expensive piece of equipment, he immediately notified me of this occurrence. . . . [He] is also extremely reliable. He comes to and leaves work at the established times and does not have sudden unexplained absences. He follows through with what he says he will do and I fully trust him to carry out his work independently. I highly recommend [him] for the requested security clearance. (Ex. F at 5)

Applicant is active in his community. A local community leader writes that Applicant and his family can always be counted on to organize programs at their local police station. The witness goes on to state that Applicant is “very humble, hardworking, honest, and a trustworthy individual.” (Ex. F at 2)

Applicant’s parents and siblings are resident-citizens of Pakistan. His parents are retired, elderly, and in poor health. His siblings primarily work in the private sector in Pakistan. None of Applicant’s foreign family members work directly for the Pakistani government or military, but one of his brothers does work for a company that is partly owned by the Pakistani government and a sister is a public school teacher. Applicant has provided some financial support to his family in Pakistan. He speaks to his family in Pakistan frequently and recently traveled to Pakistan to visit his family. He has never told his family in Pakistan who he works for or what he does for a living. If any of his foreign family members were to make inquiries of this nature, he would immediately report it to his security manager as required by his security training. (Tr. at 22-35, 39-53, 60) Applicant testified as follows on this topic:

Department Counsel: Okay. Your Counsel had previously indicated, had asked you about whether or not you had ever been approached about your job, or whatnot, but what would you do if any of your relatives were, specifically, contacted by somebody seeking information about what you do for a living?

⁴ International Traffic in Arms Regulations.

Applicant [sitting up straight and his voice picking up, adamantly states]:⁵
I will not provide them any information, at any cost.

Department Counsel: And --

Applicant: And I will report to my Security Office, because it will concern me. (Tr. at 59)

Applicant's in-laws have lived in the United States for over 20 years, and live close to Applicant and his family. His father-in-law worked for the U.S. Government for over 20 years. His wife's only close living relative in Pakistan is her mother's sister-in-law's brother, who she and Applicant refer to as her "uncle." This uncle was a civilian employee of the Pakistani military before retiring. Applicant and his wife have provided some financial support to her uncle, and she speaks with her uncle on a regular basis. (Tr. at 53-55, 62-63, 72-78, 85; Ex. 1; Ex. F at 8, 11)

Applicant, who lived and worked in Pakistan for 34 years before immigrating to the United States, has a number of individuals he considers friends in Pakistan. One of these friends works for a company that is partly owned by the Pakistani government. Applicant used to speak to his friends in Pakistan on a somewhat regular basis, but less often in recent years. He has not provided these individuals any financial support and none are aware for whom he works. (Tr. at 56-58; Ex. 1)

Applicant disclosed his foreign connections in Pakistan, including the frequency of contact and financial support, on his security clearance application. He also discussed these matters during the ensuing background investigation. He submitted documentation regarding the amount of financial support he has provided his family in Pakistan and explained that the amount of money he has sent his family is relatively small in comparison to his U.S. income and assets. (Tr. at 27-30; Ex. 1 - 2; Ex. C - E)

Policies

"[N]o one has a 'right' to a security clearance." *Department of the Navy v. Egan*, 484 U.S. 518, 528 (1988). Individual applicants are eligible for access to classified information "only upon a finding that it is clearly consistent with the national interest" to authorize such access. E.O. 10865, § 2.

When evaluating an applicant's eligibility, an administrative judge must consider the adjudicative guidelines (AG). In addition to brief introductory explanations, the guidelines list potentially disqualifying and mitigating conditions. The guidelines are not inflexible rules of law. Instead, recognizing the complexities of human behavior, an administrative judge applies the guidelines in a commonsense manner, considering all available and reliable information, in arriving at a fair and impartial decision.

⁵ Observations in parentheses regarding Applicant's demeanor are from my personal observations at hearing and recorded in contemporaneously taken notes.

Department Counsel must present evidence to establish controverted facts alleged in the SOR. Directive ¶ E3.1.14. Applicants are responsible for presenting “witnesses and other evidence to rebut, explain, extenuate, or mitigate facts admitted by the applicant or proven . . . and has the ultimate burden of persuasion as to obtaining a favorable clearance decision.” Directive ¶ E3.1.15.

Administrative Judges are responsible for ensuring that due process proceedings are conducted “in a fair, timely and orderly manner.” Directive ¶ E3.1.10. Judges make certain that an applicant receives fair notice of the issues raised, has a reasonable opportunity to litigate those issues, and is not subjected to unfair surprise. ISCR Case No. 12-01266 at 3 (App. Bd. Apr. 4, 2014).

In resolving the ultimate question regarding an applicant’s eligibility, an administrative judge must resolve “[a]ny doubt concerning personnel being considered for access to classified information . . . in favor of national security.” AG ¶ 2(b). Moreover, recognizing the difficulty at times in making suitability determinations and the paramount importance of protecting national security, the Supreme Court has held that “security clearance determinations should err, if they must, on the side of denials.” *Egan*, 484 U.S. at 531. *See also*, ISCR Case No. 07-16511 at 3 (App. Bd. Dec. 4, 2009), “[o]nce a concern arises regarding an Applicant’s security clearance eligibility, there is a strong presumption against the grant or maintenance of a security clearance.”

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. 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 an applicant may deliberately or inadvertently fail to safeguard classified information. Such decisions entail a certain degree of legally permissible extrapolation of potential, rather than actual, risk of compromise of classified information.

Clearance decisions must be made “in terms of the national interest and shall in no sense be a determination as to the loyalty of the applicant concerned.” E.O. 10865 § 7. Thus, a decision to deny a security clearance amounts to a finding that an applicant, at the time the decision was rendered, did not meet the strict guidelines established for determining eligibility for access to classified information.

Analysis

Guideline B, Foreign Influence

The foreign influence security concern is explained at AG ¶ 6:

Foreign contacts and interests may be a security concern if the individual has divided loyalties or foreign financial interests, may be manipulated or induced to help a foreign person, group, organization, or government in a

way that is not in U.S. interests, or is vulnerable to pressure or coercion by any foreign interest. Adjudication under this Guideline can and should consider the identity of the foreign country in which the foreign contact or financial interest is located, including, but not limited to, such considerations as whether the foreign country is known to target United States citizens to obtain protected information and/or is associated with a risk of terrorism.⁶

An individual is not automatically disqualified from holding a security clearance because they have connections to and interest in a foreign country. Instead, in assessing an individual's vulnerability to foreign influence, an administrative judge must take into account the foreign government involved; the intelligence gathering history of that government; the country's human rights record; and other pertinent factors.⁷

The United States and Pakistan are partners in areas of mutual concern, including combatting terrorism. However, foreign influence security concerns are not limited to countries deemed hostile to the United States. The Appeal Board has cautioned DOHA administrative judge's against overreliance on "simplistic distinctions between 'friendly' nations and 'hostile' nations when adjudicating cases under Guideline B," because such "ignores the historical reality that (i) relations between nations can shift, sometimes dramatically and unexpectedly; (ii) even friendly nations can have profound disagreements with the United States over matters that they view as important to their vital interests or national security; and (iii) not all cases of espionage against the United States have involved nations that were hostile to the United States." ISCR Case No. 00-0317, 2002 DOHA LEXIS 83 at **15-16 (App. Bd. Mar. 29, 2002).⁸

Applicant's extended family members and other connections in Pakistan raise the foreign influence security concern. Additionally, Applicant and his wife's connections and contact with family members in Pakistan, coupled with the significant terrorism risk and human rights conditions in Pakistan, raise a heightened risk of adverse foreign influence.⁹ Accordingly, the following disqualifying conditions were raised:

⁶ ISCR Case No. 09-07565 at 3 (App. Bd. July 12, 2012) ("As the Supreme Court stated in *Egan*, a clearance adjudication may be based not only upon conduct but also upon circumstances unrelated to conduct, *such as the foreign residence of an applicant's close relatives.*") (emphasis added) (internal citation omitted).

⁷ ISCR Case No. 05-03250 at 4 (App. Bd. Apr. 6, 2007) (setting forth factors an administrative judge must consider in foreign influence cases).

⁸ See also, ISCR Case No. 14-02496 (App. Bd. May 14, 2015) and ISCR Case No. 11-02842 (App. Bd. Jun. 7, 2012), where Board upheld adverse determinations involving familial connections to a U.S. ally with a past history of espionage-related activity targeting the United States.

⁹ ISCR Case No. 11-06925 at 4-5 (App. Bd. Dec. 13, 2013) (in light of terrorist threat in Pakistan and other country conditions, applicant's close family members and property interest in Pakistan raise a heightened risk of foreign exploitation).

AG ¶ 7(a): contact with a foreign family member, business or professional associate, friend, or other person who is a citizen of or resident in a foreign country if that contact creates a heightened risk of foreign exploitation, inducement, manipulation, pressure, or coercion;

AG ¶ 7(b): connections to a foreign person, group, government, or country that create a potential conflict of interest between the individual's obligation to protect sensitive information or technology and the individual's desire to help a foreign person, group, or country by providing that information; and

AG ¶ 7(d): sharing living quarters with a person or persons, regardless of citizenship status, if that relationship creates a heightened risk of foreign inducement, manipulation, pressure, or coercion.

An individual with close family members and other connections in a foreign country faces a high, but not insurmountable hurdle in mitigating security concerns raised by such foreign ties. In the present case, Applicant's burden in mitigating the heightened security concerns that he could be influenced or coerced through his foreign ties to Pakistan must be examined under the "very heavy burden" standard that is generally reserved for cases involving hostile foreign countries.¹⁰ Although the United States and Pakistan have a mutually cooperative relationship in several key areas, terrorist and other extremist groups with interests inimical to the United States operate freely in parts of Pakistan and pose a significant threat not only to Pakistan's sovereignty, but also to U.S. national security interests. In light of these circumstances, the serious security concerns that are raised by an individual with family members in a hostile foreign country are also present in this case.¹¹

In meeting this higher standard of proof and persuasion, an individual is not required "to sever all ties with a foreign country before he or she can be granted access to classified information."¹² However, what factor or combination of factors will mitigate security concerns raised by an applicant with family members in such a foreign country is not easily identifiable or quantifiable.¹³ An administrative judge's predictive judgment in these types of cases must be guided by a commonsense assessment of the evidence and consideration of the adjudicative guidelines, as well as the whole-person factors set forth in the Directive. A judge's ultimate determination must also take into account the

¹⁰ ISCR Case No. 10-09986 at 3 (App. Bd. Dec. 15, 2011) ("an applicant with family members in a country that is hostile to the U.S. bears a 'very heavy burden' to show that the family members are not a means of coercion or exploitation.").

¹¹ ISCR Case No. 14-02562 at 3 (App. Bd. Aug. 28, 2015) (extending very heavy burden standard to cases involving applicants with family members in countries facing an existential or internal threat from forces hostile to the United States).

¹² ISCR Case No. 07-13739 at 4 (App. Bd. Nov. 12, 2008).

¹³ ISCR Case No. 11-12202 at 5 (App. Bd. June 23, 2014).

overarching standard in all security clearance cases, namely, that any doubt raised by an applicant's circumstances must be resolved in favor of national security. AG ¶ 2(b).

I have considered all the foreign influence mitigating conditions and the following were raised by the evidence:

AG ¶ 8(a): the nature of the relationships with foreign persons, the country in which these persons are located, or the positions or activities of those persons in that country are such that it is unlikely the individual will be placed in a position of having to choose between the interests of a foreign individual, group, organization, or government and the interests of the U.S.; and

AG ¶ 8(b): there is no conflict of interest, either because the individual's sense of loyalty or obligation to the foreign person, group, government, or country is so minimal, or the individual has such deep and longstanding relationships and loyalties in the U.S., that the individual can be expected to resolve any conflict of interest in favor of the U.S. interest.

AG ¶ 8(a) does not apply. Applicant's foreign relatives and other connections do not work directly for the Pakistani government and they do not appear to be any more susceptible to pressure or coercion from forces hostile to the United States in Pakistan than any other person similarly situated. Nonetheless, the country conditions in Pakistan leave this potential mitigating condition unavailable because those whose goals or interests are antagonistic to the United States could conceivably attempt to use Applicant's foreign connections, notably, his parents and siblings in Pakistan, as a means through which to obtain U.S. information or to otherwise harm the United States.

AG ¶ 8(b) applies. Applicant established that if a foreign government or entity attempted to use his family and friends in Pakistan to obtain classified information that, notwithstanding the obvious difficulty, he would repel any such attempt and resolve the conflict in favor of protecting U.S. information. In reaching this finding, I considered the following record evidence:

- (1) Applicant made a conscious decision 15 years ago to leave his country of birth and immigrate to the United States.
- (2) In the past 15 years, Applicant has created deep ties to the United States, notably:
 - a. He has raised a family in the United States, including three children who were born and educated in the United States;
 - b. He bought a home in the United States that he has lived in with his family for the past 12 years;

- c. He established a successful professional career and a positive work record in the United States;
 - d. He is actively involved in his local community; and
 - e. All of his assets, totaling nearly half a million dollars, are in the United States.
- (3) Applicant has a 10-year track record of properly handling and safeguarding sensitive information, including for the past two years as a federal contractor working on defense projects. He is conscientious in following rules and regulations, to include those pertaining to security. This was confirmed by his employer and others, including his family with whom he does not discuss his work because he appreciates and follows rules prohibiting employees granted access to sensitive information from disclosing such matters with unauthorized individuals and those without a need to know.
- (4) Applicant disclosed from the outset of the security clearance investigation his foreign familial and other connections to Pakistan. He also disclosed the frequency of his contact with his foreign connections and the financial support he has provided these foreign persons. He continued to cooperate throughout the course of the security clearance process, including providing detailed information about the financial support he has provided his family members in Pakistan. This record evidence tends to show that Applicant would report any attempt to influence him through his foreign connections.
- (5) Applicant's poignant and highly credible testimony regarding the significance of the oath of allegiance to him and that no matter the cost he would never reveal classified information entrusted to his care.

Whole-Person Concept

Under the whole-person concept, an administrative judge must evaluate an applicant's eligibility for a security clearance by considering the totality of an applicant's conduct and all the relevant circumstances. An administrative judge should consider the nine factors listed at AG ¶ 2(a). I hereby incorporate my Guideline B analysis.

Applicant's personal character and integrity, which are vital matters to be considered in assessing an individual's suitability for a security clearance, are unassailable. He has been candid about his foreign connections throughout the security clearance process. Furthermore, I had an opportunity to observe his demeanor while he testified. I found him forthcoming and resolute in his ability to resolve any potential conflict of interest in favor of the United States. Accordingly, if any foreign entity were to attempt to influence Applicant through his family and friends in Pakistan, he would report any such attempt to the appropriate authorities and not succumb to the attempt to

influence him. Overall, the record evidence leaves me with no questions or doubts about Applicant's eligibility for access to classified information.

Formal Findings

I make the following formal findings regarding the allegations in the SOR:

Paragraph 1, Guideline B (Foreign Influence): FOR APPLICANT

Subparagraphs 1.a – 1.e: For Applicant

Conclusion

In light of the circumstances presented by the record in this case, it is clearly consistent with the national interest to grant Applicant access to classified information. Applicant's request for a security clearance is granted.

Francisco Mendez
Administrative Judge