



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



In the matter of:)	
)	
)	ISCR Case No. 08-06304
)	
)	
Applicant for Security Clearance)	

Appearances

For Government: Stephanie Hess, Esquire, Department Counsel
For Applicant: *Pro se*

December 20, 2010

Decision

HEINY, Claude R., Administrative Judge:

Applicant’s mother and step-sister are citizens and residents of Morocco. His wife and son are United States born citizens living in the United Arab Emirates (UAE). Applicant has rebutted or mitigated the foreign influence security concerns. Clearance is granted.

Statement of the Case

Applicant contests the Defense Department’s (DoD) intent to deny or revoke his eligibility for an industrial security clearance. Acting under the relevant Executive Order and DoD Directive,¹ the Defense Office of Hearings and Appeals (DOHA) issued a

¹ Executive Order 10865, *Safeguarding Classified Information within Industry* (February 20, 1960), as amended; Department of Defense (DoD) Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (January 2, 1992), as amended (Directive); and the adjudicative guidelines (AG) effective within the DoD on September 1, 2006.

Statement of Reasons (SOR) on January 26, 2010, detailing security concerns under foreign influence.

On March 1, 2010, Applicant's answer to the SOR was received in which Applicant requested a hearing. On July 13, 2010, I was assigned the case. On July 30, 2010, DOHA issued a Notice of Hearing for the hearing held on August 17, 2010.

At the hearing, the Government offered Exhibits (Ex.) 1 through 3, which were admitted into evidence without objection. Applicant testified and submitted Exhibits A through J, which were admitted into evidence without objection. On August 25, 2010, DOHA received the hearing transcript (Tr.).

Findings of Fact

In Applicant's Answer to the SOR, he admitted the factual allegations, with explanations, of the SOR. Applicant's admissions to the SOR allegations are incorporated herein. After a thorough review of the record, pleadings, exhibits, and testimony, I make the following additional findings of fact:

Applicant is a 47-year-old telecommunications engineer who has worked for a defense contractor since May 2003, and is seeking to obtain a security clearance. Applicant's co-workers and supervisors state: Applicant is a consummate professional. His personal conduct has been exemplarily. He is dedicated and has outstanding technical ability. He can always be relied upon to do whatever needs to be done to complete the mission. (Ex. A, B, C, D, and J) He received four certificates of service recognizing his outstanding dedication and courage. (Ex. E, F, G, and H) In June 2009, he received an individual achievement award in recognition of his ongoing commitment to outstanding job performance. (Ex. I)

In 1982, Applicant—then 19 years old—came to the United States to attend college. He grew up in Morocco near a U.S military base. (Tr. 76) His uncle came to the United States when Applicant was five years old. His uncle is a naturalized United States citizen and always encouraged him to come to the United States. (Tr. 76)

In 1984, Applicant married another student who was a native born United States citizen. (Ex. 1) His wife chose not to accompany him when he went to grad school in another state. (Tr. 80) They divorced in 1987. He has had not contact with her since 1990. (Ex. 1) In 1985, he joined the United States Army reserves, obtaining the rank of E-4. (Tr. 32) He last served in the reserves just before the First Gulf War. (Tr. 45) In 1986, he obtained his bachelor's degree. In December 1988, he obtained a Master's degree in Mathematics. In March 1991, he became a naturalized United States citizen. (Ex. 1) He was enrolled in a PhD program when he took a job with a DoD contractor. (Ex. 32) The telecommunications project was in Egypt. In Egypt, he met and married a woman. (Tr. 37) In August 1993, their son was born in the United States. (Tr. 37, Tr. 71, Ex. 1) In 1993, he returned from the project and was assigned a new project in Saudi Arabia. (Tr. 33) When he returned to the United States, he obtained a new contractor's

job. That company was purchased by his present employer. (Tr. 33) He spent eight years on the project in Saudi Arabia holding a secret clearance. (Tr. 33)

In 1994, Applicant purchased a house in the United States for \$240,000. (Tr. 74) It is currently worth approximately \$600,000 and is rented. (Tr. 74)

Since May 2003, Applicant has resided in Baghdad working for a DoD contractor. (Tr. 38, SOR Answer) The job is wearing him out. He believes he has been working with the United States government in Iraq longer than any other individual. (Tr. 38) He has thought of returning to the United States numerous times, but each time his employer convinces him to stay six months longer. (Tr. 38) In 2011, his son graduates from high school and is planning on attending college in the United States. Following high-school graduation, Applicant intends to return to his home in California with his wife and son.

In December 2007, Applicant remarried. In 2003, his wife, born in Missouri, was deployed to Iraq as a United States Army captain. (Ex. 2) She was there 15 months before becoming a contractor working as an advisor to the Iraqi ministry of defense. (SOR Answer) His son, now in the 11th grade, lives with his current wife in the UAE. (Ex. 2) In 2007, he purchased a condo (\$500,000) for his wife and son. (Ex. 2) They chose to live in the UAE simply because it is convenient for him to visit them there. (Tr. 38, 51) There are flights from Iraq to the UAE making visiting his son and wife easier. He visits them every two weeks. His wife currently does not work. (Tr. 68) Having been in Iraq seven years, he looks forward to relocating back to the United States. Applicant has no plans of remaining in UAE when his current contractor job ends. (Tr. 49) It is his plan, to return to the United States when his son finishes high school. (Tr. 50)

In 2004 or 2005, Applicant purchased a \$200,000 condominium in a gated community in Morocco. It is less than 1,000 square feet in size. When his mother's health was better, she would spend three months there each year. (Tr. 64) Currently, no one lives there. He may use it when he is older and retired. (Tr. 64, SOR Answer).

He and his wife purchased an apartment in the UAE for \$283,000. He had made a \$90,000 payment on the property before construction on the property stopped. (Tr. 67) Construction on the property remains halted. He hopes to sell the property for what he paid for it, but thinks he may get nothing from it. (Tr. 50, 68) He also purchased investment property in the UAE. Due to an economic slump the investment property (\$283,000) is worth much less than he paid for it. (SOR Answer) He hopes he will not lose money on the purchase. (SOR Answer)

His mother and father divorced when Applicant was six-months old. (Tr. 31, SOR Answer) A year after the divorce, Applicant's mother remarried. He first learned in the fifth grade, his step-father was not his father. (Tr. 31) His step-father is retired from a private construction business. (Ex. 2) He has no bond with his step-father. (Tr. 59) He sometimes talks with his step-father when he calls his mother. He has never specifically called his step-father. (Tr. 58) His mother had a son and daughter with his step-father. His step-sister is a pharmacist who lives near their mother. She does much to care for their mother. (Tr. 56) He calls his step-sister about once a month, but the frequency also

depends on his mother's health. (Tr. 82) His step-sister's husband is a wholesaler of cosmetic products. They have three children. Applicant's step-brother lives in the United States. (Tr. 43)

Applicant's mother, step-father, aunt, half sister and two step-brothers are citizens and residents of Morocco. (Ex 3) His mother is a retired high school principal. His mother suffers from a loss of sight and depression. (Tr. 88) Applicant calls his mother in the morning and his step-brother, who lives in the United States, calls her each night. (Tr. 54) His step-brother has lived in the United States since 1993 and became a naturalized United States citizen in 1997. (Tr. 59, Ex. 1) Applicant tries to call his mother daily. (Tr. 81) Many of his calls to his mother and step-sister were to inform them about his safety. He lives in Iraq where there are bombings. He calls these individuals to inform them he is healthy. (Tr. 58)

He first met his father when he was 11 years old. (Tr. 31, SOR Answer) When they met, there was no rapport between them. (Tr. 31) His father remarried and had two boys and a girl. In May 2007, Applicant was in Morocco for five days attending his father's funeral. (Ex. 2) Until his father's funeral he was unaware of his step-siblings. (Tr. 2) Other than at his father's funeral, Applicant has not had any contact with his step-mother, who is retired from the Morocco Ministry of Finance. He has had limited contact with his step-siblings. (Tr. 2) His father has three sisters, two of whom live in Morocco and one lives in Lebanon. He calls his aunt, who is retired, every six months. (Tr. 57) His aunt's daughter and the daughter's two children live in the United States. (Tr. 57)

One of his father's sons works in the construction business and the other works for a travel agency. Applicant never grew up with his three step-siblings. Since his father's funeral, Applicant has received an email from a step-brother and step-sister each informing him they had married. (Tr. 60, 85) Applicant's step-sister is a citizen of Morocco who works in a fashion house in France. She sent an email informing that his father had cancer and then informed him of their father's death. (Tr. 61) The total amount of emails received from her is five. (Tr. 62) His last email from her was a year ago when she married. (Tr. 86) He has no communication with his step-mother. (Tr. 62)

In June 2006, Applicant and his second wife divorced. They had separated in August 1994, when she moved to Saudi Arabia. (Ex. 2) She currently lives in Egypt. He had been sending her \$1,000 per month, but that ended when their son moved in with his current wife. (Tr. 79, Ex. 2) He periodically talks with his ex-wife about their son's welfare, education, and discipline. (Ex. 3)

Applicant last visited Morocco, three weeks before the hearing. (Tr. 72) His previous trip had been April 2009. (Tr. 73)

Request for Administrative Notice

Department Counsel submitted a formal request that I take administrative notice of certain facts relating to Morocco and the United Arab Emirates (UAE) contained in

hearing exhibit I, which was done. (Tr. 17) The following information is of record concerning Morocco:

Morocco is a constitutional monarchy with a Parliament and an independent judiciary; however, ultimate authority rests with the king. Morocco was the first country to seek diplomatic relations with the Government of the United States in 1777, and remains one of our oldest and closest allies in the region. United States-Moroccan relations, characterized by mutual respect and friendship, have remained strong through cooperation and sustained high-level dialogue.

Morocco is a moderate Arab state which maintains close relations with Europe and the United States. It contributes consistently to UN peacekeeping efforts on the continent. Morocco was the first Arab state to condemn Iraq's invasion of Kuwait in 1990, and sent troops to help defend Saudi Arabia. Morocco has supported efforts to stabilize Iraq following the downfall of Saddam Hussein. Morocco was among the first Arab and Islamic states to denounce the September 11, 2001, terrorist attacks in the United States and declare solidarity with the American people in the war against terror.

As a stable, democratizing, and liberalizing Arab Muslim nation, Morocco is important for United States interests in the Middle East. Accordingly, United States policy toward Morocco seeks sustained and strong engagement, and identifies priorities for reform, conflict resolution, counterterrorism cooperation, and public outreach. Reports of torture by various branches of the security forces persisted. Other areas of concern cited by the State Department include arbitrary arrests, incommunicado detentions, and police and security forces impunity.

The following information is of record concerning the United Arab Emirates (UAE) Morocco:

The UAE is a federation of individually ruled emirates, each with its own ruler. The government is a federal republic with a president and a council of ministers. The United States has had friendly relations with the UAE since their formation in 1971. The relationship drew closer during the Iraqi incursion into Kuwait in 1991. Islamic ideals and beliefs provide the conservative foundation of the country's customs, laws and practices. Only 15-20% of the UAE's population are UAE citizens. The remaining population includes significant numbers of other Arabs, including many Iranians. About 85 percent of the country's population are expatriates

The UAE contributes to the continued security of the Persian Gulf, and is a reliable partner in the regional and global war on terror, providing military, diplomatic and financial assistance. The UAE is a reliable partner in the regional and global war on terror. However, the UAE was one of only three countries to recognize the Taliban as the legitimate government of Afghanistan.

The low number of human rights problems in the UAE is attributed to the lack of elections and certain restrictions on civil liberties. However, while there are no

democratically elected political parties, UAE citizens are allowed to air their concerns to UAE leaders in council-type meetings. Although the law prevents freedom of assembly, modest demonstrations on working conditions have been permitted. Arbitrary arrests are prohibited, but reports have disclosed that the government has held people without formally charging them.

Policies

When evaluating an applicant's suitability for a security clearance, the administrative judge must consider the adjudicative guidelines. In addition to brief introductory explanations for each guideline, the adjudicative guidelines list potentially disqualifying conditions and mitigating conditions, which must be considered 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 overarching adjudicative goal is a fair, impartial, and commonsense 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.

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 to obtain a favorable security decision.

A person who seeks access to classified information enters into a fiduciary relationship with the Government predicated upon trust and confidence. This relationship transcends normal duty hours and endures throughout off-duty hours. The Government reposes a high degree of trust and confidence in individuals to whom it grants access to classified information. Decisions include, by necessity, consideration of the possible risk the applicant may deliberately or inadvertently fail to safeguard classified information. Such decisions entail a certain degree of legally permissible extrapolation of potential, rather than actual, risk of compromise of classified information.

Section 7 of Executive Order 10865 provides that decisions shall be “in terms of the national interest and shall in no sense be a determination of 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

FOREIGN INFLUENCE

AG ¶ 6 explains the Government’s 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 United States 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 four conditions that could raise a security concern and may be disqualifying in this case:

- (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;²
- (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;
- (d) sharing living quarters with a person or persons, regardless of citizenship status, if that relationship creates a heightened risk of foreign inducement, manipulation, pressure, or coercion; and
- (e) a substantial business, financial, or property interest in a foreign country, or in any foreign-owned or foreign-operated business, which

² The mere possession of close family ties with a person in a foreign country is not, as a matter of law, disqualifying under Guideline B. However, if only one relative lives in a foreign country and an applicant has contacts with that relative, 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. 03-02382 at 5 (App. Bd. Feb. 15, 2006); ISCR Case No. 99-0424 (App. Bd. Feb. 8, 2001).

could subject the individual to heightened risk of foreign influence or exploitation.

Applicant has frequent contact with his mother, who is a resident citizen of Morocco. He has less frequent contacts with his step-sister. He has almost no contact with his deceased father's spouse, children, or sisters. His wife and son live in the UAE. His connections to his mother, step-sister, wife, and son create a potential conflict of interest because the relationships are sufficiently close in nature and could raise a security concern over his desire to help his family.

The Government produced substantial evidence of those four disqualifying conditions and the burden shifted to Applicant to produce evidence and prove mitigation. Four of the mitigating conditions under AG ¶ 8 are potentially applicable:

(a) the nature of the relationships with foreign persons, the country in which these persons are located, or the positions or activities of those persons in that country are such that it is unlikely the individual will be placed in a position of having to choose between the interests of a foreign individual, group, organization, or government and the interests of the United States;

(b) there is no conflict of interest, either because the individual's sense of loyalty or obligation to the foreign person, 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 United States 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;

...

(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's parents divorced when he was six-months old. At age 11, he first learned his step-father was not his natural father. His contact with his father and his father's family has been minimal. Until shortly before May 2007, when he attended his father's funeral, he was unaware he had step-siblings. Since the funeral, he has had no contact with his step-mother and minimal contact from his step-siblings. He has received emails from a step-brother and a step-sister informing him of each of their marriages. He has had four emails with his father's sister. He talks with his step-father when he visits Morocco. Because of his minimal contact and his relations with these relatives, AG ¶¶ 8(c) applies and mitigates the concern related to: his step-father, his step-mother, his father's sisters, and his father's two sons and daughter. His step-

brother who is a naturalized United States citizen living in the United States is not a security concern.

AG ¶¶ 8(a) and (c) have some application to Applicant's relationships with his mother and step-sister. Neither of these relatives are in positions connected with the Moroccan government or engaged in activities that would likely cause Applicant to be exploited or placed in a position of having to choose between them and the United States. His mother is a retired high school teacher and his step-sister is a pharmacist. He frequently talks with his mother and talks to his step-sister monthly. His contact with his step-sister appears to be infrequent, but it is not clear that the contact is so casual that it does not create any risk of foreign influence.

This leaves the question whether his mother, step-sister, wife, and son are in a position to be exploited by a foreign power in a way that could force Applicant to choose between loyalty to the in-laws and the United States. The disqualifying condition requires that a foreign power would exploit its citizens or residents in such a way as to make Applicant act adversely to the interests of the United States. A factor to consider, while not determinative, is the character of the foreign power and entities within the foreign country. This review is not limited to countries that are hostile to the United States. Friendly countries may have profound disagreements with the United States or have engaged in espionage against the United States, especially in economic, scientific, military, and technical fields. A friendly relationship is not determinative, but it may make it less likely that a foreign government would attempt to exploit a United States citizen through relatives or associates in that foreign country.

Morocco is a modern country, with close commercial and trade ties to the United States. It is an ally with the United States in combating terrorism. There are terrorist activities in the country and its citizens have been involved in international terrorism. While there have been human rights abuses, there have been many strides made by the government and monarchy to embrace more democratic practices. I find Applicant's mother and step-sister in Morocco are no more vulnerable to exploitation by a foreign power than any other person in the country.

The United States has had friendly relations with the UAE since their formation in 1971. The relationship drew closer during the Iraqi incursion into Kuwait in 1991. The UAE is a reliable partner in the regional and global war on terror. There is a low number of human rights problems in the UAE. Applicant's mother and step-sister in Morocco are no more vulnerable to exploitation by a foreign power than any other person in the country. The possibility that pressure would be imposed upon them by the UAE government is less likely because both are native born United States citizens. No evidence was presented suggesting the Moroccan government has used its resident citizens to extract information from United States relatives. There is no evidence the UAE has attempted to extract information from United States citizens living there. The likelihood of such an occurrence appears remote.

Applicant established the application of AG ¶ 8(b). Based on his relationship and depth of loyalty to the United States, he can be expected to resolve any conflict of interest in favor of United States interests. He has lived in the United States since 1982 when he arrived to attend college and then graduate school. After earning his advanced degree, he began working in the United States. In 1985, he joined the United States Army reserve. In March 1991, he became a United States citizen. His son was born in the United States and his wife, a prior United States Army captain, is a United States citizen by birth.

Applicant owns a home in California worth approximately \$600,000. He owns a small condo in Morocco, which his mother used periodically before her health failed. He intends to keep the property and possibly use it for visits at some future date. He purchased investment property (\$283,000) in the UAE. He hopes to recover what he invested in the property, but that is unlikely since construction on the property has stopped. The property is possibly worthless. He also has a condo in the UAE (\$500,000) where his son and wife reside. Next year his son is finishing high school and intends to go to college in California. It is Applicant's hope that he, his wife, and son will all return to California in 2011.

The mitigating conditions under AG ¶ 8(b) apply. The value of the foreign property is such that when compared to his home in the United States, they are unlikely to result in a conflict and could not be used effectively to influence, manipulate, or pressure the individual

Whole-Person Concept

In addition to evaluating the disqualifying and mitigating conditions under each guideline, the adjudicative process requires thorough consideration and review of all available, reliable information about the applicant, past and present, favorable and unfavorable, to arrive at a balanced decision. The essence of scrutinizing all appropriate variables in a case is referred to as the "whole-person" analysis. 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) the extent to which participation is voluntary;
- (6) the presence or absence of rehabilitation and other permanent behavioral changes;
- (7) the motivation for the conduct;
- (8) the potential for pressure, coercion, exploitation, or duress; and
- (9) the likelihood of continuation or recurrence.

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

I have carefully considered Applicant's family connections and personal connections to Morocco and the UAE. The Appeal Board requires the whole-person analysis address "evidence of an applicant's personal loyalties; the nature and extent of an applicant's family's ties to the United States relative to his [or her] ties to a foreign country; his or her ties social ties within the United States; and many others raised by the facts of a given case." ISCR Case No. 04-00540 at 7 (App. Bd. Jan. 5, 2007). Substantial mitigating evidence weighs towards granting Applicant's security clearance.

Applicant is a mature person and has been a naturalized citizen for the past 19 years. Applicant's spouse and son are both native born United States citizens. His step-brother is a naturalized United States citizen who lives in the United States. Applicant chose to come to the United States in 1982, when he was 19 years old to attend college and later to obtain his master's degree. He is providing services to the United States government. He has served in the United States Army reserve. His ties to the United States are much stronger than his ties to his mother and step-sister in Morocco. There is no evidence he has ever taken any action that could cause potential harm to the United States. Applicant has no meaningful relationship with his step-father, step-mother, or any of his father's relatives, who live in Morocco. He does not communicate with them or maintain a relationship with them. The record contains no derogatory information about him.

I have carefully considered Applicant's family connections and personal connections to Morocco and the UAE. Applicant was raised, in part, in Morocco, and has various immediate and non-immediate family members who are citizens and residents of Morocco. His wife and son live in the UAE because it makes visiting them easier. Neither has a connection with the UAE and both are planning to leave when Applicant's son returns to the United States to start college in 2011.

Applicant owns three pieces of real estate overseas. At some future date following retirement, he may vacation part of the year in the Moroccan property. The investment property in the UAE may be worthless. Construction on the project has stopped, but Applicant hopes he may recover something from his investment. The condo present owned by his wife and son in the UAE will be vacated when they return to his California home which is valued at \$600,000.

This case must be adjudged on its own merits, taking into consideration all relevant circumstances, and applying sound judgment, mature thinking, and careful analysis. This analysis must answer the question whether there is a legitimate concern under the facts presented that the Moroccan and UAE governments or its agents might exploit or attempt to exploit Applicant's immediate family members in such a way that this United States citizen would have to choose between his pledged loyalty to the United States and those family members.

After weighing the disqualifying and mitigating conditions, all the facts and circumstances, in the context of the whole person, I conclude Applicant has mitigated the security concerns pertaining to foreign influence.

Formal Findings

Formal findings for or against Applicant on the allegations set forth in the SOR, as required by ¶ E3.1.25 of the Directive, are:

Paragraph 1, Foreign Influence: FOR APPLICANT

Subparagraphs 1.a to 1.l: 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 is granted.

CLAUDE R. HEINY II
Administrative Judge