



DEPARTMENT OF DEFENSE  
DEFENSE OFFICE OF HEARINGS AND APPEALS



In the matter of: )  
)  
) ISCR Case No. 20-00332  
)  
Applicant for Security Clearance )

**Appearances**

For Government: Jeff Kent, Esq., Department Counsel  
For Applicant: Yancey Ellis, Esq.

11/29/2021

**Decision**

GARCIA, Candace Le'i, Administrative Judge:

Applicant mitigated the foreign influence security concerns. Eligibility for access to classified information is granted.

**Statement of the Case**

On September 8, 2020, the Department of Defense (DOD) issued a Statement of Reasons (SOR) to Applicant detailing security concerns under Guideline B (foreign influence). The action was taken under Executive Order (Exec. Or.) 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 (AG) implemented by DOD on June 8, 2017.

Applicant responded to the SOR on October 2, 2020 (Answer), and requested a hearing before an administrative judge. The case was assigned to me on January 5, 2021. The Defense Office of Hearings and Appeals (DOHA) issued a notice of hearing on February 19, 2021, scheduling the hearing for March 22, 2021.

I convened the hearing as scheduled. The Government's exhibit list and administrative notice requests, as well as Applicant's exhibit list, administrative notice requests, and a redacted copy of DOHA decision in ISCR Case No. 14-03774 issued in January 2016, were appended to the record as Hearing Exhibits (HE) I through V. I admitted Government Exhibits (GE) 1 and 2 without objection. Applicant testified, called three witnesses, and submitted Applicant's Exhibits (AE) A through I, which I admitted without objection. At Applicant's request, I kept the record open until March 23, 2021, to permit Applicant to submit additional documentation to support his administrative notice requests; Applicant provided documentation by that date, which I appended to HE IV, as discussed below. DOHA received the hearing transcript (Tr.) on April 7, 2021, and the record closed. (Tr. at 13-16, 142-143)

## **Administrative Notice and SOR Amendment**

### **Requests for Administrative Notice**

Department Counsel's and Applicant's requests that I take administrative notice of certain facts about the Islamic Republic of Pakistan (Pakistan) and the United Arab Emirates (UAE) were included in the record as HE II and HE IV, respectively. Neither party objected to the other's request. I have taken administrative notice of facts contained in HE II and HE IV, which are summarized in the Findings of Fact, below.

### **SOR Amendment**

At the hearing, I granted Department Counsel's motion to amend SOR ¶ 1.b, pursuant to ¶ E3.1.17 of the Directive, so that it reads as follows: "Your three sisters are citizens of Pakistan. Two are former residents of the UAE currently residing in Pakistan."

### **Pakistan**

Pakistan is a federal parliamentary republic. Historically, constitutionalism and parliamentary democracy have fared poorly in Pakistan, marked by tripartite power struggles among presidents, prime ministers, and army chiefs. The country has endured direct military rule for nearly half of its 72 years of independence, interspersed with periods of generally weak civilian governance.

The Department of State travel advisory for Pakistan is Level 3: Reconsider Travel, due to COVID-19, terrorism, and sectarian violence. U.S. citizens are advised not to travel to certain areas of the country due to terrorism, kidnapping, and the potential for armed conflict.

Pakistan is a haven for numerous Islamist extremist and terrorist groups, and successive Pakistani governments are widely believed to have tolerated and even supported some of these as proxies in Pakistan's historical conflicts with its neighbors. Local history of terrorism and ongoing ideological aspirations of violence by extremist elements have led to indiscriminate attacks on civilian as well as local military and

police targets. Terrorists have targeted U.S. diplomats and diplomatic facilities in the past.

Since 2001, U.S. policy has broadly been to assist the creation of a more stable, democratic, and prosperous Pakistan that actively combats religious militancy. A key U.S. ally in combatting terrorism after September 11, 2001, Pakistan has since been a leading recipient of U.S. assistance, receiving more than \$30 billion in aid and military reimbursements. The United States continues to press for decisive and irreversible action against externally-focused militant groups and UN-designated terrorist organizations operating from its territory; pending such action, security assistance from the United States to Pakistan remains suspended.

Kidnapping is a concern throughout Pakistan. Extremist groups and criminals have targeted business owners and prominent families to finance terror operations and profit through ransom. U.S. citizens and foreign nationals working for non-government organizations have been targets, and U.S. citizens have been kidnapped in other countries and held in Pakistan. The U.S. Government has a limited ability to provide emergency services to U.S. citizens in Pakistan due to the security environment.

Human rights issues in Pakistan have included credible reports of extrajudicial and targeted killings; forced disappearances; torture; arbitrary and lengthy pretrial detention; arbitrary or unlawful interference with privacy; censorship, site-blocking, and arbitrary restrictions on journalists' freedom of movement; severe harassment and intimidation of and high-profile attacks against journalists and media organizations; government restrictions on freedom of peaceful assembly and association, including overly restrictive nongovernmental organizations laws; restrictions on religious freedom and discrimination against members of religious minority groups; restrictions on freedom of movement; corruption within the government; recruitment and use of child soldiers by non-state militant groups; lack of criminal investigations or accountability for cases related to rape, sexual harassment, so-called honor crimes, female genital mutilation/cutting, and violence based on gender, gender identity and sexual orientation; legal prohibitions of consensual same-sex sexual conduct; forced and bonded labor and transnational trafficking in persons; and the worst forms of child labor. In 2019, authorities seldom punished government officials for human rights abuses.

## **UAE**

The UAE is a federation of monarchies consisting of seven emirates-- Abu Zaby (Abu Dhabi), 'Ajman, Al Fujayrah, Ash Shariqah (Sharjah), Dubayy (Dubai) Ra's al Khaymah, and Ummal Qaywayn. The rulers of the seven emirates constitute the Federal Supreme Council, the country's highest legislative and executive body. The emirates are under political rule with political allegiance defined by loyalty to tribal leaders, leaders of the individual emirates, and leaders of the federation.

The United States has had friendly relations with the UAE since 1971, and the two countries established formal diplomatic relations in 1972. The UAE plays an influential role in the Middle East and is a key partner for the United States. The UAE

government continued to prosecute multiple individuals for terrorism-related offenses in 2019. The U.S. Department of State has assessed Abu Dhabi and Dubai as being a medium-threat location for terrorism directed at or affecting official U.S. Government interests. The continued threat posed by terrorist groups seeking to target U.S. interests requires those working or traveling in the UAE to remain vigilant, maintain a low profile, and vary routes, times, and routines while in the country.

The UAE is a drug transshipment point for traffickers given its proximity to Southwest Asian drug-producing countries; the UAE's position as a major financial center makes it vulnerable to money laundering; anti-money-laundering controls are improving, but informal banking remains unregulated. Through transshipment and diversion, U.S. goods, dual-use, military and electronic components, and internet technology have passed through the UAE and UAE-owned businesses on their way to forbidden destinations, including Iran and Syria.

The most significant human rights issues in the UAE in 2019 included allegations of torture in detention; arbitrary arrest and detention, including incommunicado detention, by government agents; political prisoners; government interference with privacy rights; undue restrictions on free expression and the press, including criminalization of libel, censorship, and internet site blocking; substantial interference with the rights of peaceful assembly and freedom of association; the inability of citizens to choose their government in free and fair elections; and criminalization of same sex sexual activity.

### **Findings of Fact**

Applicant admitted both of the SOR allegations. He is 40 years old. He was a Pakistani citizen born in the UAE. His parents, both Pakistani-born citizens, lived in the UAE because his father started working as an electrician there in the 1970s. Applicant, along with his mother and siblings, moved to Pakistan when he was in the 10th grade of high school; his father continued to live and work in the UAE. He graduated from high school in Pakistan in 1999. In 2000, at age 19, Applicant emigrated from Pakistan to the United States on a student visa. He earned a bachelor's degree in computer information systems in 2007. He married a native-born U.S. citizen, who he met in college, in 2009, and they have three minor children, all of whom were born in the United States. He became a naturalized U.S. citizen and was issued a U.S. passport in November 2012. Applicant is a cyber-engineer, and he has worked for his current employer, a DOD contractor, since 2018. He has never held a security clearance. (Answer; Tr. at 7-8, 61-142; GE 1, 2)

Applicant's siblings are Pakistani citizens. As of the date of the hearing, his 35-year-old brother resided in the UAE; two of his sisters, ages 38 and 34, who previously resided in the UAE, resided in Pakistan; and his 29-year-old sister resided in the United States. Applicant's brother works for a U.S.-based insurance company in the UAE. His 38-year-old sister lives with her second spouse in Pakistan. His 34-year-old sister, along with her spouse and children, moved to Pakistan in late 2020. As of the date of the hearing, both sisters were unemployed; they previously worked as project coordinators

for private companies. Applicant's 29-year-old sister, who became a permanent U.S. resident in early 2021, lives with her husband, and they own and operate several gas stations in their state. (Tr. at 61-142; GE 1, 2; AE B, C, D, E)

Applicant maintains quarterly telephonic and electronic contact with his siblings. He gave wedding gifts of approximately \$500 to his 34-year-old sister in 2009, \$400 to his 29-year-old sister in 2017, and \$400 each to his brother and 38-year-old sister in 2021. He has never financially supported his siblings. Applicant petitioned to the U.S. Department of Homeland Security, U.S. Citizenship and Immigration Services, for his brother in the UAE and sisters in Pakistan to move to the United States in 2015; as of the date of the hearing, his petitions were pending. (Tr. at 61-142; GE 1, 2; AE B, C, D, E)

Applicant testified that his 38-year-old sister's husband works for an oil company in Pakistan; Applicant spoke to him once, which was before he married Applicant's sister in 2021. Applicant was unaware who his 34-year-old sister's husband's employer was in Pakistan, but stated that he previously worked for a U.S.-based shipping company in the UAE. Applicant was unaware of any family members in Pakistan having worked for the Pakistani government or military. (Tr. at 61-142; GE 1)

Applicant's 67-year-old parents, who he sponsored to move to the United States, are permanent U.S. residents, who have lived with him since approximately 2016. They intend to apply for U.S. citizenship once they are eligible to do so. His father is retired, although he recently began delivering pizzas to stay active. His mother has always been a stay-at-home wife and mother. Since moving to the United States, they have traveled to Pakistan twice and the UAE once, all without Applicant. In 2017, they traveled to Pakistan to attend Applicant's 29-year-old sister's wedding; they also provided her approximately \$5,000 to help her pay for her wedding. In early 2021, they traveled to the UAE to attend Applicant's brother's wedding, and they also traveled to Pakistan to attend Applicant's 38-year-old sister's wedding. They provided \$1,000 to his brother and \$2,000 to this sister to help pay for their respective 2021 weddings. Applicant chose not to travel to the UAE or Pakistan in 2021 to attend these siblings' weddings, because he had already been notified that his connection with his siblings could potentially affect his ability to obtain a security clearance. Applicant's parents stay with Applicant's aunt and uncle during their trips to Pakistan. His uncle is a cloth weaver and the women in his family have never worked outside the home. (Tr. at 61-142; GE 1, 2; AE F)

Prior to becoming a U.S. citizen, Applicant traveled to Pakistan twice--in 2004 to visit his family, and in 2009, with his wife, to attend his 34-year-old sister's wedding. Since becoming a U.S. citizen, he has traveled to the UAE twice and to Pakistan once, all on his U.S. passport. He relinquished his previous Pakistani passports to his previous employer for destruction in 2015. He traveled to the UAE in 2012 to visit his parents, who lived there at the time. He again traveled to the UAE in 2016. Initially, he planned this UAE trip to attend his brother's wedding; he chose to proceed with this trip because he only received notice, two days before he was scheduled to depart the United States, that his brother's wedding was postponed. In 2019, he joined his father in Pakistan to visit his ill grandmother and attend his cousin's wedding; he reported this

trip to his employer. Like his parents, he also stayed with his aunt and uncle during his trips to Pakistan. (Tr. at 61-142; GE 1, 2)

Between 2018 to 2019, while Applicant was assigned to a work project in Saudi Arabia, he returned home to the United States three times; during each trip home, he had a six to seven-hour layover in the UAE, and he met his brother and one of his sisters, who lived there at the time, for dinner. After he completed the project, he deliberately did not meet with his brother or sister in the UAE on his return home, because he had already been notified that they presented a potential security concern. While in Saudi Arabia, between 2018 and December 2020, he briefly met a cousin, who works for a Saudi oil or gas company, for lunch. He had not seen this cousin in years and he has not since had further contact with this cousin. (Tr. at 16-142; GE 2)

Applicant stated that his wife, children, and career in the United States are most important to him. He stated that his parents are aware that he works in the IT field for a DOD contractor, and he has talked with them about not discussing his employment with anyone. His siblings are only aware that he works in the IT field. He stated that he has undergone annual security training with his employment, and he has been trained to report to the proper authorities any attempt by anyone to use his siblings in the UAE and Pakistan to exert any influence on him. He stated, "I would never compromise the U.S. security for anything," and:

And [the United States] has given me so much . . . I was born in Abu Dhabi, never a citizen. . . . even though I went to Pakistan, I never felt like I belonged there because it was never my country. I got it through my parents, but I never really basically lived there. Or the only reason I had to go was because that's the passport I had at that time . . . . So [the United States] is where I came and basically accepted me. Basically when I came here in the U.S., in the country, and I grew -- I grew here. I learned here. I was -- I became independent. And I mean all my hard work, I studied. I mean this is where I basically -- as far as I remember, this is where I see myself and my roots and all that. And I have no intention ever to go back to any country.

(Tr. at 16-142; GE 1)

Applicant purchased his home in the United States for approximately \$515,000 in 2016. As of January 2021, he paid his \$400,000 mortgage in full, and the value of his home, as of the date of the hearing, was approximately \$600,000. He owns three cars that have a combined value of approximately \$20,000. He earns a base salary of approximately \$192,000 annually, which can increase to approximately \$300,000 annually when he is assigned overseas for work. He has \$60,000 in his bank accounts, and he has around \$190,000 in his retirement savings accounts. He also sets aside money in a 529 college savings plan for his children. He does not own any foreign property or maintain any foreign bank accounts. He has never served in any foreign military or voted in any foreign election. He has voted in every general election since becoming a U.S. citizen, and he has also voted in primary elections. He and his wife

have been members of their neighborhood civic association since they bought their home, and his wife served as its vice-president as of the date of the hearing. His wife also serves as the leader of his daughter's Girl Scout troop and is also a member of their children's parent teacher association. (Tr. at 16-142; GE 1; AE A, G, H, I).

Prior to Applicant's parents moving in with him in 2016, Applicant provided them a total of approximately \$130,000 in financial support over the course of 10 to 15 years. He sent them money "every now and then," and then he gave them \$100,000 that they used to buy land and build a home in Pakistan, with the intention that they would retire there. As of the date of the hearing, Applicant's parents still owned their home and land in Pakistan, and Applicant estimated their value was \$100,000 USD each. He stated that his parents were renting their home in Pakistan, the income from which is used by his aunt and uncle in Pakistan to maintain the home and land. Applicant stated that his parents have decided to remain in the United States, and they are in the process of selling their home and land in Pakistan. He stated that he has no standing to inherit his parents' home or land in Pakistan since his life is in the United States, and his parents intend to pass it on to his siblings in Pakistan. He stated that his parents do not have any further foreign assets or investments. (Tr. at 16-142; GE 1, 2)

Applicant's three character witnesses attested to his loyalty to the United States, trustworthiness, and integrity. Two witnesses, who have been friends with Applicant since approximately 2000, described Applicant as a straightforward and honest individual. The third witness, an individual who previously served honorably in the U.S. military for over 11 years and helped hire Applicant in 2018, has held a Top Secret/Sensitive Compartmented Information clearance since 2006. This witness testified that he and Applicant lived and worked closely together in Saudi Arabia for 8 to 10 months, during the 2.5 year-long project discussed above, and after 8 to 10 months, the witness returned to the United States and entrusted Applicant as his lead engineer to complete the project. This witness described Applicant as an outstanding employee and consistently his top performer.

Letters of support from a number of individuals, to include a retired U.S. Air Force lieutenant colonel who was an executive director for Applicant's employer and held a Top Secret security clearance, as well as another individual who has been Applicant's supervisor since 2018 and also a retired U.S. military officer of "over 21 years," and three other individuals who have had 20-year-long friendships with Applicant, attest to his integrity, tireless work ethic, leadership, and humility. The supervisor, who also worked with Applicant on the overseas work project, wrote, I have no reason to question his patriotism, loyalty, character, or witnessed any personal conditions that would lead me to suspect any questionable intent or risk." (Answer; Tr. at 16-61; AE A).

## **Policies**

When evaluating an applicant's suitability for a security clearance, the administrative judge must consider the adjudicative guidelines. In addition to brief introductory explanations for each guideline, the adjudicative guidelines list potentially

disqualifying conditions and mitigating conditions, which are to be used in evaluating an applicant's eligibility for access to classified information.

These guidelines are not inflexible rules of law. Instead, recognizing the complexities of human behavior, administrative judges apply the guidelines in conjunction with the factors listed in the adjudicative process. The administrative judge's overarching adjudicative goal is a fair, impartial, and commonsense decision. According to AG ¶ 2(a), the entire process is a conscientious scrutiny of a number of variables known as the "whole-person concept." The administrative judge must consider all available, reliable information about the person, past and present, favorable and unfavorable, in making a decision.

The protection of the national security is the paramount consideration. AG ¶ 2(b) requires that "[a]ny doubt concerning personnel being considered for access to classified information will be resolved in favor of national security."

Under Directive ¶ E3.1.14, the Government must present evidence to establish controverted facts alleged in the SOR. Under Directive ¶ E3.1.15, the applicant is responsible for presenting "witnesses and other evidence to rebut, explain, extenuate, or mitigate facts admitted by the applicant or proven by Department Counsel." The applicant has the ultimate burden of persuasion to obtain a favorable security decision.

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 and endures throughout off-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 the 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.

Section 7 of Exec. Or. 10865 provides that adverse decisions shall be "in terms of the national interest and shall in no sense be a determination as to the loyalty of the applicant concerned." See *also* Exec. Or. 12968, Section 3.1(b) (listing multiple prerequisites for access to classified or sensitive information).

## **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.

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;

(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; and

(e) shared 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.

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, or the country is known to conduct intelligence operations against the United States. In considering the nature of the government, an administrative judge must also consider any terrorist activity in the country at issue. *See generally* ISCR Case No. 02-26130 at 3 (App. Bd. Dec. 7, 2006) (reversing decision to grant clearance where administrative judge did not consider terrorist activity in area where family members resided). AG ¶ 7(a) requires 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.

Applicant's 29-year-old sister, while a Pakistani citizen, became a permanent U.S. resident in early 2021. She lives in the United States with her husband and they own and operate several gas stations in their state. However, Applicant's brother, a Pakistani citizen, resides in the UAE, and Applicant's two sisters, also Pakistani citizens who formerly resided in the UAE, reside in Pakistan. Applicant maintains quarterly contact with them; he gifted them between \$400 to \$500 for their weddings in 2009,

2017, and 2021; and, after becoming a U.S. citizen, he traveled to the UAE in 2012 and 2016, and to Pakistan in 2019. He also saw his brother and one sister in the UAE three times between 2018 to 2019, during layovers on his return trip to the United States from an assigned work project in Saudi Arabia.

Applicant's parents, who have lived with Applicant since around 2016, maintain contact with their children in the UAE and Pakistan. They traveled to Pakistan in 2017 and 2021, and to the UAE in 2021, to attend those children's weddings. They also provided between \$1,000 and \$5,000 to help those children pay for their respective weddings. His parents also intend to pass on the profits from the sale of their home and land in Pakistan, which have a combined total value of approximately \$200,000 USD, to Applicant's siblings in Pakistan. Concerns of terrorism, sectarian violence, kidnapping, the potential for armed conflict, and human rights exist in Pakistan. The continued threat posed by terrorist groups seeking to target U.S. interests remains a concern in the UAE. AG ¶¶ 7(a), 7(b), and 7(e) are established for SOR ¶¶ 1.a and 1.b.

AG ¶ 8 provides conditions that could mitigate security concerns. 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.

Applicant, and his parents who live with him, maintain regular contact with his siblings in the UAE and Pakistan, as previously discussed. AG ¶ 8(c) does not apply to SOR ¶¶ 1.a or 1.b.

None of Applicant's foreign siblings are affiliated with the UAE or Pakistani government or military. Applicant has never financially supported his foreign siblings. He petitioned for them to move to the United States in 2015. I considered the totality of Applicant's ties to the UAE and Pakistan against his ties to the United States. The concerns over Applicant's ties to the UAE and Pakistan, through his foreign siblings, do not create doubt about Applicant's current reliability, trustworthiness, good judgment,

and ability to protect classified information. AG ¶¶ 8(a), and 8(b) apply to SOR ¶¶ 1a and 1.b.

### **Whole-Person Concept**

Under the whole-person concept, the administrative judge must evaluate an applicant's eligibility for a security clearance by considering the totality of the applicant's conduct and all relevant circumstances. The 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.

Under AG 2(c), the ultimate determination of whether to grant eligibility for a security clearance must be an overall commonsense judgment based upon careful consideration of the guidelines and the whole-person concept.

I have incorporated my comments under Guideline B in my whole-person analysis. After weighing the disqualifying and mitigating conditions under this guideline, and evaluating all the evidence in the context of the whole person, I conclude Applicant has mitigated the foreign influence security concerns. Accordingly, I conclude he has carried his burden of showing that it is clearly consistent with the national interest to grant his eligibility for access to classified information.

### **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:	FOR APPLICANT
Subparagraphs 1.a – 1.b:	For Applicant

## **Conclusion**

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

---

Candace Le'i Garcia  
Administrative Judge