



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



In the matter of: )  
)  
) ISCR Case No. 07-17422  
)  
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Applicant for Security Clearance )

**Appearances**

For Government: John Glendon, Esquire, Department Counsel  
For Applicant: Kathleen Voelker, Esquire

September 23, 2008

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**Decision**

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RICCIARDELLO, Carol G., Administrative Judge:

Applicant has mitigated the government’s security concerns under Guideline C, Foreign Preference and Guideline B, Foreign Influence. Applicant’s eligibility for a security clearance is granted.

On May 22, 2008, the Defense Office of Hearings and Appeals (DOHA) issued to Applicant a Statement of Reasons (SOR) detailing the security concerns under Guidelines C, Foreign Preference and Guideline B, Foreign Influence. The action was taken under Executive Order 10865, *Safeguarding Classified Information within Industry* (February 20, 1960), as amended; Department of Defense Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (January 2, 1992), as amended (Directive), and the revised adjudicative guidelines (AG) promulgated by the President on December 29, 2005, and effective within the Department of Defense for SORs issued after September 1, 2006.

Applicant answered the SOR in writing on June 17, 2008, and requested a hearing before an Administrative Judge. The case was assigned to me on July 30, 2008. After coordinating with both counsels, the case was scheduled on September 8,

2008, to accommodate Applicant's counsel's schedule. DOHA issued a notice of hearing on August 7, 2008, and I convened the hearing as scheduled. The government offered Exhibits (GE) 1 through 5, which were admitted without objections. The government also offered Hearing Exhibits (HE) I through V, for administrative notice. Applicant testified and submitted Exhibit (AE) A through N, which were admitted without objections. Applicant also offered HE VI through IX. There was no objection and I took administrative notice of HE I through IX. Three witnesses testified on Applicant's behalf. DOHA received the transcript of the hearing (Tr.) on September 17, 2008.

### **Findings of Fact**

Applicant denied the allegations in 1.a, 1.b, 1.c, and 2.b and admitted the remaining allegations in SOR. Her admissions and explanations are incorporated below. In addition, after a thorough and careful review of the pleadings, exhibits, and testimony, I make the following findings of fact.

Applicant is a 48-year-old business woman who owns her own company. Her only client is the federal government. She was born and educated through college in Turkey. She earned a bachelor's degree in engineering there in 1981. She later earned her master's degree in engineering administration from a prestigious American university. She received stipends and tuition assistance from the U.S. Navy to assist her in earning her master's degree. Applicant has held a secret security clearance since 1997.<sup>1</sup>

While living in Turkey, her father, a physician, owned an apartment building where she and her family lived. The remaining apartments were leased to the U.S. embassy and American military officers, foreign services officers, and diplomats resided there. Applicant met her husband, a U.S. foreign service's officer, in Turkey, and they married in 1986. She was required to have a security background check before they married. Her husband held a security clearance at the time.<sup>2</sup>

In 1987, Applicant and her husband were transferred to the U.S. Applicant obtained a green card and was a resident alien. Her husband received an assignment to Japan in 1989, and her application for U.S. citizenship was expedited so she could become a naturalized U.S. citizen prior to moving to Japan on his official orders. Applicant became a U.S. citizen in 1989. She obtained a diplomatic passport upon their transfer. While in Japan she taught at a U.S. university and assisted in organizing events in support of her husband's position and to promote the U.S. They returned to the U.S. in 1993.<sup>3</sup>

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<sup>1</sup> Tr. 40-42, 48, 77-78, 82. Applicant has owned her firm since 2001.

<sup>2</sup> Tr. 42-45.

<sup>3</sup> Tr. 45-50.

Applicant and her husband divorced in 1999. They have two children, a son, who is 19 and attends college, and a daughter who is a senior in high school. Applicant has had primary custody of the children since their divorce, and is on amicable terms with her ex-husband.

When Applicant became a U.S. citizen she retained her Turkish citizenship. She was unaware that her dual citizenship status was an issue and divulged the status when she first obtained her secret security clearance in 1997. She also divulged all of the information about her family and her foreign travel when she first obtained her security clearance. She was never made aware that her dual citizenship status jeopardized her security clearance and has held a clearance without incident since first acquiring it. In June 2008, after becoming aware that her dual citizenship status affected her security clearance, she formally renounced her Turkish citizenship. She testified that her security clearance is more important to her than remaining a Turkish citizen. She received confirmation from the Turkish government of her renunciation. She does not believe she has to take any other affirmative action to renounce. She believes the government of Turkey will check to see if she has any unfulfilled military duty, pending criminal charges or owes any money.<sup>4</sup> She does not know how long it will take the government to complete the processing of her renunciation.<sup>5</sup>

The reason Applicant did not renounce her Turkish citizenship status earlier was because of her father's ownership of the apartment building where she grew up. Applicant's father died in August 2007. When he passed away, by law, the property was to be divided in three shares, one to her mother, one to her brother, and one to her. Applicant renounced her one-third share.<sup>6</sup> Her mother continues to live in the apartment building, as does her brother. Applicant has formally rejected her inheritance rights and transferred any of her property rights she has in the family apartment to her brother. Applicant's brother assisted her in divesting her property rights through the legal processes in Turkey. She formally transferred her property rights and future property rights to her brother. Her brother submitted the proper paperwork through the Turkish government, on behalf of Applicant. She did not receive any consideration or anything of monetary value for her divestments. Applicant executed the appropriate documents to ensure she does not have any property rights in Turkey. When her mother dies Applicant will not be entitled to any inheritance rights because of her renunciation. She estimated that the potential worth of the property she divested was "a couple hundred thousand dollars."<sup>7</sup> When Applicant's security clearance became an issue, she renounced her Turkish citizenship and inheritance rights because her security clearance

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<sup>4</sup> Tr. 50-53; Answer to SOR, Exhibits A and B. Applicant testified that women do not have mandatory military duty. She does not have criminal charges pending, nor does she owe any taxes.

<sup>5</sup> Tr. 78-84, 94-95.

<sup>6</sup> At the time Applicant answered the SOR her father's estate was in probate and the property had not yet been divested. Applicant affirmatively and formally renounced her rights to any inheritance.

<sup>7</sup> Tr. 71; AE G, Answer to SOR Exhibit C.

was more important to her than her inheritance rights.<sup>8</sup> Applicant does not own any property in Turkey and because she has renounced her Turkish citizenship she can not own property in Turkey.<sup>9</sup>

In 1993, Applicant and her then husband spent \$2,500 to buy a share of land in a co-operative agriculture venture. It was undeveloped land and they hoped that it would be developed for a profit. There were 200 other investors. The property was never developed. When Applicant and her husband divorced the property was transferred to her because he was not a citizen and could not own the property. Applicant obtained a legal document that transferred the property to her brother because since she has renounced her Turkish citizenship she can no longer own the property. He conducted a title search for Applicant to confirm she does not own any other property that might affect her ability to hold a security clearance.<sup>10</sup>

Applicant's mother is 70 years old and lives in the family apartment. Her father owned the apartment until his passing in 2007. He was a military physician at the Turkish military academy until he retired about twenty years ago. He then went into private practice until he developed a debilitating disease. He received a pension and Applicant's mother now receives two-thirds of the pension. All pensions in Turkey are administered through the government. Although Applicant's mother was educated to be a lawyer, she never practiced and remained at home to care for her family. In addition to the survivor's benefits from Applicant's father's pension, she also receives the rents from the apartments. Applicant calls her mother on the phone weekly. Her mother does not know she has a security clearance and Applicant has never told her mother that she is divorced. She does not contribute money to her mother. The neighborhood where her mother lives is very secure and there have been no incidents of violence or terrorism.<sup>11</sup>

Applicant has a brother who is 44 years old and lives in the same apartment building as their mother. He is a doctor in private practice with no connection to the government. He is divorced and has a son who lives with his mother in the U.S. Applicant has no contact with her nephew or former sister-in-law. Applicant testified she is not close with her brother, but she did have him help her with the legal renunciations regarding her property and inheritance issues.<sup>12</sup>

Applicant has visited her mother 11 times since she left Turkey in 1987. One of her trips was a business trip where she was hired to help promote a state's business interests. She has not voted in Turkey since becoming a U.S. citizen. She has voted in every election in the U.S. since becoming a U.S. citizen, including by absentee ballot

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<sup>8</sup> Answer to SOR, Exhibit C.

<sup>9</sup> Tr. 70-72, 99-102; Answer to SOR.

<sup>10</sup> Tr. 66-70; Answer to SOR.

<sup>11</sup> Tr. 53-62, 95-98.

<sup>12</sup> Tr. 60-62.

when her family was stationed overseas. She used her Turkish passport only when traveling to and from Turkey, because it was required by Turkey due to her dual citizenship status, at the time. Applicant has destroyed her Turkish passport and returned her Turkish identification card. She does not consider herself a dual citizen since her formal renunciation.<sup>13</sup>

Applicant owns and operates her own business. All of her contracts are with the federal government. She currently employs one full-time employee and six part-time employees. Applicant owns her residence in the U.S., which she bought in 2001, and the current value is approximately \$1.46 million. The remaining balance on her mortgage is approximately \$650,000. She also owns investment property in the U.S., with an assessed value of approximately \$703,000. She receives rental income from this property. She has other investments and stock holdings. She estimates she earns approximately \$6,080 every two weeks, or approximately \$145,000 a year.<sup>14</sup>

Applicant's business has had a facilities clearance since 2002. She has never had a security incident, breach or been questioned about her security practices. She was reinvestigated after her initial security clearance was granted in 1997, when her company received its facilities clearance.<sup>15</sup>

Applicant testified that her family has never been targeted and believes no Turkish citizen has ever been targeted for kidnapping or blackmailed by the government to obtain classified information. She testified if she were ever approached she would contact the military secretary where she has a contract or the Federal Bureau of Investigation.

Applicant credibly testified that she has spent her entire adult life in the U.S. She welcomed the entrepreneurial opportunity that the U.S. offered women. Although there was doubt in Turkey that she could achieve her goals, she is grateful for the confidence those in the U.S. showed in her. Her children were born in the U.S. and she loves her adopted country. She believes she has shown a loyal commitment to the U.S. demonstrated by raising her children here. She not only made the commitment for herself, but also for her children.<sup>16</sup> She credibly testified that she would never dishonor her children and the achievement she has earned while in the U.S.<sup>17</sup>

Four witnesses testified on behalf of Applicant. One knew her when she lived in Turkey, is a retired military officer and was a tenant in her family's apartment house. Another has worked with her on and off since 1995. Another has been a friend since

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<sup>13</sup> Tr. 63-66, 102.

<sup>14</sup> Tr. 73-77; 80-82; AE A, B, C, H, I, J, K, L, M, and N.

<sup>15</sup> Tr. 84-86, 103.

<sup>16</sup> Answer to SOR.

<sup>17</sup> Tr. 91-92.

1994. They all attested to her loyalty and love of her adopted country and her devotion to her family and her job. They also attested to her honesty and believe she is a trustworthy person. None are aware of security breaches, problems or questions regarding Applicant. One witness testified that Applicant has a sincere pride in the U.S. and of what she has been able to accomplish in this country.<sup>18</sup>

The fourth witness was the security facilities officer for a major component of the Department of Defense. He has had contact with Applicant for about three years. As part of his responsibilities he must maintain a database on security clearances. Applicant has had a contract to assist his office in maintaining the database. Whenever there was a problem with the database she addressed it and got the system to run efficiently. He estimated that his office has contact with her weekly. He sees her regularly due to the nature of the system and its requirement for continued maintenance. He was very satisfied with her work. He has not had any issues regarding her security clearance. There have never been any questions about her work. He was aware of her dual citizenship status and later found out she had a Turkish passport. He assisted her in destroying her Turkish passport and witnessed her dropping it into a shredder. She has never expressed a preference for Turkey or been concerned for the safety of her family in Turkey. He has no reason to question her trustworthiness.<sup>19</sup>

Applicant's ex-husband, a career foreign service officer, currently stationed overseas, provided a statement attesting to Applicant's loyalty. He considered her a "strong defender" of the U.S. He was unaware of anything derogatory about Applicant that would cause concern for continuing her security clearance.<sup>20</sup>

Applicant is the treasurer of her home owner's association, is a theater booster for her daughter's high school, likes to garden and supports charitable organizations. She also likes to ride her bike and writes software programs.<sup>21</sup>

## **Republic of Turkey<sup>22</sup>**

Turkey is a constitutional republic with a multiparty parliamentary system and the president's powers are not precisely defined and his influence depends on his personality and political weight. Turkey's primary political, economic, and security ties are with the West. It has been a member of NATO since 1952. The United States and Turkey have had a close relationship since 1947. Turkey cooperates closely with the U.S. on many security issues.

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<sup>18</sup> Tr. 106-130.

<sup>19</sup> Tr. 132-141; Answer to SOR, Ex. B.

<sup>20</sup> Answer to SOR.

<sup>21</sup> Tr. 87-89.

<sup>22</sup> All of the information under this section is from HE I through IX.

Turkey, its citizens and foreigners in the country have been targeted by domestic and transnational terrorists groups for many years. There have been terrorist bombings in the past five years resulting in deaths. The targets have been religious, government, government-owned, political, tourist and business locations throughout the country. In addition, leftist and Islamic terrorist groups have also targeted U.S. and Western interests. Terrorist claimed connections with Al-Qaeda were responsible for suicide bombings in Istanbul in 2003. The potential for future terrorist attacks remains high.

Turkey's judiciary is declared to be independent, but is in need of reform. The Turkish government generally respects the human rights of its citizens. However, there are some abuses among its security forces. There are other human rights abuses with respect to detainees, criminal trials and personal freedoms.

### **Policies**

When evaluating an Applicant's suitability for a security clearance, the Administrative Judge must consider the revised adjudicative guidelines (AG). In addition to brief introductory explanations for each guideline, the adjudicative guidelines list potentially disqualifying conditions and mitigating conditions, which are useful 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, these guidelines are applied in conjunction with the factors listed in the adjudicative process. The Administrative Judge's over-arching adjudicative goal is a fair, impartial and common sense decision. According to AG ¶ 2(c), 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." In reaching this decision, I have drawn only those conclusions that are reasonable, logical and based on the evidence contained in the record. Likewise, I have avoided drawing inferences grounded on mere speculation or conjecture.

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 applicant or proven by Department Counsel. . . ." The Applicant has the ultimate burden of persuasion as to obtaining 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 protect or safeguard classified information. Such decisions entail a certain degree of legally permissible extrapolation as to potential, rather than actual, risk of compromise of classified information.

Section 7 of Executive Order 10865 provides that 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* EO 12968, Section 3.1(b) (listing multiple prerequisites for access to classified or sensitive information).

## **Analysis**

### **Guideline C, Foreign Preference**

Under AG ¶ 9 the security concern involving foreign preference arises: 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 be prone to provide information or make decisions that are harmful to the interests of the United States.

AG ¶ 10 describes conditions that could raise a security concern and may be disqualifying: I have specifically considered AG ¶ 10 (a) (“exercise of any right, privilege or obligation of foreign citizenship after becoming a U.S. citizen or through the foreign citizenship of a family member. This includes but is not limited to: (1) possession of a current foreign passport; (5) using foreign citizenship to protect financial or business interests in another country.”) Applicant was a dual citizen of Turkey and the United States. She held a Turkish passport after becoming a U.S. citizen and used it to travel to Turkey. She retained her Turkish citizenship because of property and inheritance rights she had in Turkey. I find (a) applies.

I have considered all the mitigating conditions applicable to this guideline. Specifically I have considered AG ¶ 11 (a) (“dual citizenship is based solely on parents’ citizenship or birth in a foreign country”); (b) (“the individual has expressed a willingness to renounce dual citizenship”); (c) (“exercise of the rights, privileges, or obligations of foreign citizenship occurred before the individual became a U.S. citizen or when the individual was a minor”) and (e) (“the passport has been destroyed, surrendered to the cognizant security authority, or otherwise invalidated.”) Applicant’s dual citizenship was not based solely on her birth in a foreign country. She was born in Turkey and retained her Turkish citizenship after she became a U.S. citizen by using her Turkish passport when she traveled to Turkey. I find (a) does not apply. Applicant has formally renounced her Turkish citizenship. She submitted the official paperwork to the government of Turkey and they acknowledged her request in writing. I find (b) applies. Applicant destroyed her Turkish passport and it was witnessed by a security manager. He testified to witnessing the destruction of the passport and provided a document attesting to the destruction. Applicant is no longer considered a Turkish citizen and therefore is not



permitted to own property or inherit property. She specifically divested herself by providing her brother the appropriate formal legal documents to renounce any inheritance right she may have. I find (e) applies. Applicant also divested herself of property she owned and was other property she was entitled to through inheritance. She was permitted to own property in Turkey and had inheritance rights by virtue of her citizenship. By renouncing her Turkish citizenship and formally renouncing any inheritance rights she no longer can own property there and will not inherit any property. I find (c) applies.

## **Guideline B, Foreign Influence**

AG ¶ 6 expresses the security concern regarding foreign influence: Foreign contacts and interests may be a security concern if the individual has divided loyalties or foreign financial interests, may be manipulated or induced to help a foreign person, group, organization, or government in a way that is not in U.S. interests, or is vulnerable to pressure or coercion by any foreign interest. Adjudication under this Guideline can and should consider the identity of the foreign country in which the foreign contact or financial interest is located, including, but not limited to, such considerations as whether the foreign country is known to target United States citizens to obtain protected information and/or is associated with a risk of terrorism.

AG ¶ 7 describes conditions that could raise a security concern and may be disqualifying. I have specifically considered (a) (“contact 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 sensitive information or technology and the individual’s desire to help a foreign person, group, or country by providing that information”); and (e) (“a substantial business interest, financial, or property interest in a foreign country or in any foreign-owned or foreign-operated business, which could subject the individual to heightened risk of foreign influence or exploitation”). Applicant’s mother and brother are citizen and residents of Turkey. She stays in regular contact with her mother. She is not close to her brother, but has had contact recently to have him assist her in divesting her of her Turkish property interests. Applicant has traveled to Turkey numerous times since moving to the U.S. to visit her family. One of her trips was to promote the business interests of a state. I find (a) and (b) apply.

Applicant owned a property interest as part of a cooperative in undeveloped land in Turkey. She also had an inheritance interest in an apartment building. I find (e) applies to Applicant’s property and financial interests.

I have considered all of the mitigating conditions for this security concern under AG ¶ 8 and especially considered (a) (“the nature of the relationship 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 and interests of the U.S.”), (b) (“there is no conflict of interest, either because the individual’s sense of loyalty or obligation to the foreign person, group, government, or country is so minimal, or the individual has such deep and longstanding relationships and loyalties in the U.S., that the individual can be expected to resolve any conflict of interests in favor of the U.S. interests”), 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”); 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”).

Applicant obviously has a close relationship with her mother. Although she does not consider herself close to her brother, she has had contact with him recently to help her divest her property interests in Turkey. I find (c) does not apply because her contact with her family in Turkey is more than casual and infrequent. I have also considered her familial relationships in the context of the country where they live. Turkey has been a long standing ally of the U.S. and a member of NATO for more than fifty years. There is no evidence that Turkey exploits its citizens to gain access to classified information. Applicant’s mother is a housewife and her brother is a doctor. There is nothing to suggest that they would be placed in a position where Applicant would have to choose between the interests of her family over the interests of the U.S. I find (a) applies. I have also considered Applicant’s situation if there was a conflict of interest between the U.S. and the country where her family lives. Applicant has been a loyal American since 1989. She supported her husband while stationed overseas in promoting the U.S. Her children were born in the U.S. and she chose to raise them in this country, even after her divorce. She is the owner and president of her own business and has had a security clearance for more than ten years. Applicant has substantial personal and professional assets, including real property and investments in the U.S. She does not have any financial interests in Turkey. Applicant clearly identifies herself as a successful American business woman. I find there is no conflict of interest, but even if there was a conflict, Applicant’s deep and long standing relationships and loyalties in the U.S. are outweighed by any conflict. I am confident she would “resolve any conflict of interest in favor of the U.S. interest.” Applicant identifies herself as an American. She has family contacts in Turkey, a major ally of the U.S. and it is inconceivable to her that she would jeopardize her children or her life in the U.S. in the event of a conflict. I find mitigating condition (b) applies.

Applicant divested herself of property in Turkey and also divested herself of any present or future inheritance rights in Turkey. Although the agricultural property was of nominal value, the rights she had in the apartment complex were substantial. She clearly and credibly testified that her American citizenship was more important to her than the monetary value of her inheritance. She took legal action to renounce any rights she might have had in any property she might have been entitled to in Turkey, present or future. Now that she is no longer a dual citizen of Turkey, she can not hold property,

by law. She provided documented proof of her actions. I find (f) applies to the property and financial interests Applicant once had in Turkey.

### **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 the circumstances. The Administrative Judge should consider the nine adjudicative process factors listed at AG ¶ 2(a): "(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) 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 considered the potentially disqualifying and mitigating conditions in light of all the facts and circumstances surrounding this case. Applicant was a dual citizen of Turkey and the U.S. and held a security clearance for more than ten years. Unbeknownst to her this was a security issue. When she was made aware of the potential security implications, she destroyed her passport and renounced her Turkish citizenship. Applicant maintains contact with her family in Turkey. None of them are in positions that create heightened risks. Turkey is a strong ally of the U.S. and a long standing member of NATO. Applicant is embedded in the U.S. She is a successful business woman who chose to raise her U.S. born children in the U.S. She has held a security clearance without incident for many years. Her only ties remaining in Turkey are her mother and brother. Applicant relinquished property she owned in Turkey and divested herself of her inheritance rights, including an interest in the apartment building her father owned. The property was worth a significant amount of money that she willingly forfeited. Applicant has substantial investments in the U.S., including owning her own business, a house, investment real estate and other investments. It is clear that there is little prospect that there would be a conflict of interests, but in remote event there was, she would resolve it in favor of her adopted country, the U.S. She has deep ties to the U.S. and her loyalty is unquestioned. Overall, the record evidence leaves me without questions or doubts as to Applicant's eligibility and suitability for a security clearance. For all these reasons, I conclude Applicant mitigated the security concerns arising from foreign preference and foreign influence.

### **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 C:	FOR APPLICANT
Subparagraph 1.a:	For Applicant
Subparagraph 1.b:	For Applicant
Subparagraph 1.c:	For Applicant
Paragraph, Guideline B:	FOR APPLICANT
Subparagraph 2.a:	For Applicant
Subparagraph 2.b:	For Applicant
Subparagraph 2.c:	For Applicant
Subparagraph 2.d:	For Applicant
Subparagraph 2.e:	For Applicant

### **Conclusion**

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

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Carol G. Ricciardello  
Administrative Judge