KEYWORD: Foreign Influence
DIGEST: The Government established a <i>prima facie</i> case under Guideline B based on the fact applicant's father is a British citizen residing in Hong Kong. The applicant has, however, presented convincing evidence that his father does not present a security risk. I therefore conclude that applicant has rebutted the Government's <i>prima facie</i> case. Clearance is granted.
CASENO: 03-22052.h1
DATE: 08/15/2005
DATE: August 15, 2005
In Re:
SSN:
5514
Applicant for Security Clearance
ISCR Case No. 03-22052
DECISION OF ADMINISTRATIVE JUDGE
JOSEPH TESTAN
<u>APPEARANCES</u>
FOR GOVERNMENT

Jennifer	T.	Campbell.	Department	Counsel
	1.	Campoons	Department	Counsel

FOR APPLICANT

William F. Savarino, Esq.

SYNOPSIS

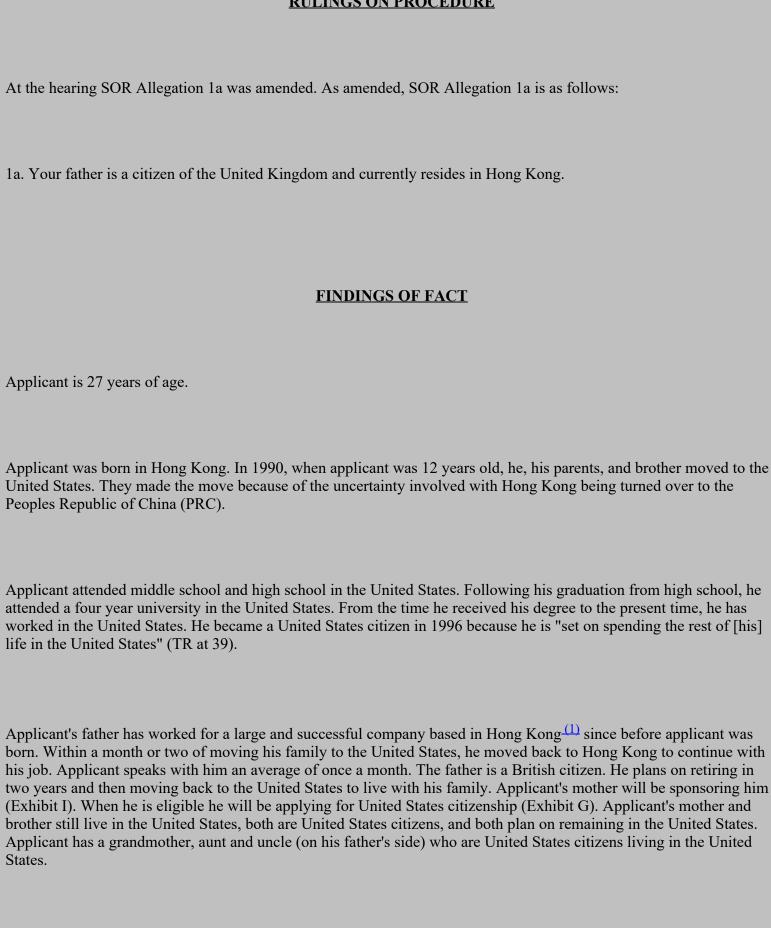
The Government established a *prima facie* case under Guideline B based on the fact applicant's father is a British citizen residing in Hong Kong. The applicant has, however, presented convincing evidence that his father does not present a security risk. I therefore conclude that applicant has rebutted the Government's *prima facie* case. Clearance is granted.

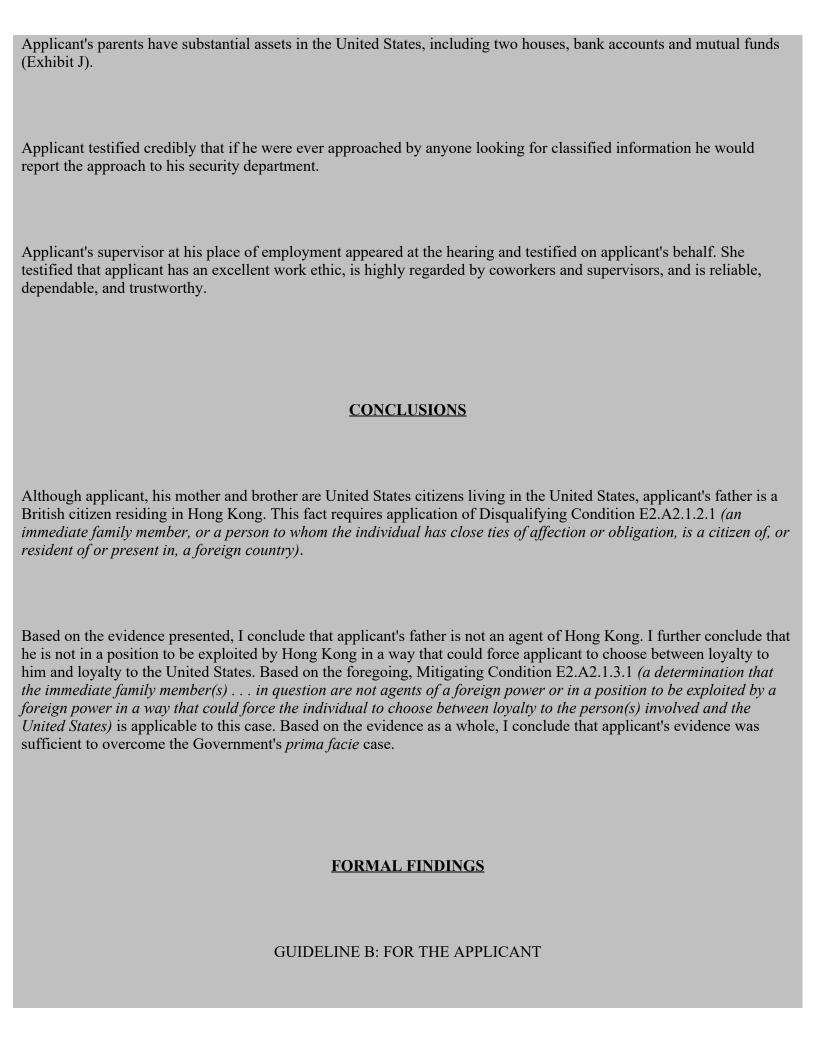
STATEMENT OF THE CASE

On September 15, 2004, the Defense Office of Hearings and Appeals (DOHA), pursuant to Executive Order 10865 and Department of Defense Directive 5220.6 (Directive), dated January 2, 1992, issued a Statement of Reasons (SOR) to applicant which detailed reasons why DOHA could not make the preliminary affirmative finding under the Directive that it is clearly consistent with the national interest to grant or continue a security clearance for applicant and recommended referral to an Administrative Judge to determine whether clearance should be denied or revoked.

Applicant responded to the SOR in writing on October 13, 2004. The case was assigned to the undersigned on March 29, 2005. A Notice of Hearing was issued on April 7, 2005, and the hearing was held on May 20, 2005. The transcript was received on June 6, 2005.

RULINGS ON PROCEDURE





DECISION

In light of all the circumstances presented by the record in this case, it is clearly consistent with the national interest to grant or continue a security clearance for applicant.
Joseph Testan
Administrative Judge
1. The company is now owned by a corporation based in a democratic country that is one of America's closest allies.