

arbitrary, capricious, or contrary to law. Consistent with the following, we affirm.

The Judge's Findings of Fact

Applicant provided support for U.S. military operations in the Middle East, as a consequence of which his family received threats. Applicant and his wife were granted refugee status in the U.S. and became U.S. citizens several years ago. Applicant has numerous close family members, including parents, siblings, and in-laws, who are citizens and residents of Iraq. Applicant's father receives a pension from the Iraqi government. Applicant speaks to his relatives on at least a monthly basis. Applicant enjoys an excellent reputation for the quality of his work performance as well as for his trustworthiness.

Iraq faces challenges due to sectarian violence. Terrorist groups operate within its borders and the Islamic State controls some of the country's territory. The U.S. State Department warns that travel to Iraq should be avoided.

The Judge's Analysis

Applicant's close family connections within Iraq, viewed in conjunction with the threats against him and his family that prompted him to leave the country, establish that there is a heightened risk that Applicant could be subjected to pressure or could be placed in a conflict of interest. The Judge noted Applicant's support for U.S. interests, but he concluded that this "brave and honorable" service did not outweigh concerns arising from the heightened risk of coercion.

Discussion

Applicant's brief consists in large measure of a challenge to the Judge's weighing of the evidence. His arguments are not enough to show that the Judge weighed the evidence in a manner that was arbitrary, capricious, or contrary to law. *See, e.g.*, ISCR Case No. 15-08711 at 3 (App. Bd. Aug. 24, 2017). We give due consideration to the Hearing Office case that Applicant has cited. However, Hearing Office decisions are not binding on other Hearing Office Judges or on the Appeal Board. *See, e.g.*, ISCR Case No. 16-01941 at 2 (App. Bd. Aug. 9, 2017).

Applicant argues that he has "shown that he is completely loyal to the United States[.]" As the Judge noted, Executive Order 10865 emphasized that adverse decisions "shall in no sense be a determination as to the loyalty of the applicant concerned." Decision at 4.

The Judge examined the relevant evidence and articulated a satisfactory explanation for the decision. The decision is sustainable on this record. "The general standard is that a clearance may be granted only when 'clearly consistent with the interests of the national security.'" *Department of the Navy v. Egan*, 484 U.S. 518, 528 (1988). *See also* Directive, Encl. 2, App. A ¶ 2(b): "Any doubt concerning personnel being considered for national security eligibility will be resolved in favor of the national security."

Order

The Decision is **AFFIRMED**.

Signed: Michael Ra'anan
Michael Ra'anan
Administrative Judge
Chairperson, Appeal Board

Signed: James E. Moody
James E. Moody
Administrative Judge
Member, Appeal Board

Signed: James F. Duffy
James F. Duffy
Administrative Judge
Member, Appeal Board