DEFENSE LEGAL SERVICES AGENCY
DEFENSE OFFICE OF HEARINGS AND APPEALS

In the matter of:	)	
	)	
	)	ISCR Case No. 25-01240
	)	
Applicant for Security Clearance	)	

Appearances

For Government: Laurenann L. Shure, Esq., Department Counsel
For Applicant: *Pro se*

08/03/2026

Decision

HARVEY, Mark, Administrative Judge:

Guideline C (foreign preference) security concerns are mitigated; however, Guideline B (foreign influence), F (financial considerations), and E (personal conduct) security concerns are not mitigated. Eligibility for access to classified information is denied.

Statement of the Case

On March 6, 2025, Applicant completed a security clearance application (SCA). (Government Exhibit (GE) 1) On March 10, 2026, the Defense Counterintelligence and Security Agency (DCSA) issued a statement of reasons (SOR) to Applicant under Executive Order (Exec. Or.) 10865, *Safeguarding Classified Information within Industry* (February 20, 1960); Department of Defense (DoD) Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (Directive) (January 2, 1992), as amended; and Security Executive Agent Directive 4, establishing in Appendix A, the *National Security Adjudicative Guidelines for Determining Eligibility for Access to Classified Information or Eligibility to Hold a Sensitive Position* (AGs), effective June 8, 2017. (Hearing Exhibit (HE) 1)

The SOR detailed reasons why DCSA did not find under the Directive that it is clearly consistent with the interests of national security to grant or continue a security clearance for Applicant and stated his case would be submitted to an Administrative Judge for a determination whether to grant, deny, or revoke his security clearance. Specifically, the SOR set forth security concerns arising under Guidelines B, C, F, and E. (HE 1) On March 13, 2026, Applicant responded to the SOR and requested a hearing. (HE 2) On April 3, 2026, Department Counsel was ready to proceed. On April 16, 2026, the case was assigned to me. On April 23, 2026, DOHA issued a notice scheduling the hearing for June 8, 2026. (HE 3) The hearing was held as scheduled, using the Microsoft Teams video teleconference system.

During the hearing, Department Counsel offered six exhibits; Applicant did not offer any exhibits; there were no objections; and all proffered exhibits were admitted into evidence. (Tr. 11, 17-25; GE 1-GE 6) On June 23, 2026, DOHA received a copy of the transcript. No post-hearing documents were received.

Administrative Notice

A Guideline B decision concerning Iraq must take into consideration the geopolitical situation and dangers in that country. *See* ISCR Case No. 17-03026 at 4-7 (App. Bd. Jan. 16, 2019) (remanding because administrative judge failed to include administrative notice information from the United Kingdom); ISCR Case No. 07-14508 at 4-5 (App. Bd. Oct. 22, 2008) (remanding because administrative judge's decision fails to contain updated administrative notice information); ISCR Case No. 04-02630 at 3 (App. Bd. May 23, 2007) (remanding because of insufficient discussion of geopolitical situation and suggesting expansion of whole-person discussion); ISCR Case No. 02-26130 at 3 (App. Bd. Dec. 7, 2006) (reversing grant of security clearance because of terrorist activity in the West Bank).

Department Counsel requested administrative notice (AN) concerning the Republic of Iraq (Iraq). (Tr. 24-25; HE 3) Administrative or official notice is the appropriate type of notice used for administrative proceedings. *See* ISCR Case No. 16-02522 at 2-3 (App. Bd. July 12, 2017); ISCR Case No. 05-11292 at 4 n. 1 (App. Bd. Apr. 12, 2007); ISCR Case No. 02-24875 at 2 (App. Bd. Oct. 12, 2006) (citing ISCR Case No. 02-18668 at 3 (App. Bd. Feb. 10, 2004) and *McLeod v. Immigration and Naturalization Service*, 802 F.2d 89, 93 n. 4 (3d Cir. 1986)). Usually, administrative notice at ISCR proceedings is accorded to facts that are either well known or from government reports. *See* Stein, *Administrative Law*, Section 25.01 (Bender & Co. 2006) (listing fifteen types of facts for administrative notice).

I have quoted most of Department Counsel's AN request without quotation marks and footnotes. I have made some other punctuation changes and not included the discussion of locations vulnerable to terrorists, abuses of civil liberties and human rights, limitations on entry into the United States of non-U.S. citizens from Iraq, and terrorist acts by individuals and groups in Iraq and surrounding areas. There is no evidence that Applicant's family members are involved in or victims of terrorism.

Some details were excluded to protect Applicant's right to privacy. Specific information is available in the cited exhibits and transcript.

Findings of Fact

In Applicant's SOR response, he admitted the allegations in SOR ¶¶ 1.a through 1.d, and 4.a through 4.s. (HE 2) He denied the allegations in SOR ¶¶ 2.a, 2.b, 2.c, 3.a, 3.b, and 3.c. (HE 2) He also provided extenuating and mitigating information.

Applicant is a 43-year-old translator who has applied for employment with a government contractor to work in Iraq. (Tr. 6, 8-9) In 2000, he graduated from high school in Iraq. (Tr. 7) In 2015, he received an associate degree in information technology in the United States. (Tr. 7, 26-27) In 2006, he was married, and in 2023, he was divorced. (Tr. 7) Applicant's two sons are 14 and 16, and they were born in the United States. (Tr. 8) His two sons are U.S. citizens, and they live in Canada with their mother. (Tr. 8)

Foreign Influence and Foreign Preference

The SOR alleges the following foreign influence security concerns: 1.a—Applicant's parents are citizens and residents of Iraq; 1.b—His brother and two sisters are citizens and residents of Iraq; 1.c—His father-in-law is a citizen and resident of Iraq; and 1.d—He has three cousins who are citizens and residents of Iraq, one of whom is employed by the Kurdish government.

The SOR alleges the following foreign preference security concerns: 2.a—In November 2023, after becoming a U.S. citizen, Applicant renewed his Iraqi passport; 2.b—He failed to disclose that he possessed a passport issued by Iraq on his March 6, 2025 SCA; and 2.c—He failed to list his three cousins, who are citizens and residents of Iraq, on his March 6, 2025 SCA, and in his December 23, 2025 response to Interrogatories about foreign relatives.

In 1982, Applicant was born in Iraq. (Tr. 27) In 2008, he immigrated to the United States, and in 2016, he became a naturalized U.S. citizen. (Tr. 27) Applicant worked with the Kurdish Government before he immigrated to the United States. (Tr. 28) His friend was murdered, and terrorists bombed Applicant's shop. (Tr. 28-29) Applicant and his then wife fled Iraq. (Tr. 28) He immigrated to the United States as a refugee. (Tr. 28) From 2018 to 2023, Applicant lived in Canada because his then wife wanted to live there. (Tr. 30-31)

Applicant admitted SOR ¶¶ 1.a through 1.d (the citizenship and residency of his relatives in Iraq) in his SOR response. (HE 2) Applicant telephones his mother three or four times a week. (Tr. 32) He communicates with his father less frequently. (Tr. 32) He communicates with his siblings two or three times a month. (Tr. 33) He communicates with the cousin who works for a company which is affiliated with the Kurdish Government, three or four times a month. (Tr. 34-35) He believes that if his employment working with the United States was learned by terrorist entities in Iraq, they would target his family members living in Iraq. (Tr. 38-39)

Applicant's former in-laws live in Iraq; however, now that he is divorced, he does not communicate with them. (Tr. 34)

Applicant disclosed his birth in Iraq and immigration to the United States in his March 6, 2025 SCA. His SCA asked, "Have you EVER been issued a passport (or identity card for travel) by a country other than the U.S.?" Applicant answered, "No." (GE 1 at 7-8) Applicant obtained an Iraqi passport because he believed it would be safer to travel to Iraq to visit family with an Iraqi passport. (Tr. 40) He renewed his Iraqi passport after becoming a U.S. citizen. (Tr. 42-43) He is willing to surrender his Iraqi passport. (Tr. 40-41) This conduct establishes SOR ¶ 2.b.

Regarding Applicant's Iraqi passport, his May 1, 2025 DCSA summary of interview states:

> Subject was asked if he has or has ever had dual or multiple citizenship and Subject answered yes. Subject volunteered in approximately 11/2023, Subject obtained dual citizenship with Iraq because his parents thought it would be a safe option when he visited them in Iraq. Subject would renounce his citizenship with Iraq and has no plans to renew his Iraqi passport. Subject's passport is currently in Iraq with his mother, and he has not used it for any foreign travel. Subject no longer has in his possession his prior Iraqi passport because he renounced his prior citizenship with Iraq when he became a Naturalized U.S. citizen. Subject's dual citizenship with Iraq, along with his relationship with his family, does not cause any foreign exploitation, inducement, manipulation, pressure, or conflict of interest with the security of the United States. Subject's loyalty lies with the U.S. (GE 2 at 3)

Regarding Applicant's three cousins living in Iraq, his May 1, 2025 DCSA summary of interview states: "Subject was asked if he had any close and continuing foreign contacts and answered yes. Subject volunteered the following. [He disclosed details about his three cousins living in Iraq.] . . . Subject was asked why he did not list his cousins in his case papers. Subject's omission was a mistake, and it was not intentional." (GE 2 at 5-6) On December 23, 2025, in his response to DOHA interrogatories, Applicant affirmed the accuracy of the May 1, 2025 DCSA summary of interview. (GE 2 at 18)

Personal Conduct

The SOR alleges the following personal conduct security concerns: 3.a—Applicant falsified material facts on his March 6, 2025 SCA, in his response to the following questions:

> Section 22 – Police Record For this section report information regardless of whether the record in your case has been sealed, expunged or otherwise stricken from the court record, or the charge was dismissed. You need not report convictions under the Federal Controlled Substances Act for which the court issued an expungement order under the authority of 21 U.S.C. 844 or 18 U.S.C. 3607. Be sure to include all incidents whether occurring in the U.S. or abroad. Have any of the following happened? ▪ In the last seven (7) years have you been issued a summons, citation, or ticket to appear in court in a criminal proceeding against you? ▪ In the last seven (7) years have you been arrested by any police officer, sheriff, marshal, or any other type of law enforcement official? ▪ In the last seven (7) years have you been charged, convicted, or sentenced of a crime in any court? (Include all qualifying charges, conviction or sentences in any Federal, State, local, military, or non-U.S. court, even if previously listed on this form) ▪ In the last seven (7) years have you been or are you currently on probation or parole? ▪ Are you currently on trial or awaiting a trial on criminal charges?

The SOR alleges that Applicant answered "No" and thereby deliberately failed to disclose on his SCA his November 2022 charge and arrest (Dangerous Operation of a Conveyance), which occurred in Canada.

SOR ¶ 3.b alleges Applicant falsified material facts on his March 6, 2025 SCA in his response to the following questions:

> Section 22 – Police Record (EVER) Other than those offenses already listed, have you EVER had the following happen to you? ▪ Have you EVER been convicted in any court of the United States of a crime, sentenced to imprisonment for a term exceeding 1 year for that crime, and incarcerated as a result of that sentence for not less than 1 year? (Include all qualifying convictions in Federal, state, local, or military court, even if previously listed on this form) ▪ Have you EVER been charged with any felony offense? (Include those under the Uniform Code of Military Justice and non-military/civilian felony offenses) ▪ Have you EVER been convicted of an offense involving domestic violence or a crime of violence (such as battery or assault) against your child, dependent, cohabitant, spouse, former spouse, or someone with whom you share a child in common? ▪ Have you EVER been charged with an offense involving firearms or explosives?" ▪ Have you EVER been charged with an offense involving alcohol or drugs?

The SOR alleges that Applicant answered "No" and thereby deliberately failed to disclose on his SCA his November 2022 charge in Canada, which involved alcohol.

Applicant's May 1, 2025 DCSA summary of interview states:

> DEVELOPED ALCOHOL INCIDENT
> Subject was asked if he was charged with any alcohol-related incidents and he said no. Subject was asked if he had any problems with police while in Canada, and Subject answered no.
>
> Subject was asked if while he was in Canada he was arrested or pulled over by the police and given a ticket, and Subject answered yes. Subject admitted in 11/2022, he was pulled over and arrested for alcohol use. Subject drank one to two beers at a friend's party and then got pulled over while driving alone. Subject believes he was pulled over because he had a [U.S.] license plate. The officer asked if he had been drinking and Subject answered yes, he had one to two beers. Subject argued with the police officer, noting he had not been speeding and was not intoxicated. The officer told him he talked too much, arrested him on charges of drunk driving, and took him to a [Canadian] police station . . . . Subject was not given a field sobriety test or a breathalyzer. Subject was placed in a cell for two to three hours until his ex-wife picked him up. He received a citation to appear in court (specifics not recalled). Subject was asked why he did not list the incident in his case papers. Subject misunderstood the question, and his omission was not intentional. (GE 2 at 7-8)

Department Counsel asked Applicant, "Okay. [The DCSA investigator] also asked you whether you had any problems with the police while you were living in Canada and you, again, said no." (Tr. 55) Applicant responded, "No, that's a lie, they never asked me about Canada, no." (Tr. 55) As indicated previously, Applicant then discussed the arrest in Canada with the DCSA investigator.

Applicant's statement at his hearing about his actions in November of 2022 was consistent with the May 1, 2025 DCSA summary of interview concerning the arrest in Canada in November of 2022. (Tr. 46-47) He said he did not receive any punishment from this incident. (Tr. 47-48) He did not disclose this incident on his SCA because he believed the question related to arrests in the United States. (Tr. 48)

SOR ¶ 3.c alleges Applicant falsified material facts on his March 6, 2025 SCA in his response to the following questions:

> Section 26 – Financial Record Delinquency Involving Routine Accounts Other than previously listed, have any of the following happened? In the last seven (7) years, you had bills or debts turned over to a collection agency? In the last seven (7) years, you had any account or credit card suspended, charged off, or cancelled for failing to pay as agreed?

Applicant answered "No" to both questions, and thereby deliberately failed to disclose in his 2025 SCA that information as set forth in SOR ¶¶ 4.a. through 4.s. below.

Applicant's May 1, 2025 DCSA summary of interview states:

> FINANCIAL CONSIDERATIONS
> Subject was asked if in the last seven years was he delinquent on any debts or federal student loans and Subject answered no. Subject was asked if he owes money on his student loans, and if so, was he current and Subject said he does owe money and is not current. [Applicant discussed his student loans as indicated in SOR ¶ 4]
>
> * * *
>
> DEVELOPED DELINQUENT CREDIT CARD DEBT
> Subject was asked if there were any other delinquent loans or credit card debt and Subject answered yes. The following delinquent credit card debts were discussed. [Applicant discussed his credit card debts as indicated in SOR ¶ 4] (GE 2 at 8-14)

At his hearing, Applicant said he did not disclose the delinquent debts on his SCA because he could not remember specific information about the debts, and he was "taking a shortcut" by not listing delinquent debts. (Tr. 52) The following exchange occurred between Department Counsel and Applicant:

> Department Counsel: When you spoke with the investigator, you were asked if you had any delinquencies or federal student loans and you said no at first.
>
> Applicant: No, I said yes. No, this is lie.
>
> Department Counsel: Okay.
>
> Applicant: The officer is lying. With all due respect, the officer lied. No, I said yes. I didn't say no. (Tr. 53)

Financial Considerations

Applicant said his former spouse used credit cards with his name on them. (Tr. 60-61) His current annual pay is $44,200. (Tr. 65) He lives paycheck-to-paycheck, and he does not use a budget. (Tr. 65) He has not received financial counseling. (Tr. 66) He admitted that he had not made any payments to address any of the SOR debts. (Tr. 61-62) He said he would pay the debts once he has sufficient income to pay them. (Tr. 62, 64)

Applicant explained the origin of his delinquent debt as follows:

> I moved to Canada. When I moved to Canada, I cut off from U.S.A. I didn't do anything in U.S.A., okay? So, that's why I didn't do anything because I couldn't afford to raise family in Canada and pay those payments back here, but when I come back with just me, I'm [having a] big regret honestly, big regret about that, but that happened, you know? This is collecting, like, they [are] building up. It's going to be huge and huge, so I would like to get some good income and then I clean up [this] mess, a hundred percent. . . . This is all on me because it's under my name. No, but you're right, yeah, I agree, I know, but this is all my ex-wife involved. All [of her] things, even I told the officer in both interviews, I said this is nothing to do with me because she used to use my name, my everything to collect those and then she spends it. No. (Tr. 62-64)

The SOR alleges 19 delinquent debts totaling $109,131. The list of the specific SOR debts is as follows.

SOR ¶¶ 4.a and 4.b allege, and Applicant admitted he has two credit card debts placed for collection for about $12,497 and $11,812, respectively. (HE 2)

SOR ¶¶ 4.c through 4.m allege, and Applicant admitted he has 11 student loans totaling $63,909, which have been placed for collection for about $10,959, $10,352, $8,040, $7,992, $5,405, $4,199, $4,158, $4,077, $4,028, $2,866, and $1,833, respectively. (HE 2)

SOR ¶¶ 4.n, 4.o, 4.q, and 4.s allege, and Applicant admitted he has four credit card debts placed for collection for about $7,222, $5,120, $2,773, and $624. (HE 2)

SOR ¶¶ 4.p and 4.r allege, and Applicant admitted he has two charged-off credit card debts for about $3,417 and $1,757. (HE 2)

In his closing statement, Applicant stated:

> Like I said, from beginning I said, you know, my big dream is to serve this great country because they saved my life 20 years ago. This is my wish to do, to do something small like return a big favor to this country. I'd like to use my skill, English my fourth language, I know three more languages, a hundred percent full, so that's all I'd like to do. But, if they don't like me, if they don't want me, I'm okay. Thank you. (Tr. 66-67)

Iraq

Iraq is a constitutional parliamentary republic. The October 2021 parliamentary elections were generally considered technically sound and credible. On November 11, 2025, the Iraqi government held national parliamentary elections for the sixth time since the United States topped the Saddam Hussein regime in 2003. Despite predictions of voter apathy, turnout was approximately 56 percent, a significant increase over the 43 percent turnout in 2021 and the highest since the 2014 elections. The elections were largely peaceful, according to State, citing news coverage. Since the November 11 parliamentary elections, political parties and electoral coalitions have been bargaining over government formations. Government formation will likely take months. Iraq's parliament opened its first session on December 30, kicking off a constitutionally mandated sequence of actions to form a new government. Within 30 days, the parliament is required to elect a president with a two-thirds absolute majority of 220 members, a process that is expected to be very difficult. Once elected, the new president has 15 days to name the prime minister. The new cabinet members, nominated by the prime minister, must be approved by a majority vote. A new government was yet to form the Iraqi Parliament has not yet named a president and prime minister. U.S. Secretary of State Marco Rubio stated that future progress on a U.S. bilateral security relationship with Iraq depends upon the disposition of the new Iraqi government and its willingness to confront malign Iranian influence. With the end of the Combined Joint Task Force-Operation Inherent Resolve (CJTF-OIR) mission in federal Iraq, responsibility for negotiating future bilateral security agreements now rests with the U.S. Military Group-Iraq and the Senior Defense Official/Defense Attaché with the U.S. Embassy in Baghdad.

The Islamic State in Iraq and Syria—also known as ISIS, ISIL or Da'esh—is a designated terrorist organization active in Syria and Iraq. ISIS and its associated terrorist groups indiscriminately commit attacks and violent atrocities in Iraq despite improved Iraqi government control. ISIS, militia groups, and criminal gangs target U.S. citizens for attacks and hostage-taking. Additionally, Iran-aligned militia groups encourage and conduct attacks against the U.S. presence in Iraq.

In 2023 there were intermittent attacks by the Islamic State of Iraq and Syria and its affiliated cells; sporadic fighting between the Iraqi Security Forces and the Islamic State of Iraq and Syria in remote areas; Turkish military operations against Kurdistan Workers Party bases in Iraq; the presence of militias not fully under the control of the government, including Iran-aligned Popular Mobilization Forces units; and sectarian, ethnic, and financially motivated violence. In 2024, the human rights situation in Iraq worsened during the year due to increased federal government restrictions on fundamental freedoms and civic space. In the Iraqi Kurdistan Region, the Kurdistan Regional Government took some steps to address the human rights situation, but its restrictions on fundamental freedoms continued at similar levels to the previous year.

The U.S. Department of State travel advisory for Iraq is Level 4: Do not travel to Iraq due to terrorism, kidnapping, armed conflict, civil unrest, and the U.S. government's limited ability to provide emergency services to U.S. citizens in Iraq. Do not travel to Iraq for any reason. On March 2, 2026, the Department of State ordered non-emergency U.S. government employees to leave Iraq due to security concerns. There is risk of terrorist violence, including terrorist attacks and other activity in Iraq. U.S. citizens in Iraq face high risks, including violence and kidnapping. Terrorist and insurgent groups regularly attack Iraqi security forces and civilians. Anti-U.S. militias threaten U.S. citizens and international companies. Attacks using improvised explosive devices, indirect fire, and unmanned aerial vehicles occur in many areas, including major cities. The Department of State requires U.S. government personnel in Iraq to live and work under strict security due to serious threats. Demonstrations, protests, and strikes occur frequently throughout the country. These events can develop quickly without prior notice, often interrupting traffic, transportation, and other services, and sometimes turn violent.

Policies

The U.S. Supreme Court has recognized the substantial discretion of the Executive Branch in regulating access to information pertaining to national security emphasizing, “no one has a ‘right’ to a security clearance.” *Department of the Navy v. Egan*, 484 U.S. 518, 528 (1988). As Commander in Chief, the President has the authority “to control access to information bearing on national security and to determine whether an individual is sufficiently trustworthy” to have access to such information. *Id*. at 527. The President has authorized the Secretary of Defense or his designee to grant applicant eligibility for access to classified information “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.

Eligibility for a security clearance is predicated upon the applicant meeting the criteria contained in the adjudicative guidelines. These guidelines are not inflexible rules of law. Instead, recognizing the complexities of human behavior, these guidelines are applied in conjunction with an evaluation of the whole person. An administrative judge’s overarching adjudicative goal is a fair, impartial, and commonsense decision. An administrative judge must consider all available, reliable information about the person, past and present, favorable and unfavorable.

The Government reposes a high degree of trust and confidence in persons with access to classified information. This relationship transcends normal duty hours and endures throughout off-duty hours. 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 about potential, rather than actual, risk of compromise of classified information. Clearance decisions must be “in terms of the national interest and shall in no sense be a determination as to the loyalty of the applicant concerned.” *See* Exec. Or. 10865 § 7. Thus, nothing in an unfavorable decision should be construed to suggest that it is based on any express or implied determination about an applicant’s allegiance, loyalty, or patriotism. An unfavorable decision is merely an indication the applicant has not met the strict guidelines the President, Secretary of Defense, and Director of National Intelligence have established for issuing a clearance.

Initially, the Government must establish, by substantial evidence, conditions in the personal or professional history of the applicant that may disqualify the applicant from being eligible for access to classified information. The Government has the burden of establishing controverted facts alleged in the SOR. *See Egan*, 484 U.S. at 531. "Substantial evidence" is "more than a scintilla but less than a preponderance." *See v. Washington Metro. Area Transit Auth.*, 36 F.3d 375, 380 (4th Cir. 1994). The guidelines presume a nexus or rational connection between proven conduct under any of the criteria listed therein and an applicant's security suitability. *See* ISCR Case No. 95-0611 at 2 (App. Bd. May 2, 1996).

Once the Government establishes a disqualifying condition by substantial evidence, the burden shifts to the applicant to rebut, explain, extenuate, or mitigate the facts. Directive ¶ E3.1.15. An applicant "has the ultimate burden of demonstrating that it is clearly consistent with the national interest to grant or continue his [or her] security clearance." ISCR Case No. 01-20700 at 3 (App. Bd. Dec. 19, 2002). The burden of disproving a mitigating condition never shifts to the Government. *See* ISCR Case No. 02-31154 at 5 (App. Bd. Sept. 22, 2005). "[S]ecurity clearance determinations should err, if they must, on the side of denials." *Egan*, 484 U.S. at 531; *see* AG ¶ 2(b).

Analysis

Foreign Influence

AG ¶ 6 explains the security concern about "foreign contacts and interests" stating:

> 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.

AG ¶ 7 lists conditions that could raise a foreign influence security concern and may be disqualifying 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.

AG ¶¶ 7(a) and 7(b) are established. Additional discussion is in the foreign influence mitigation section, *infra*. AG ¶ 8 lists conditions that could mitigate foreign influence security concerns including:

> (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;
>
> (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;
>
> (d) the foreign contacts and activities are on U.S. Government business or are approved by the agency head or designee;
>
> (e) the individual has promptly complied with existing agency requirements regarding the reporting of contacts, requests, or threats from persons, groups, or organizations from a foreign country; and
>
> (f) the value or routine nature of the foreign business, financial, or property interests is such that they are unlikely to result in a conflict and could not be used effectively to influence, manipulate, or pressure the individual.

In ISCR Case No. 10-04641 at 4 (App. Bd. Sept. 24, 2013), the DOHA Appeal Board concisely explained Applicant's responsibility for proving the applicability of mitigating conditions as follows:

> Once a concern arises regarding an [applicant's] security clearance eligibility, there is a strong presumption against the grant or maintenance of a security clearance. *See Dorfmont v. Brown*, 913 F. 2d 1399, 1401 (9th

> Cir. 1990), *cert. denied*, 499 U.S. 905 (1991). After the Government presents evidence raising security concerns, the burden shifts to the [applicant] to rebut or mitigate those concerns. *See* Directive ¶ E3.1.15. The standard applicable in security clearance decisions is that articulated in *Egan*, *supra*. "Any doubt concerning personnel being considered for access to classified information will be resolved in favor of the national security." Directive, Enclosure 2, [App. A] ¶ 2(b).

The SOR alleges the following foreign influence security concerns: 1.a—Applicant's parents are citizens and residents of Iraq; 1.b—His brother and two sisters are citizens and residents of Iraq; 1.c—His father-in-law is a citizen and resident of Iraq; and 1.d—He has three cousins who are citizens and residents of Iraq, one of whom is employed by the Kurdish government.

Applicant is divorced, and he does not have contacts with his father-in-law in Iraq. SOR ¶ 1.c is refuted and will not be further discussed in this decision.

Applicant's parents, siblings, and cousins are citizens and residents of Iraq. He has frequent communications with them. The mere possession of close ties with people living in a foreign country is not, as a matter of law, disqualifying under Guideline B. However, if an applicant has such a relationship with even one person living in a foreign country, this factor alone is sufficient to create the potential for foreign influence and could potentially result in the compromise of classified information. *See* ISCR Case No. 08-02864 at 4-5 (App. Bd. Dec. 29, 2009) (discussing problematic visits of that applicant's father to Iran). There is a rebuttable presumption that a person has ties of affection for, or obligation to, their immediate family members. *See generally* ISCR Case No. 01-03120, 2002 DOHA LEXIS 94 at *8 (App. Bd. Feb. 20, 2002).

Not every foreign contact or tie presents the heightened risk under AG ¶ 7(a). The "heightened risk" denotes a risk greater than the normal risk inherent in having a family member living under a foreign government. In ISCR Case No. 19-00831 at 4 (App. Bd. July 29, 2020), the Appeal Board reversed the grant of a security clearance to an applicant with relatives in Russia, and succinctly explained the security concern as follows:

> In Foreign Influence cases, the nature of the foreign government involved, the presence of terrorist activity, and the intelligence gathering history of that government are important considerations that provide context for the other record evidence and must be brought to bear on the Judge's ultimate conclusions in the case. The country's human rights record is also an important consideration. *See, e.g.*, ISCR Case No. 17-04208 at 4 (App. Bd. Aug. 7, 2019); ISCR Case No. 15-00528 at 3 (App. Bd. Mar. 13, 2017). . . . The Supreme Court has explicitly cited family members in a hostile country as a reason to deny an applicant a security clearance. *Egan, supra*, at 529. Accordingly, we have long held that such applicants have a "very heavy burden" of persuasion to show that connections in a hostile country do not

pose a threat to U.S. security. *See, e.g.,* ISCR Case No. 17-04208 at 5; ISCR Case No. 09-08099 at 2 (App. Bd. Sep. 14, 2012); and ISCR Case No. 10-09986 at 3 (App. Bd. Dec. 15, 2011).

Unlike Russia, Iraq has a good relationship with the United States and is not considered a "hostile" country. The problem in Iraq is that country's serious difficulties with terrorists; terrorists aggressively target U.S. interests; and the Iranian Government and terrorists from Iran are significantly involved in Iraq. There is a risk that Iran or Iranian proxies will attack U.S. entities in Iraq.

The U.S. Department of State travel advisory for Iraq is Level 4: Do not travel to Iraq due to terrorism, kidnapping, armed conflict, civil unrest, and the U.S. government's limited ability to provide emergency services to U.S. citizens in Iraq. Do not travel to Iraq for any reason.

Applicant has frequent contact with his family in Iraq; his parents, siblings, and cousins are citizens and residents of Iraq; and those relationships add to the "risk of foreign inducement, manipulation, pressure, or coercion." His frequent contacts with them are a positive character trait, and they are manifestations of his care and concern for them.

The risk of coercion, persuasion, or duress is significantly greater if the foreign country has an authoritarian government, the government ignores the rule of law including widely accepted civil liberties, a family member is associated with or dependent upon the government, the government is engaged in a counterinsurgency, terrorism causes a substantial amount of death or property damage, or the country is known to conduct intelligence collection operations against the United States. The situation in Iraq places a heavy burden of persuasion on Applicant to demonstrate that his relationships with anyone living in that country does not pose a security risk. He should not be placed into a position where he might be forced to choose between the protection of classified information and concerns about assisting someone living in Iraq.

The issue under Guideline B is whether Applicant has ties or contacts with family who live in Iraq, which raise security concerns because those ties and contacts create a potential vulnerability that terrorists could seek to exploit to get unauthorized access to U.S. classified information that he has by virtue of a security clearance. Applicant's relatives live in Iraq and his relationships with them "could be a means through which Applicant comes to the attention of those who seek U.S. information or technology and who would attempt to exert coercion upon him." ADP Case No. 14-01655 at 3 (App. Bd. Dec. 9, 2015) (citing ISCR Case No. 14-02950 at 3 (App. Bd. May 14, 2015)). These relationships create "a heightened risk of foreign inducement, manipulation, pressure, or coercion" under AG ¶ 7. The record contains substantial evidence of Applicant's relationships with family living in Iraq and of terrorists in Iraq who use violence and intelligence activity towards the United States. Assessment of the applicability of mitigating conditions is required.

AG ¶ 8(a) is not established. The situation in Iraq involving terrorists and the malign influence of Iran, and their opposition towards U.S. interests, make it more likely that Applicant's family with whom he frequently communicates, might be placed into a position where Applicant might be forced to choose between the protection of classified information and concerns about assisting them.

A key factor in the AG ¶ 8(b) analysis is Applicant's "deep and longstanding relationships and loyalties in the U.S." His relationship with the United States must be weighed against the potential conflict of interest created by his connections to Iraq.

In 1982, Applicant was born in Iraq. In 2008, he immigrated to the United States, and in 2016, he became a naturalized U.S. citizen. Applicant worked with the Kurdish Government before he immigrated to the United States. His friend was murdered, and terrorists bombed Applicant's shop. Applicant and his then wife fled Iraq. He immigrated to the United States as a refugee. He earned an associate degree in the United States. From 2018 to 2023, Applicant lived in Canada because his then wife wanted to live there. From 2023 to present, he has lived in the United States. He is grateful to the United States for approving his immigration to the United States, and he wishes to support the United States with service in Iraq. His willingness to support the U.S. Government in Iraq is an important factor weighing in favor of his access to classified information.

Applicant has strong connections to the United States. However, these connections are insufficient to fully mitigate Guideline B security concerns. *See Generally* ISCR Case No. 19-00831 at 5 (App. Bd. July 29, 2020) (discussing foreseeability of "that [applicant's] ongoing relationship with his relatives could be means through which he comes to the attention of Russian authorities charged with uncovering U.S. classified or protected information and subjected to the kind of pressure or coercion that a clearance adjudication seeks to avoid. Moreover, it is not reasonable to conclude that [applicant's] character evidence and community involvement provide a clear insight into how he might react under such a circumstance."). The Appeal Board's discussion of AG ¶ 8(b) in ISCR Case No. 19-00831 at 5 (App. Bd. July 29, 2020) is equally applicable to Applicant's case. *See* ISCR Case No. 25-00963 at 3-6 (App. Bd. June 16, 2026).

Applicant's connections to Iraq and the problems with terrorism and the influence of Iran are balanced against his connections to the United States. His access to classified information could add risk to his family living in Iraq. There is no allegation that he would choose to help the Iraq Government against the interests of the United States. A Guideline B adjudication is not a judgment on an applicant's character or loyalty to the United States. It is a determination as to whether an applicant's circumstances foreseeably present a security risk. *See* ISCR Case No. 19-00831 at 5 (App. Bd. July 29, 2020). The concern here pertains to the risk to his family, who are living in Iraq, and how that risk could be used to coerce Applicant. It does not relate to his loyalty or patriotism to the United States.

There is no *per se* rule that persons with family members in Iraq cannot receive a security clearance; however, family members in Iraq present a heightened risk of a security concern. *See* ISCR Case No. 23-00653 at 3 (App. Bd. Apr. 15, 2024) ("the Judge reasonably found that Applicant has longstanding family connections to Iraq, which given current geopolitical circumstances presents a heightened risk, and concluded that Applicant failed to show it is unlikely he will be placed in a position of having to choose between those connections and the interests of the United States."). AG ¶ 8(b) is not established.

AG ¶ 8(c) indicates potential mitigation when, "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." The Appeal Board has concluded that contact every two months or three months constitutes "frequent contact" under AG ¶¶ 7 and 8. ISCR Case No. 14-05986 at 3-4 (App. Bd. Oct. 14, 2016). *See also* ISCR Case No. 04-09541 at 2-3 (App. Bd. Sept. 26, 2006) (finding contacts with applicant's siblings once every four or five months not casual and infrequent and stating, "The frequency with which [applicant] speaks to his family members in Iran does not diminish the strength of his family ties."). "'The concern in Foreign Influence cases arises from the nature of an applicant's foreign ties, which is not evinced by the current state of communications in a vacuum.'" ISCR Case No. 24-02470 at 5 (App. Bd. (Feb. 18, 2026) (citation omitted)). "While the frequency of an individual's contact with foreign family is a factor to be considered in evaluating the concern, it alone is not dispositive." *Id*.

Applicant's frequent contacts with his family in Iraq are not "casual." *See* ISCR Case No. 19-00831 at 5 (App. Bd. July 29, 2020) (disagreeing with the administrative judge's conclusion that an applicant's contacts with immediate family members in Russia were casual and reversing grant of security clearance).

Applicant's family in Iraq may not be prominent or closely related to the government. However, the Appeal Board "has consistently held that factors such as an applicant's relatives' obscurity does not provide a meaningful measure of whether an applicant's circumstances pose a security risk." ISCR Case No. 22-02603 at 5 (App. Bd. Feb. 9, 2026).

Applicant has not rebutted the concern arising from his relationship with his family living in Iraq. His connections to the United States, taken together, are strong; however, they are insufficient to overcome the foreign influence security concerns under Guideline B relating to Iraq.

Foreign Preference

AG ¶ 9 describes the foreign preference security concern as follows:

> 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 ¶ 10 describes one foreign preference condition that could raise a security concern and may be disqualifying: "(b) failure to report, or fully disclose when required, to an appropriate security official, the possession of a passport or identity card issued by any country other than the United States."

The SOR alleges the following foreign preference security concerns: 2.a—In November 2023, after becoming a U.S. citizen, Applicant renewed his Iraqi passport; 2.b—He failed to disclose that he possessed a passport issued by Iraq on his March 6, 2025 SCA; and 2.c—He failed to list his three cousins, who are citizens and residents of Iraq, on his March 6, 2025 SCA, and in his December 23, 2025 response to Interrogatories about foreign relatives. AG ¶ 10(b) applies for SOR ¶ 2.b. None of the disqualifying conditions apply to SOR ¶¶ 2.a and 2.c, and they are refuted. Additional discussion is in the mitigating section, *infra*. AG ¶ 11 lists conditions that could mitigate security concerns:

> (a) the foreign citizenship is not in conflict with U.S. national security interests;
>
> (b) dual citizenship is based solely on parental citizenship or birth in a foreign country, and there is no evidence of foreign preference;
>
> (c) the individual has expressed a willingness to renounce the foreign citizenship that is in conflict with U.S. national security interests;
>
> (d) the exercise of the rights, privileges, or obligations of foreign citizenship occurred before the individual became a U.S. citizen;
>
> (e) the exercise of the entitlements or benefits of foreign citizenship do not present a national security concern;
>
> (f) the foreign preference, if detected, involves a foreign country, entity, or association that poses a low national security risk;
>
> (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; and

> (h) any potentially disqualifying activity took place after receiving the approval by the agency head or designee.

AG ¶¶ 11(b) and 11(e) apply. Applicant's "dual citizenship is based solely on parental citizenship or birth in a foreign country, and there is no evidence of foreign preference." His use or planned use of an Iraqi passport does not present a foreign preference or national security concern. He obtained an Iraqi passport as a protective measure if he needs to travel to Iraq to see family, and not because he prefers Iraq over the United States. Applicant and his family members are at risk of injury or death from terrorists in Iraq if he uses a U.S. passport to visit them in Iraq. Foreign preference security concerns are mitigated.

Personal Conduct

AG ¶ 15 lists the security concern related to personal conduct:

> Conduct involving questionable judgment, lack of candor, dishonesty, or unwillingness to comply with rules and regulations can raise questions about an individual's reliability, trustworthiness, and ability to protect classified or sensitive information. Of special interest is any failure to cooperate or provide truthful and candid answers during national security investigative or adjudicative processes. . . .

AG ¶ 16 lists one personal conduct disqualifying condition which is potentially applicable:

> (a) deliberate omission, concealment, or falsification of relevant facts from any personnel security questionnaire, personal history statement, or similar form used to conduct investigations, determine employment qualifications, award benefits or status, determine national security eligibility or trustworthiness, or award fiduciary responsibilities.

AG ¶ 16(a) is established. Additional discussion is in the mitigation section, *infra*. AG ¶ 17 lists conditions that could potentially mitigate personal conduct security concerns:

> (a) the individual made prompt, good-faith efforts to correct the omission, concealment, or falsification before being confronted with the facts;
>
> (b) the refusal or failure to cooperate, omission, or concealment was caused or significantly contributed to by advice of legal counsel or of a person with professional responsibilities for advising or instructing the individual specifically concerning security processes. Upon being made aware of the requirement to cooperate or provide the information, the individual cooperated fully and truthfully;

> (c) the offense is so minor, or so much time has passed, or the behavior is so infrequent, or it happened under such unique circumstances that it is unlikely to recur and does not cast doubt on the individual's reliability, trustworthiness, or good judgment;
>
> (d) the individual has acknowledged the behavior and obtained counseling to change the behavior or taken other positive steps to alleviate the stressors, circumstances, or factors that contributed to untrustworthy, unreliable, or other inappropriate behavior, and such behavior is unlikely to recur;
>
> (e) the individual has taken positive steps to reduce or eliminate vulnerability to exploitation, manipulation, or duress; and
>
> (f) the information was unsubstantiated or from a source of questionable reliability.

The SOR alleges that Applicant falsified material facts in three parts of his March 6, 2025 SCA. SOR ¶¶ 3.a and 3.b allege he failed to disclose his November 2022 charge and arrest (Dangerous Operation of a Conveyance) in Canada in relation to an arrest and charge question and in relation to an alcohol-related offense question. Applicant said he thought the questions were seeking information about criminal conduct in the United States. Applicant credibly stated he misunderstood these questions, and SOR ¶¶ 3.a and 3.b are refuted.

SOR ¶ 3.c is not refuted. SOR ¶ 3.c alleges Applicant failed to disclose his 19 delinquent debts in SOR ¶¶ 4.a through 4.s in response to two questions in his 2025 SCA about charged-off debts and debts in collections. Applicant admitted he failed to disclose the requested information because he did not have specific information, and he wanted to take a shortcut. The DCSA follow-up background summary of interview states, "Subject was asked if in the last seven years was he delinquent on any debts or federal student loans and Subject answered no." (GE 2 at 8) In response to additional questions from the investigator, Applicant confirmed the delinquent debts in SOR ¶¶ 4.a through 4.s. Applicant's initial false statement about his delinquent debts in his DCSA interview will not be considered for disqualification purposes; however, it will be considered in the mitigation and whole-person assessments.

None of the mitigating conditions apply as Applicant's false statements on his 2025 SCA when he denied that he had debts in collections and charged-off debts are serious and relatively recent. Accurate information from applicants during the security clearance process is crucial to enable the DOD to decide who should receive access to classified information. Personal conduct security concerns are not mitigated.

Financial Considerations

AG ¶ 18 articulates the security concern for financial problems:

> Failure to live within one's means, satisfy debts, and meet financial obligations may indicate poor self-control, lack of judgment, or unwillingness to abide by rules and regulations, all of which can raise questions about an individual's reliability, trustworthiness, and ability to protect classified or sensitive information. Financial distress can also be caused or exacerbated by, and thus can be a possible indicator of, other issues of personnel security concern such as excessive gambling, mental health conditions, substance misuse, or alcohol abuse or dependence. An individual who is financially overextended is at greater risk of having to engage in illegal or otherwise questionable acts to generate funds.

The Appeal Board explained the scope and rationale for the financial considerations security concern in ISCR Case No. 11-05365 at 3 (App. Bd. May 1, 2012) (citation omitted) as follows:

> This concern is broader than the possibility that an applicant might knowingly compromise classified information to raise money in satisfaction of his or her debts. Rather, it requires a Judge to examine the totality of an applicant's financial history and circumstances. The Judge must consider pertinent evidence regarding the applicant's self-control, judgment, and other qualities essential to protecting the national secrets as well as the vulnerabilities inherent in the circumstances. The Directive presumes a nexus between proven conduct under any of the Guidelines and an applicant's security eligibility.

AG ¶ 19 includes disqualifying conditions that could raise a security concern and may be disqualifying in this case: "(a) inability to satisfy debts"; and "(c) a history of not meeting financial obligations".

The record establishes the disqualifying conditions in AG ¶¶ 19(a) and 19(c), requiring additional inquiry about the possible applicability of mitigating conditions. Discussion of the disqualifying conditions is contained in the mitigation section, *infra*.

The financial considerations mitigating conditions under AG ¶ 20, which may be applicable in this case, are as follows:

> (a) the behavior happened so long ago, was so infrequent, or occurred under such circumstances that it is unlikely to recur and does not cast doubt on the individual's current reliability, trustworthiness, or good judgment;

(b) the conditions that resulted in the financial problem were largely beyond the person's control (e.g., loss of employment, a business downturn, unexpected medical emergency, a death, divorce or separation, clear victimization by predatory lending practices, or identity theft), and the individual acted responsibly under the circumstances;

(c) the individual has received or is receiving financial counseling for the problem from a legitimate and credible source, such as a non-profit credit counseling service, and there are clear indications that the problem is being resolved or is under control;

(d) the individual initiated and is adhering to a good-faith effort to repay overdue creditors or otherwise resolve debts; and

(e) the individual has a reasonable basis to dispute the legitimacy of the past-due debt which is the cause of the problem and provides documented proof to substantiate the basis of the dispute or provides evidence of actions to resolve the issue.

The SOR alleges 19 delinquent debts totaling $109,131. Two debts are charged off, and the other 17 debts are placed for collection. Applicant admitted responsibility for the SOR debts. He said he has not taken any action to arrange payment plans or pay any of them. He did not provide any documentation showing he disputed his responsibility for the debts. He said he would pay them once his income increases.

AG ¶ 20(a) does not apply to the SOR allegations. "It is also well established that an applicant's ongoing, unpaid debts [and history of not timely filing tax returns and paying taxes] demonstrate a continuing course of conduct and can be viewed as recent for purposes of the Guideline F mitigating conditions." ISCR Case No. 22-02226 at 2 (App. Bd. Oct. 27, 2023) (citing ISCR Case No. 15-06532 at 3 (App. Bd. Feb. 16, 2017)).

AG ¶ 20(b) does not fully apply. Applicant changed employments; he was divorced; and he has been underemployed. He did not assert sufficient reasons or other circumstances partially or fully beyond his control, which caused him not to start payment plans on at least one or two of his smaller SOR debts. His 11 delinquent student loans totaling $63,909, are particularly problematic as they are debts owed to the federal government.

AG ¶ 20(c) does not apply because Applicant did not receive financial counseling. AG ¶ 20(d) does not apply because he did not show good faith in the resolution of his delinquent debts. AG ¶ 20(e) does not apply because he did not provide any documentation showing he disputed any of the SOR debts.

None of the mitigating conditions fully apply. Applicant failed to prove that he took sufficient timely, prudent, responsible, and good-faith actions regarding his delinquent

SOR debts. His financial behavior raises unmitigated questions about his reliability, trustworthiness, and ability to protect classified information. Under all the circumstances, and considering the evidence "as a whole," Applicant's failure to make any progress resolving his SOR debts results in a conclusion that financial considerations are not mitigated at this time.

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 his conduct and all the 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), "[t]he ultimate determination" of whether to grant a security clearance "must be an overall commonsense judgment based upon careful consideration of the guidelines" and the whole-person concept. My comments under Guidelines B, C, E, and F are incorporated in my whole-person analysis. Some of the factors in AG ¶ 2(d) were addressed under those guidelines but some warrant additional comment.

Applicant is a 43-year-old translator who has applied for employment with a government contractor to work in Iraq. In 2000, he graduated from high school in Iraq. In 2015, he received an associate degree in information technology in the United States. In 2006, he was married, and in 2023, he was divorced. Applicant's two sons are 14 and 16; they were born in the United States; and they are U.S. citizens.

The evidence against mitigation is persuasive. The activities of terrorists in Iraq are dangerous, and they target U.S. interests and those who support the United States. Applicant did not meet his heavy burden of showing that his relationship with his parents, siblings, and cousins, who are citizens and residents of Iraq are unlikely to come to the attention of those interested in acquiring U.S. classified information. Terrorists would not hesitate to coerce his family in Iraq to obtain classified information. "Application of the guidelines is not a comment on an applicant's patriotism but merely an acknowledgment that [he] may act in unpredictable ways when faced with choices that could be important" to his family in Iraq. *See Generally* ISCR Case No. 17-01979 at 5 (App. Bd. July 31, 2019).

Applicant's failures to provide accurate information on his 2025 SCA are discussed in the personal conduct section, *supra*. Intentional falsifications cut to the heart of the security clearance process. They are serious because a person should not receive access to classified information based on false information. A person who lies during the security-clearance process is not trustworthy. He or she cannot be relied upon to report a security infraction or violation.

It is well settled that once a concern arises regarding an applicant's security clearance eligibility, there is a strong presumption against granting a security clearance. *See Dorfmont*, 913 F. 2d at 1401. I have carefully applied the law, as set forth in *Egan*, Exec. Or. 10865, the Directive, the AGs, and the Appeal Board's jurisprudence to the facts and circumstances in the context of the whole person. Applicant mitigated foreign preference security concerns; however, he failed to mitigate foreign influence, personal conduct, and financial considerations 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:	AGAINST APPLICANT
Subparagraph 1.a, 1.b, and 1.d:	Against Applicant
Subparagraph 1.c:	For Applicant
Paragraph 2, Guideline C:	FOR APPLICANT
Subparagraphs 2.a through 2.c:	For Applicant
Paragraph 3, Guideline E:	AGAINST APPLICANT
Subparagraphs 2.a and 2.b:	For Applicant
Subparagraph 2.c:	Against Applicant
Paragraph 4, Guideline F:	AGAINST APPLICANT
Subparagraphs 4.a through 4.f:	Against Applicant

Conclusion

Considering all the circumstances in this case, it is not clearly consistent with the interests of national security to grant Applicant eligibility for a security clearance. Eligibility for access to classified information is denied.

Mark Harvey
Administrative Judge