



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



In the matter of:)
)
) ISCR Case No. 20-01730
)
Applicant for Security Clearance)

Appearances

For Government: Eric Price, Esq., Department Counsel
For Applicant: Alan V. Edmunds, Esq.
11/05/2021

Decision

RIVERA, Juan J., Administrative Judge:

Applicant’s parents and two siblings are resident-citizens of Iraq and they could make him vulnerable to pressure or coercion. Notwithstanding his wife and one sister being permanent U.S. residents, he failed to establish that it is unlikely that he will be placed in a position of having to choose between the interests of a foreign person or entity and the interest of the United States. He has deep loyalties and a sense of obligation for his family in Iraq. Foreign influence security concerns are not mitigated. Eligibility for access to classified information is denied.

Statement of the Case

Applicant submitted a security clearance application (SCA) on May 9, 2018, seeking clearance eligibility for a position with a federal contractor. He answered an interrogatory from the Defense Office of Hearings and Appeals (DOHA), and corrected and adopted summaries of personal subject interviews (PSI) conducted by the U.S. Office of Personnel Management (OPM) investigators on August 29, 2018; October 5, 2018; November 21, 2018; May 31, 2019; and August 21, 2019. After reviewing the information gathered during the background investigation, the Department of Defense (DOD) issued a Statement of Reasons (SOR) on November 9, 2020, alleging security concerns under Guideline B (foreign influence).

Applicant answered the SOR on February 12, 2021, and requested a hearing before an administrative judge. The case was assigned to me on July 23, 2021. On August 17, 2021, the DOHA notified Applicant that the hearing was scheduled, with Applicant's consent, for August 25, 2021.

I convened the hearing as scheduled. Government Exhibits (GE) 1 and 2 were admitted in evidence without objection. Hearing Exhibits (HE) 1 (Discovery Letter) and HE 2 (Request for Administrative Notice concerning the Federal Republic of Iraq (Iraq)) were marked and made part of the record. Applicant submitted exhibits (AE) A through H as attachments to his SOR response. I received AE I through O by email on August 23, 2021. DOHA received the transcript (Tr.) on September 1, 2021. Post-hearing, Applicant submitted AE P through Y on September 10, 2021. All of the exhibits were admitted into evidence without objections, except for AE J, which I admitted over Department Counsel's objections because the objections went to the weight of the evidence and not admissibility. Post-hearing, Applicant submitted a complete document (unsigned - AE X) making most of Department Counsel's objections moot. Department Counsel did not object to the admissibility of AE X.

Procedural Issue

Department Counsel requested that I take administrative notice of facts concerning the Federal Republic of Iraq, its internal and external affairs, and its relations with the United States, to determine whether foreign influence security concerns are raised by Applicant's connections to Iraq. (HE 2) Applicant did not object to me taking administrative notice of those facts, and I granted Department Counsel's motion.

In Guideline B cases, I am required to consider, among other things, the nature of a nation's government, its relationship with the United States, and its human rights record to assess the likelihood that an applicant or his family members are vulnerable to pressure or coercion. The facts administratively noticed are set forth in the last two paragraphs of the Findings of Fact, *infra*.

I note; however, that the U.S. Department of State travel advisory for Iraq is: "Do not travel to Iraq due to Covid-19, terrorism, kidnapping, armed conflict, and Mission's Iraq limited capacity to provide support to U.S. citizens". Numerous terrorist and insurgent groups, criminals, and militias are active in Iraq and regularly attack Iraqi citizens and threaten U.S. personnel and interests in Iraq. Human rights abuses continue without punishment for those involved. The U.S. Department of State has assessed Baghdad as a CRITICAL-threat location for terrorism directed at or affecting official U.S. Government interests.

Findings of Fact

Applicant admitted most of the allegations in SOR ¶ 1.a (that his mother, father, sister (F), and brother are citizen-residents of Iraq). He denied part of the allegation because one of his sisters (R) is a naturalized U.S. citizen residing in the United States.

He admitted the allegations in SOR ¶ 1.b (that his brother currently works for an important minister in Iraq), and in SOR ¶ 1.c (that his father served in the Iraqi army for over 45 years, and held a senior officer rank. Applicant's SOR admissions and those at his hearing are incorporated herein as findings of fact. After a thorough review of the record evidence, I make the following additional findings of fact:

This is Applicant's first SCA. A federal contractor is sponsoring him for his clearance. His employment is contingent on his clearance eligibility. (Tr. 32)

Applicant, his parents, brother, and two sisters were born and raised in Iraq. His parents are U.S. permanent residents and possess state identification cards. (AE D, L) His father is 70 years old, and his mother is 65. He testified that his parent's plan is to become U.S. citizens, and they are in the process of doing so. (Tr. 26, SOR Answer)

Applicant's father retired from his sensitive position with the Iraqi government in 2015. His parents have been traveling to the United States twice a year since 2015. They stay with him or his sister for about four months during each visit. During his 2018 PSI, Applicant told the OPM investigator that he was having weekly telephone contacts with his parents. (GE 2, PSI of August 2018) At hearing, Applicant testified that he communicates with his parents "twice a month, once a month. Every two months one time." (Tr. 48) He stated that his parents are elderly, and he checks on them about twice a month. He claimed they never discuss work during their conversations. When asked whether his father was receiving a pension from the government of Iraq, Applicant stated that he does not know. (Tr. 47)

Applicant's father owns the family home in Baghdad, Iraq. During his August 2018 PSI (AE 2), Applicant disclosed that his mother has owned an apartment in Amman, Jordan, since before 2009; she purchased it with an inheritance. At his hearing, he denied knowing whether his mother owns the apartment, but admitted staying there with his parents in 2009. (Tr. 53) Applicant's brother currently resides with his parents in their home. He believes his brother will inherit his father's home, because he is the oldest son. (Tr. 53)

Applicant's father held a sensitive, important position with the Iraqi government. He was in charge of a large and important Iraqi government agency. In that position, he worked closely with senior U.S. military commanders between 2004 and 2010. AE S through V contain multiple images depicting Applicant's father in the company of many U.S. and NATO senior military commanders exchanging gifts, letters of appreciation, commendations, and sharing meals. AE U is an email from a renowned U.S. senior military commander (retired) stating that Applicant's father was an exceedingly good man and a great leader. He stated:

He was very trustworthy, he refused to be intimidated by Iranian-supported militia leaders, and he stood steadfast in the tough fight against AQI and Sunni insurgents organizations, as well.

I trusted [Applicant's father] completely – and, frankly, that was a very rare relationship when I was the commander

Another U.S. senior military commander stated in a 2009 letter that Applicant's father was recognized among the leadership of Iraq and coalition forces as a superb leader, loyal to his country and the people of Iraq . . . a great humanitarian and preservationist, espousing human rights and protecting the heritage and history of Iraq . . . a respected and valued partner of the coalition forces . . . someone the senior leadership feels comfortable turning to when an emergency arises. (AE Y)

A retired U.S. military intelligence lieutenant colonel, who was his father's advisor for a year, stated that he found Applicant's father to be a loyal and steadfast friend of the United States who supported all U.S. initiatives, and was a key supporter of U.S. counter terrorism efforts in Iraq and the region. (AE W)

Applicant's sister (F), 34, is a housewife and lives in Iraq with her husband and two children. He traveled to Iraq in 2013 for his sister's wedding. In his answer to the SOR and at his hearing, Applicant claimed he speaks to his sister and brother-in-law two or three times a year. During his August 2018 interview, Applicant stated he was having telephonic contact with his sister weekly and with his brother-in-law about twice a year. (GE 2) The last time he saw her in person was in 2018, when he vacationed in Amman, Jordan, with his wife. Applicant's sister (R) is a resident of the United States. She became a naturalized U.S. citizen in December 2011. (AE C)

Applicant's brother, age 41, works in the office of an important Iraqi official. (Tr. 25, 28) He is married with two children. Applicant claimed he does not communicate very often with his brother due to their age differences, and he estimated the frequency of their communications to be about two or three times a year. The last time Applicant saw his brother in person was in August 2020, when his brother visited the United States on a working trip. In addition to his sister and brother, Applicant has two cousins who are residents and citizens of Iraq. They both are company grade officers and are employed by two different Iraqi police organizations. He denied that he has frequent contact with them. (GE 2, August 2019 PSI)

Applicant's wife is 27 years old. They met in 2017, and they were married in 2019. She has not been to Iraq since 2006 when she immigrated to the United States. (Tr. 12) She was naturalized as a U.S. citizen in March 2012. (AE B) She completed a bachelor's degree in January 2018. (AE Q) She works as a contractor with another government agency. Applicant claimed his wife holds a top-secret clearance with access to sensitive compartment information (SCI). His wife has participated in at least five security-related courses and attended an annual security-awareness conference in 2019. (AE Q) She stated that she has been an assistant facility security officer (FSO), and that her father, sister, and brother have access to classified information. (AE R)

Applicant, 28, was born and educated in Iraq. He visited the United states in 2009, and he immigrated in 2010. He was 17 years old and sought asylum from Iraq.

He stated that his father wanted him to get an education and a better life in the United States. (GE 2, August 2018 PSI) He last visited Iraq in 2013 for his sister's wedding. He became a U.S. naturalized citizen in December 2017, and received a U.S. passport in 2018. (AE A)

Applicant was issued an Iraqi passport that he used to enter the United States, and to travel to Iraq in 2013. He told a government investigator that his Iraqi passport expired in 2015-2016, and he shredded it. (GE 2, August 2018 PSI) In 2009, he modified his prior statement and told a government investigator that when he received his U.S. passport in 2018, he gave his father his Iraqi passport and told him that he no longer wanted or needed it. He told the investigator that he believed his father shredded his Iraqi passport, but he never saw him do it. (GE 2, August 2019 PSI; Question 3, Answer to interrogatories)

Applicant was financially supported by his father while unemployed and attending school between 2011 and 2016. His father provided him with \$4,000 a month during that period. He was hired by his current employer, a private company, in October 2016. After he started working for his employer, his father provided him with around \$2,000 a month to pay his rent because his income was insufficient. (GE 2, PSI August 2018) As of August 2019, his father was giving him \$2,300 monthly to pay his rent. (GE 2, August 2019 PSI) At his hearing, Applicant contradicted his prior statements to investigators. He testified that when he became a manager in 2017 – early 2018, he was making sufficient money to cover his expenses and no longer needed his father's financial assistance. He claimed his father ended his financial assistance in mid-2017 or early-2018. (Tr. 34-38, 48)

Applicant has a checking account with a balance of over \$4,000. He submitted an IRS Form 1040 for tax year 2020 (no signatures or date), showing that he and his wife filed jointly. The document indicates wages of \$89,089; "pensions and annuities" of \$2,646; and other income of \$22,412. (AE J and X) When asked about the \$2,646 indicated in his tax return as income he received from "pensions and annuities," he stated: "I don't know what does that mean, honestly. What do you mean, "annuity"? What's [does] that mean? (Tr. 56)

When asked to explain the origin of the "other income of \$22,412," Applicant stated: That was the tax person who did the accounting. I'm not an expert in tax, honestly. I have just a little bit of knowledge in it." (Tr. 60) I note; however, that Applicant's Income Tax Return for 2020 indicates that he self-prepared his taxes. (AE X) The 1040 shows Applicant took a distribution from a retirement plan and had to report \$2,646 as taxable income. The "other income of \$22,412" was reported as unemployment compensation. (AE X)

Applicant testified that he changed the frequency of his communications and contacts with his family in Iraq to avoid the security concerns raised by those contacts. (Tr. 29) He stated: "I was willing to change his interaction with people in Iraq [because] this is my country; this is my home. I live here. I work here." (Tr. 30) His wife is

expecting a child. Applicant stated he has no intention to go back to Iraq, ever. He and his wife are making their life in the United States. They registered to vote in his state. (AE K) His aunt and niece live in the United States with his sister. He believes that he is not under any threat of influence from anyone in Iraq because he lives in the United States.

Concerning Iraq, I took administrative notice that the U.S. Department of State warns that travel within Iraq remains very dangerous and the ability of the U.S. Embassy to assist U.S. citizens is extremely limited. U.S. citizens in Iraq are at high risk for kidnapping and terrorist violence. Numerous terrorist and insurgent groups are active in Iraq, including ISIS. Such groups regularly attack Iraqi security forces and civilians. Anti-U.S. sectarian militias and criminal elements may also threaten U.S. citizens and western companies throughout Iraq.

Severe human rights problems are widespread in Iraq. Sectarian hostility, widespread corruption, and lack of transparency at all levels of government and society weakened the government's authority and worsened effective human rights protections. Problems include harsh and life-threatening conditions in detention and prison facilities; arbitrary arrests and lengthy pretrial detention; limits on freedom of expression to include press, social, religious and political restrictions in academic and cultural matters; discrimination against and societal abuse of women and ethnic, religious, and racial minorities; seizure of property without due process and limitations of worker rights.

Policies

The SOR was issued under Executive Order (Exec. Or.) 10865, *Safeguarding Classified Information Within Industry* (February 20, 1960), as amended; and DOD Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (Directive) (January 2, 1992), as amended. The case will be adjudicated under the *National Security Adjudicative Guidelines for Determining Eligibility for Access to Classified Information or Eligibility to Hold a Sensitive Position* (AGs), applicable to all adjudicative decisions issued on or after June 8, 2017.

Eligibility for access to classified information may be granted "only upon a finding that it is clearly consistent with the national interest to do so." Exec. Or. 10865, *Safeguarding Classified Information within Industry* § 2 (Feb. 20, 1960), as amended. The U.S. Supreme Court has recognized the substantial discretion of the Executive Branch in regulating access to information pertaining to national security, emphasizing that "no one has a 'right' to a security clearance." *Department of the Navy v. Egan*, 484 U.S. 518, 528 (1988).

The AG list disqualifying and mitigating conditions for evaluating a person's suitability for access to classified information. Any one disqualifying or mitigating condition is not, by itself, conclusive. However, the AG should be followed where a case can be measured against them, as they represent policy guidance governing access to classified information. Each decision must reflect a fair, impartial, and commonsense

consideration of the whole person and the factors listed in SEAD 4, App. A ¶¶ 2(d) and 2(f). All available, reliable information about the person, past and present, favorable and unfavorable, must be considered.

Security clearance decisions resolve whether it is clearly consistent with the national interest to grant or continue an applicant's security clearance. The Government must prove, by substantial evidence, controverted facts alleged in the SOR. If it does, the burden shifts to the applicant to rebut, explain, extenuate, or mitigate the facts. The applicant bears the heavy burden of demonstrating that it is clearly consistent with the national interest to grant or continue his or her security clearance.

Persons with access to classified information enter into a fiduciary relationship with the Government based on trust and confidence. Thus, the Government has a compelling interest in ensuring each applicant possesses the requisite judgment, reliability, and trustworthiness of those who must protect national interest as their own. The "clearly consistent with the national interest" standard compels resolution of any reasonable doubt about an applicant's suitability for access in favor of the Government. "[S]ecurity clearance determinations should err, if they must, on the side of denials." *Egan*, 484 U.S. at 531; SEAD 4, ¶ E(4); SEAD 4, App. A, ¶¶ 1(d) and 2(b). Clearance decisions are not a determination of the loyalty of the applicant concerned. They are merely an indication that the applicant has or has not met the strict guidelines the Government has established for issuing a clearance.

Analysis

Guideline B, Foreign Influence

The security concern for foreign influence is set out in 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.

Applicant's parents and two siblings are citizen-residents of Iraq. He maintains a close relationship with his relatives in Iraq as demonstrated by his and his family's frequent contacts and communications with them, and the financial support he received from his father though the years. His father served over 45 years in the Iraqi military and held a sensitive and important position in the Iraqi government. His brother currently

works for an important senior official in the Iraqi government. Also, he has two cousins who are company grade officers in the Iraqi police.

The guideline notes several conditions that could raise security concerns under AG ¶ 7. The following are potentially applicable in this case:

(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; and

(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.

The nature of a nation's government, its relationship with the United States, and its human rights record are relevant in assessing the likelihood that an applicant's family members are vulnerable to government coercion. The risk of coercion, persuasion, or duress is significantly greater if the foreign country has an authoritarian government, a family member is associated with or dependent upon the government, the country is known to conduct intelligence operations against the United States, or the foreign country is associated with a risk of terrorism.

There is substantial evidence of a significant threat of terror, sectarian violence, criminal activity, and ongoing human rights problems in Iraq. Applicant's foreign contacts may create a potential conflict of interest, and there is evidence of a heightened risk of foreign exploitation, inducement, manipulation, pressure, and coercion. The evidence of Applicant's connections to his parents and siblings, and their connections to Iraq are sufficient to establish disqualifying conditions AG ¶¶ 7(a) and 7(b).

AG ¶ 7(a) require substantial evidence of a "heightened risk." The "heightened risk" required to raise one of these disqualifying conditions is a relatively low standard. "Heightened risk" denotes a risk greater than the normal risk inherent in having a family member living under a foreign government. See, e.g., ISCR Case No. 12-05839 at 4 (App. Bd. Jul. 11, 2013). "Heightened risk" is not a high standard. See, e.g., ISCR Case No.17-03026 at 5 (App. Bd. Jan. 16, 2019).

Conditions that could mitigate foreign influence security concerns are provided under AG ¶ 8. The following are potentially applicable:

(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 United States;

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

(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.

I considered the totality of Applicant's family ties to Iraq as well as each individual family tie. Guideline B is not limited to countries hostile to the United States. The United States has a compelling interest in protecting and safeguarding classified information from any person, organization, or country that is not authorized to have access to it, regardless of whether that person, organization, or country has interests inimical to those of the United States.

The distinctions between friendly and unfriendly governments must be made with caution. Relations between nations can shift, sometimes dramatically and unexpectedly. Furthermore, friendly nations can have profound disagreements with the United States over matters they view as important to their vital interests or national security. Finally, we know friendly nations have engaged in espionage against the United States, especially in the economic, scientific, and technical fields.

Travel within Iraq remains very dangerous and the ability of the Iraqi government or the U.S. Embassy to assist U.S. citizens is extremely limited. U.S. citizens in Iraq are at high risk for kidnapping and terrorist violence. Numerous terrorist, insurgent groups, and criminals are active in Iraq. Such groups regularly attack Iraqi security forces and civilians. Anti-U.S. sectarian militias and criminal elements may also threaten U.S. citizens and western companies throughout Iraq. Severe human rights problems are widespread in Iraq. Sectarian hostility, widespread corruption, and lack of transparency at all levels of government and society weakened the government's authority.

AG ¶ 8(a) is not established. Applicant has not met his burden of showing that he is not likely to be placed in a position of having to choose between the interests of his family members and the interests of the United States.

Because of his relatives in Iraq, Applicant could be placed in a position of having to choose between the interests of a family member and the interests of the United States. However, there is no evidence of any actions taken by any Iraqi person, group,

organization, or government interest against his parents or siblings living in Iraq because of Applicant's employment in the United States.

Applicant has established himself in the United States. He immigrated in 2010 and became a naturalized U.S. citizen in 2018. He has been employed since 2016, and he is considered to be a productive employee, and a loyal American citizen. He married in 2019, and they are expecting their first child. He has not been back to Iraq since 2013. He testified that he and his wife are not interested in visiting Iraq again.

Applicant's parents have permanent U.S. resident cards, but they are resident-citizens of Iraq. They live in Iraq when not in the United States. They travel to the United States twice a year, and stay for about four months. Applicant believes that his parents' intention is to become U.S. citizens. When his parents are in Iraq they are vulnerable to the problematic conditions and circumstances in Iraq.

Applicant's father was a very important and prominent Iraqi official and held a sensitive position in the Iraqi government for many years. He worked closely with senior U.S. and NATO military commanders in the reunification of Iraq, fighting terrorism, insurgents, and organized crime. He distinguished himself for his leadership, being loyal to his country and the people of Iraq, and as a great humanitarian. U.S. commanders consider him to be trustworthy, a good man, and a great leader. He refused to be intimidated by Iranian-supported entities and other Iraqi factions.

Because of his prominence within the Iraqi government and his close working relationship with U.S. commanders, Applicant's father could be easily recognized and become a possible target for terrorists, insurgents, and organized crime. Anyone seeking U.S. classified information could threaten or use Applicant's family in Iraq to attempt to manipulate, influence, or pressure him to obtain such information.

Applicant's two siblings in Iraq have families and are established there. There is no evidence to show they are interested in moving to the United States. His brother works in a sensitive government office and is assigned to work with a senior government official. His brother's prominence increases the security concern. Both siblings and their families could be used to manipulate, influence, or pressure Applicant.

I considered that Applicant's parents have a property in Iraq. Applicant's and his siblings' interests in that property would not accrue until his father's passing. Thus, at this point, his interest in the property is speculative. According to Applicant's testimony, his older brother currently resides in the property, and is likely to inherit it. Applicant's interest in the Iraqi property is unlikely to result in a conflict of interest and could not be used effectively to influence, manipulate, or pressure him.

AG ¶ 8(b) is not established. Applicant has a strong attachment to the United States and one sister, an aunt, and some cousins that live in the United States. Notwithstanding, his parents, older brother and sister and their families and his other extended family member live in Iraq. Applicant received substantial financial support

from his father from 2010 until at least August 2019. He does not own a home or have any other financial investments in the United States, except for a \$4,000 checking bank account.

AG ¶ 8(c) is not established. Applicant has given inconsistent information about the frequency of contacts with his parents and siblings. It appears that Applicant tried to minimize his contacts with his parents and siblings in his answers to the SOR and at his hearing, but admitted frequent contacts in his PSIs. Nevertheless, even if Applicant's contacts were infrequent, he has not overcome the presumption that they are not casual. See ISCR Case No. 00-0484 at 5 (App. Bd. Feb. 1, 2002). Applicant's contradictions raise concerns about the veracity of other mitigating testimony and information.

On balance, I find that Applicant's evidence is insufficient to mitigate the security concerns raised by family members residing in Iraq. AG ¶¶ 7(a) and 7(b) are not mitigated.

Whole-Person Concept

Under AG ¶ 2(c), the ultimate determination of whether the granting or continuing of national security eligibility is clearly consistent with the interests of national security must be an overall commonsense judgment based upon careful consideration of the guidelines, each of which is to be evaluated in the context of the whole person. An administrative judge should consider the nine adjudicative process factors listed at AG ¶ 2(d):

- (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) the extent to which participation is voluntary;
- (6) the presence or absence of rehabilitation and other permanent behavioral changes;
- (7) the motivation for the conduct;
- (8) the potential for pressure, coercion, exploitation, or duress; and
- (9) the likelihood of continuation or recurrence.

I have incorporated my comments under the guideline at issue in my whole-person analysis, and I have considered the factors in AG ¶ 2(d). After weighing the disqualifying and mitigating conditions under these guidelines, and evaluating all the evidence in the context of the whole person, Applicant evidence is insufficient to mitigate the security concerns.

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 B:

AGAINS APPLICANT

Subparagraphs 1.a - 1.c:

Against Applicant

Conclusion

In light of all the circumstances presented by the record in this case, it is not clearly consistent with the national security interest of the United States to grant Applicant's eligibility for a security clearance. Clearance is denied.

JUAN J. RIVERA
Administrative Judge