



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



In the matter of:)
)
-----) ISCR Case No. 17-01981
)
Applicant for Security Clearance)

Appearances

For Government: Benjamin Dorsey, Esq., Department Counsel
For Applicant: Alan V. Edmunds, Esq.

07/30/2019

Decision

KATAUSKAS, Philip J., Administrative Judge:

Applicant contests the Defense Department’s intent to deny her eligibility for access to classified information. Applicant mitigated the security concerns raised by her contacts to Iraq and by her prior employment as an administrative assistant at a Saudi Arabian cultural mission in the United States. Accordingly, this case is decided for Applicant.

Statement of the Case

Applicant completed and submitted a Questionnaire for National Security Positions (SF 86 format) on September 23, 2016. This document is commonly known as a security clearance application. On December 18, 2017, after reviewing the application and the information gathered during a background investigation, the Department of Defense Consolidated Adjudications Facility sent Applicant a statement of reasons (SOR), explaining it was unable to find that it was clearly consistent with the national interest to

grant her eligibility for access to classified information.¹ It detailed the factual reasons for the action under the security guidelines known as Guideline B for foreign influence and Guideline C for foreign preference. Applicant answered the SOR on February 15, 2018, and requested a hearing.

The case was assigned to me on July 20, 2018. After consulting with Applicant's counsel, a hearing was scheduled for September 7, 2018. The hearing proceeded as scheduled. The Government submitted four exhibits (GE) 1 through 4 and one Hearing Exhibit (HE 1), which were admitted without objection. Applicant testified and submitted 15 exhibits (AE) A through O, which were admitted without objection. At Applicant's request, and without objection, I left the record open until September 17, 2018, to allow Applicant to submit additional exhibits. Applicant timely submitted AE P through R, which were admitted without objection. I received the transcript (Tr.) on September 14, 2018.

Findings of Fact

Applicant is 34 years old and Iraqi-born. She arrived in the United States in September 2007 and was naturalized in August 2013. Applicant earned her associate's degree in Iraq. Applicant was married in 2009 (to a U. S. citizen), had her son in 2010, and was divorced in June 2016. Except for the period from April 2014 to December 2016, Applicant has worked for defense contractors since May 2003. She continues to be employed by a defense contractor, but she has recently enlisted in the U. S. Navy. (GE 1; GE 2; AE A; AE P; Tr. 83-84.)

Under Guideline B, the SOR alleged that: (1) Applicant's parents, two brothers, and her youngest sister are citizens and residents of Iraq; (2) two of Applicant's other sisters are citizens and residents of Iraq, worked as linguists for U. S. or coalition forces in Iraq, and in 2009 they were deemed by U. S. intelligence to be security risks to U. S. or coalition forces. Under Guideline C, the SOR alleged that as of April 2014, Applicant was employed by the Cultural Mission of Saudi Arabia. (SOR ¶¶ 1. and 2.)

Applicant identified the immediate family members who were subjects of the SOR in her April 2015 security clearance application and in her September 2016 security clearance application. The frequency of Applicant's telephone calls with those family members in 2015 and in 2016 was about the same. Except for one brother employed as a medical technician by the Iraqi government, those family members have no ties to the Iraqi government or military. (GE 1, pp. 32-43; GE 2, pp. 24-35.)

Applicant admitted that her mother, her two brothers, and a sister are citizens and residents of Iraq; she also answered that her father was a citizen and resident of Iraq but that he died in October 2017. She admitted that two of her other sisters were citizens and

¹ This action was taken under Executive Order (E.O.) 10865, *Safeguarding Classified Information within Industry* (February 20, 1960), as amended, as well as Department of Defense Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (January 2, 1992), as amended (Directive). In addition, the *Adjudicative Guidelines for Determining Eligibility for Access to Classified Information* (AG), effective within the Defense Department on June 8, 2017, apply here.

residents of Iraq and had been linguists, but she denied with explanations that those two sisters assisted any anti-coalition forces in Iraq. Applicant answered that in April 2014 she was employed as an administrative assistant with the Cultural Mission of Saudi Arabia located in the United States, but that employment ended in December 2016. (Answer ¶¶ 1. and 2.)

Applicant testified about her service as a linguist for U. S. troops in Iraq. She started working as a linguist in Iraq at about 18 or 19 years of age. Applicant is fluent in Arabic and English. Because of force-protection requirements, Applicant had to live and work on base with U.S. troops. She could not leave the base, and her relatives could not visit her on base. She was not allowed to speak with her relatives while working as a linguist. Thus, from 2003 to 2007, she had little contact with her relatives while working as a linguist. Although the durations of deployments varied, on average one deployment was about 9 to 11 months straight. She left Iraq after having worked as linguist for U.S. troops in Iraq from 2003 to 2007. Applicant came to the United States on a special immigrant visa and was fast-tracked to naturalization due to her service as a linguist for U. S. troops. Applicant's resume details her six deployments to Iraq as a linguist from May 2003 to present. Those six deployments add up to more than six years spent in Iraq in the service of U. S. troops and coalition forces. From March 2012 to April 2014, Applicant worked for a defense contractor state-side training over 4,000 DOD and Department of State employees in Iraqi and Middle Eastern culture. (Tr. 17-20, 42, 75-78; AE A.) She was on deployment to Iraq when she received the SOR and returned to the U.S. to prepare for this hearing. (Tr. 43-44.) Since Applicant's arrival in the United States in September 2007, she has maintained her residences in the United States. (GE 1, pp. 12-15; GE 2, pp. 9-11.)

Applicant testified about her contacts with her immediate family members. She saw her siblings that are the subject of the SOR, when Applicant left Iraq in 2007 and more recently in 2008 or 2009. The last time Applicant saw her mother was in 2010 or 2011, when Applicant and her then husband met her mother in Turkey, so that her mother could meet Applicant's then new-born son. Before that meeting, Applicant saw her mother in 2007 and in 2008 or 2009. (GE 2, p. 42; Tr. 58-59, 78-79.)

When Applicant completed her most recent security clearance application (September 2016), she was telephoning her mother and her oldest sister daily or every two or three days. Applicant spoke with her oldest brother and her younger sister about monthly and her youngest brother annually. Applicant's calls to her mother and siblings became much less frequent. There are two reasons for that. First, Applicant and her mother had a falling out. Applicant believed that her mother delayed an unseemly length of time before notifying her that her father had passed away. Applicant missed her father's funeral. It angered Applicant, and she decided to stop talking to her mother. She has not spoken to her mother since her father's death in October 2017. Second, in December 2017, she received the SOR and interpreted it to mean that the U. S. Government did not want her to talk to the family members identified in the SOR. Applicant did not want to jeopardize her job, which she loves, and her life in the United States, which she loves and considers this country to be her home. So, she decided to stop communications with her

immediate family. She has no problem with that. Applicant did not tell her family why she stopped communicating with them. Nor did she tell any family members that she was seeking a security clearance, and they do not know what she does for a living. (GE 1; Tr. 24-25, 28-30, 37-38, 51-55, 60-62, 65-67.)

Applicant testified about her oldest sister and her immediate younger sister who the SOR alleged were deemed by an Army intelligence command in May 2009 to be security risks. (GE 3 supports those allegations.) Applicant had no idea about those allegations. She hopes they are not true. The first Applicant ever heard of such allegations was when she received the SOR. She was only told by family that one or both of those sisters were laid off. (Tr. 30-32, 63-64.) GE 4 reports on an October 27, 2016 counterintelligence screening of Applicant that confirmed that those individuals were her sisters. Applicant had disclosed that fact in her "Relatives and Associates" form. As noted, Applicant also disclosed that fact in her 2015 and 2016 security clearance applications. The frequency of telephone contacts Applicant had with those two sisters were approximately the same in 2015 and 2016. (GE 1, pp. 32-43; GE 2, pp. 24-35.)

The family member alleged in SOR ¶ 1.g is Applicant's youngest sister. Applicant has not seen her since about 2007. She is about 19 years old and is either a student in high school or in the first year of college. Applicant and this sister do not talk at all. (Tr. 32-34.) Applicant explained that when filling out her security clearance applications she had to call her mother, because Applicant did not have first-hand knowledge of her family members' ages, marital status, and whether there were any nieces or nephews. (Tr. 80-81.)

Applicant testified about her employment by the Saudi Arabian Cultural Mission from April 2014 to December 2016. She was an administrative assistant providing general administrative and clerical support. Applicant said that the Cultural Mission and the Saudi Arabian Embassy have different missions and have different locations in the United States. Unlike the traditional embassy mission, the Cultural Mission provides assistance to Saudi Arabian students who are coming on a scholarship to study in the United States for two years and then return home. Applicant left that job to take her current job with a defense contractor. (Tr. 35-37; AE A.)

Applicant testified that she has no financial interests, real estate, or bank accounts in Iraq. Her mother does not own any land in Iraq. Applicant has no retirement accounts in Saudi Arabia. Applicant is not a member of any foreign groups or associations. Applicant rents her home here. She has checking and savings accounts in the U.S. Applicant also has 401(k) accounts with two former employers here. (Tr. 36-37, 42-47; AE M.) She submitted an affidavit stating her willingness to renounce any dual citizenship she may be deemed to have with any foreign country. (AE E.)

Applicant testified about her son, who is nine. He loves baseball and is on a team. Even if Applicant does not have her son on a weekend when he has a game, she attends anyway to show support. Also, Applicant is teaching him soccer. She has a good working relationship with her ex-spouse about caring for their son. When Applicant is deployed, her ex-spouse cares for their son. When Applicant returns, they have joint custody and

share care-taking responsibilities. Applicant participates in the parent teacher association at her son's school. (Tr. 41-42, 46, 81-83; AE G, I, K, and R.)

Applicant submitted a number of letters of recommendation. Each of the authors had first-hand knowledge of Applicant's performance in the field as a linguist and cultural advisor. One author is Applicant's current site manager where Applicant is posted in Iraq. He described her as "reliable and trustworthy" with "excellent and unmatched work ethic" who "performs her job flawlessly." Another unit leader who has known Applicant as a linguist in Iraq since October 2017 called her "professional and trustworthy."

Another one of Applicant's Iraq site managers wrote that he has worked with over 300 linguists during his Army career and as a defense contractor in Iraq and that Applicant is the "most loyal, honest, and trustworthy" one that he's ever worked with. He gave one example. Once in the middle of the night an emergency arose that needed a linguist immediately. He called Applicant who without a question jumped out of bed, handled the mission, which took about two hours, and still showed up the next morning to perform her daily duties. (AE B.)

An officer-in-charge of a unit wrote that Applicant's "duties have covered a vast number military subjects and cultural advisory roles." She "has consistently exceeded expectations." A Senior Counterintelligence Support Specialist wrote that Applicant's "professionalism/expertise is in the top 10% of all the linguists I have worked with in the last 12 years of being in the intelligence field." (AE J.)

A Marine Colonel commanding officer of a task force penned a handwritten note on a Certificate of Appreciation awarded to Applicant for a job well-done as a Linguist, Translator, and Cultural Advisor from March 2017 to August 2017: "Thank you for all of your hard work for the S-4 [Logistics], but especially with medical. Your linguistic skills are exceptional and we will miss you." (AE N.)

I take administrative notice of the following facts concerning Iraq as requested by the Government: Iraq faces many challenges fueled by sectarian and ethnic divisions. Numerous terrorist groups and elements hostile to the United States remain active in Iraq. Iraqi forces, with the assistance of the United States, have seen successes recently and most of the territory previously held by the Islamic State of Iraq and Syria (ISIL) has been retaken. Threats of kidnapping and violence are high, and the Department of State warns U.S. citizens that all but essential travel to Iraq should be avoided. Although the government of Iraq has made significant progress in its campaign to retake occupied territory from ISIL, there remains a security vacuum in parts of Iraq.

The State Department warns that anti-U.S. sectarian militias may also threaten U.S. citizens and western companies throughout Iraq. Kidnappings and attacks by means of improvised explosive devices occur frequently in many areas of the country, including Baghdad. Methods of attack have included explosively formed penetrators, magnetic IEDs placed on vehicles, human and vehicle-borne IEDs, mines placed on or concealed

near roads, mortars and rockets, and shootings using various direct fire weapons. Such attacks often take place in public venues such as cafes and markets.

The U.S. government considers the potential personal security threats to U.S. government personnel in Iraq to be serious enough to require them to live and work under strict security guidelines. All U.S. Government employees under the authority of the U.S. Chief of Mission must follow strict safety and security procedures when traveling outside the Embassy and Consulates.

In its annual human rights report, the U.S. Department of State reported that ISIL committed the overwhelming number of serious human rights abuses, including attacks against civilians, especially Shia but also Sunnis who opposed ISIL, members of other religious and ethnic minorities, women, and children. ISIL members committed acts of violence on a mass scale, including killing by suicide bombings, improvised explosive devices, execution-style shootings, public beheadings, and other forms of executions. Sectarian hostility, widespread corruption, and lack of transparency at all levels of government and society weakened the Iraqi government's authority and worsened effective human rights protections. (HE 1.)

Law and Policies

It is well-established law that no one has a right to a security clearance. *Department of Navy v. Egan*, 484 U.S. 518, 528 (1988) (“it should be obvious that no one has a ‘right’ to a security clearance”); *Duane v. Department of Defense*, 275 F.3d 988, 994 (10th Cir. 2002) (no right to a security clearance).

As noted by the Supreme Court in *Department of the Navy v. Egan*, “the clearly consistent standard indicates that security clearance determinations should err, if they must, on the side of denials.” 484 U.S. at 531. Under *Egan*, Executive Order 10865, and the Directive, any doubt about whether an applicant should be allowed access to classified information will be resolved in favor of protecting national security.

A favorable clearance decision establishes eligibility of an applicant to be granted a security clearance for access to confidential, secret, or top-secret information. Directive, ¶ 3.2. An unfavorable clearance decision (1) denies any application, (2) revokes any existing security clearance, and (3) prevents access to classified information at any level. Directive, ¶ 3.2.

There is no presumption in favor of granting, renewing, or continuing eligibility for access to classified information. ISCR Case No. 02-18663 (App. Bd. Mar. 23, 2004). The Government has the burden of presenting evidence to establish facts alleged in the SOR that have been controverted. Directive, ¶ E3.1.14.

An applicant is responsible for presenting evidence to refute, explain, extenuate, or mitigate facts that have been admitted or proven. In addition, an applicant has the ultimate burden of persuasion to obtain a favorable clearance decision. Directive, Enclosure 3, ¶ E3.1.15. In *Egan*, the Supreme Court stated that the burden of proof is

less than a preponderance of evidence. 484 U.S. at 531. The Appeal Board has followed the Court's reasoning, and a judge's findings of fact are reviewed under the substantial-evidence standard. ISCR Case No. 01-20700 (App. Bd. Dec. 19, 2002) (citations omitted).

Discussion

Guideline B - Foreign Influence

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

Foreign contacts and interests, including, but not limited to, business, financial, and property interests, are a national security concern if they result in divided allegiance. They may also be a national security concern if they create circumstances in which the individual may be manipulated or induced to help a foreign person, group, organization, or government in a way inconsistent with U.S. interests or otherwise made vulnerable to pressure or coercion by any foreign interest. Assessment of foreign contacts and interests should consider the country in which the foreign contact or interest is located, including, but not limited to, considerations such as whether it is known to target U.S. citizens to obtain classified or sensitive information or is associated with a risk of terrorism.

An individual is not automatically disqualified from holding a security clearance because they have connections and contacts in a foreign country. Instead, in assessing an individual's potential 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. ISCR Case No. 05-03250 at 4 (App. Bd. Apr. 6, 2007) (setting forth factors an administrative judge must consider in foreign influence cases).

The United States and Iraq are allies in the war against ISIL and other terrorists and insurgents. The serious security threat posed by these terrorists and other elements hostile to the United States must be taken into account in assessing the security concerns raised by Applicant's family members in Iraq. Applicant's relationship to her foreign relatives, coupled with the facts administratively noticed, raise a heightened security concern.

In assessing the security concern raised by Applicant's foreign contacts and interests, I have considered the following disqualifying conditions under AG ¶ 7 and mitigating conditions under AG ¶ 8:

AG ¶ 7(a): contact, regardless of method, 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 classified or sensitive information or technology and the individual's desire to help a foreign person, group, or country by providing that information or technology;

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.;

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; and

AG ¶ 8(c): contact or communication with foreign citizens is so casual and infrequent that there is little likelihood that it could create a risk for foreign influence or exploitation.

An individual with 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. An applicant is not required, however, "to sever all ties with a foreign country before he or she can be granted access to classified information." ISCR Case No. 07-13739 at 4 (App. Bd. Nov. 12, 2008). What factor or combination of factors will mitigate security concerns raised by an applicant with family members in a foreign country is not easily identifiable or quantifiable. ISCR Case No. 11-12202 at 5 (App. Bd. Jun. 23, 2014).

In the present case, Applicant's mother, three sisters, and two brothers are admittedly citizens and residents of Iraq. Facts admitted by an applicant in an answer to a SOR require no further proof by the Government. ISCR Case No. 94-1159 at 4 (App. Bd. Dec. 4, 1995) ("any admissions [applicant] made to the SOR allegations . . . relieve Department Counsel of its burden of proof"); ISCR Case No. 94-0569 at 4 and n.1 (App. Bd. Mar. 30, 1995) ("[a]n applicant's admissions, whether testimonial or written, can provide a legal basis for an Administrative Judge's findings"). Therefore, AG ¶¶ 7(a) and (b) apply. The next inquiry is whether the security concern is mitigated.

Applicant signed up as a linguist and a cultural advisor for U.S. and coalition forces in Iraq in 2003, when she was about 18 or 19 years of age. The conditions of employment were, that because of force protection measures, Applicant was required to live and work alongside of U. S. and coalition troops in Iraq. She was not allowed to communicate in any way with her immediate family members in Iraq while she was deployed. On average her deployments to Iraq lasted between 9 and 11 months. Between 2003 and the present,

Applicant served six deployments in Iraq for a cumulative six years or more. That is more time than many U. S. active duty service members spend in Iraq.

In 2007 Applicant came to the United States and was fast-tracked to naturalization due to her service as a linguist in Iraq. She was naturalized in 2013. By that time, she had married (in 2009 to a U.S. citizen) and had given birth to her son (in 2010). Applicant continued to make deployments to Iraq as a linguist, returning to the United States after each deployment for a few months. Although her marriage ended in a divorce in June 2016, the parting was amicable. Her ex-spouse accommodates Applicant's deployments by caring for their son, and sharing childcare duties with Applicant when she returns from her deployments to Iraq. When Applicant is back from Iraq she is active in the parent teacher association of her son's school. And she supports and encourages the baseball team he plays for.

Because of the restrictions placed on Applicant's communications with family members while she is deployed to Iraq, over the past 16 years communications have been limited to phone calls while Applicant is in the United States in between deployments. Even those communications have been curtailed lately, for two reasons. First, Applicant and her mother had a falling out in October 2017 when Applicant's father died. Applicant was angered because her mother did not tell Applicant promptly about his death. Applicant vowed not to call her mother or other family members. Second, Applicant interpreted the SOR as signaling the Government's disapproval of such communications. The first reason is a deeply personal and credible one. A version of the second reason was argued by Department Counsel, comparing Applicant's curtailment of phone calls to a Guideline F (financial considerations) case where applicant makes post-SOR payments to try to clean up his finances. I respectfully disagree that the analogy is an apt one. The argument cuts against the DOHA jurisprudence discussed above, that an applicant need not sever all ties to the foreign country of her birth before being granted a security clearance. In fact, Applicant's decision to cut back on phone calls to her immediate family shows her prudence and appreciation of the security concerns that such contacts might create.

Applicant's meetings with family members in Iraq have been rare. She last saw her siblings in 2008 or 2009, about ten years ago. The last time Applicant saw her mother was in 2010 or 2011, when Applicant and her then spouse traveled to Turkey, so her mother could meet their then newborn son.

Applicant has no financial interests, real estate, or bank accounts in Iraq. Her mother does not own any land in Iraq. Applicant has no retirement accounts in Saudi Arabia. She is not a member of any foreign groups or associations. Applicant rents her home here. Since Applicant arrived in the United States in 2007, she has maintained her residences here. She has checking and savings accounts in the U.S. Applicant also has 401(k) accounts with two former employers here. Applicant's family members do not know what she does for a living. Nor do they know that she is seeking a security clearance.

Applicant's testimony about two of her sisters who were deemed by an Army intelligence command in May 2009 to be security risks was credible. Applicant flatly stated that she had no knowledge about that situation until she received the SOR in December 2017. She also said that she hoped the allegations were not true but could shed no further light on those allegations. Moreover, that intelligence finding is over a decade old.

The letters of recommendation submitted on Applicant's behalf are uniform in their superlative praise of her professionalism, reliability, and trustworthiness. Applicant's loyalty to the U.S. troops in Iraq has been manifestly shown. Even before Applicant became a United States citizen in 2013, by that time she had supported U. S. troops in Iraq for ten years. And she is continuing that support to this day. I find that mitigating conditions AG ¶¶ 8(a) and (b) apply.

Guideline C - Foreign Preference

Under Guideline C for foreign preference, suitability of an applicant may be questioned or put into doubt because he or she acts in such a way as to indicate a preference for a foreign country over the United States:

When an individual acts in such a way as to indicate a preference for a foreign country over the United States, then he or she may provide information or make decisions that are harmful to the interests of the United States. Foreign involvement raises concerns about an individual's judgment, reliability, and trustworthiness when it is in conflict with U.S. national interests or when the individual acts to conceal it. By itself; the fact that a U.S. citizen is also a citizen of another country is not disqualifying without an objective showing of such conflict or attempt at concealment. The same is true for a U.S. citizen's exercise of any right or privilege of foreign citizenship and any action to acquire or obtain recognition of a foreign citizenship. (AG ¶¶ 9, 10, and 11 (setting forth the concern and the disqualifying and mitigating conditions).)

In analyzing the facts of this case, I considered the following potentially disqualifying and mitigating conditions:

AG ¶ 10(d) participation in foreign activities, including but not limited to:

- (1) assuming or attempting to assume any type of employment, position, or political office in a foreign government or military organization; and
- (2) otherwise acting to serve the interests of a foreign person, group, organization, or government in any way that conflicts with U.S. national security interests;

AG ¶ 11(a) the foreign citizenship is not in conflict with U.S. national security interests;

AG ¶ 11(b) dual citizenship is based solely on parental citizenship or birth in a foreign country, and there is no evidence of foreign preference;

AG ¶ 11(c) the individual has expressed a willingness to renounce the foreign citizenship that is in conflict with U.S. national security interests; and

AG ¶ 11 (g) civil employment or military service was authorized under U.S. law, or the employment or service was otherwise consented to as required by U.S. law.

Applicant admitted that from April 2014 until December 2016 she was employed by the Saudi Arabian cultural mission in the United States performing administrative tasks. That period of employment began five years ago and at a time when Applicant had become a naturalized U. S. citizen. Nevertheless, AG ¶ 10(d)(1) is sufficiently broad to encompass such employment as a potentially disqualifying condition. The next inquiry is whether any mitigating conditions apply.

Iraq and the United States have been allies since 2003, when we invaded Iraq to overthrow the Hussein government. That was the same year that Applicant signed up as a linguist and cultural advisor supporting U. S. and coalition forces. At that time, Applicant's Iraqi citizenship, based on her parents' citizenship and being born in Iraq, was apparently not deemed to be in conflict with U. S. national security interests. Applicant's most evident preference, then and now, was to serve American interests. She has stated her intent to renounce any dual citizenship she may have with a foreign country. Finally, it is fair to assume that Saudi Arabia's cultural mission was authorized to employ U. S. citizens, which Applicant was by 2014. I find that AG ¶¶ 11(a) through (c), and (g) apply.

The evidence of Applicant's family ties to Iraq does not raise doubts about her reliability, trustworthiness, good judgment, and ability to protect classified information. In reaching this conclusion, I weighed the evidence as a whole and considered if the favorable evidence outweighed the unfavorable evidence or *vice versa*. I also gave due consideration to the whole-person concept. (AG ¶¶ 2(d)(1)-(9) and 2(f)(1)-(6).) Accordingly, I conclude that Applicant has met her ultimate burden of persuasion to show that it is clearly consistent with the national interest to grant her eligibility for access to classified information.

Formal Findings

As required by section E3.1.25 of Enclosure 3 of the Directive, I make the following formal findings on the SOR allegations:

Paragraph 1, Guideline B:	For Applicant
Subparagraphs 1.a-1.g:	For Applicant

Paragraph 2, Guideline C

For Applicant

Subparagraph 2.a:

For Applicant

Conclusion

In light of the record as a whole, it is clearly consistent with the national interest to grant Applicant access to classified information.

Philip J. Katauskas
Administrative Judge