



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



In the matter of:)
)
) ISCR Case No. 08-11331
)
)
Applicant for Security Clearance)

Appearances

For Government: Stephanie Hess, Esquire, Department Counsel
For Applicant: Joseph Testan, Esquire

May 19, 2010

Decision

RICCIARDELLO, Carol G., Administrative Judge:

Applicant mitigated the Government's security concerns under Guideline B, Foreign Influence. Applicant's eligibility for a security clearance is granted.

On May 29, 2009, the Defense Office of Hearings and Appeals (DOHA) issued to Applicant a Statement of Reasons (SOR) detailing the security concerns under Guideline B. 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 adjudicative guidelines effective within the Department of Defense for SORs issued after September 1, 2006.

Applicant answered the SOR in writing on August 31, 2009, and requested a hearing before an administrative judge. The case was originally assigned to an administrative judge on November 17, 2009, and reassigned to me on March 23, 2010. At the request of Applicant, through his attorney, the hearing was delayed to accommodate Applicant who was working overseas. DOHA issued a Notice of Hearing

on March 26, 2010. I convened the hearing as scheduled on April 27, 2010. The Government offered Exhibits (GE) 1 through 6. Applicant did not object and they were admitted into evidence. The Government also requested administrative notice be taken of Hearing Exhibits (HE) I through IV. I granted the request and the documents were considered. Applicant and three witnesses testified on his behalf. He offered Exhibits (AE) A through G. They were admitted into evidence without objection. DOHA received the transcript of the hearing (Tr.) on May 5, 2010.

Findings of Fact

Applicant admitted all of the SOR allegations. After a thorough and careful review of the pleadings, exhibits, and testimony, I make the following findings of fact.

Applicant is 58 years old. He was born in Afghanistan and moved to Germany when he was approximately 17 or 18 years old. While there, he met his older brother and his brother's wife, who invited him to go to the United States. In 1969, he obtained a tourist visa to enter the United States. Later he decided to attend school and applied for and received a student visa. He earned an associate's degree, a bachelor's degree, and a master's of business degree. Applicant became a naturalized U.S. citizen in 1981. He married in 1985. His wife was also an immigrant from Afghanistan and became a naturalized U.S. citizen in the 1980s. They were married in the United States, and they have two children who were born in the United States.¹

Applicant's parents are deceased. He has four brothers. One is deceased and the other three are U.S. citizens. Two of his brothers live in the United States. One served in the U.S. Navy, another has worked as a linguist for the U.S. Army. The brothers are married and their wives are U.S. citizens, as are their children. One brother lives in the United Arab Emirates (U.A.E). He is a professor at an American university in the U.A.E. His brother intends on returning to the United States in the future. His brother owns property in the United States. His brother's grown children were born in the United States and live here. Applicant also had four stepbrothers, two of whom are deceased. He has had no contact with them since he left Afghanistan when he was 17 or 18. He had two stepsisters, one of whom is deceased. He has not had personal contact with the other since he left Afghanistan.²

In the 1980s, Applicant worked for an employer and believed the company was going to be downsized or dissolved. His supervisor searched for employment in anticipation of losing his job. He found a job in the U.A.E. He contacted Applicant and asked him to join the new company. Anticipating that he was going to lose his job, Applicant accepted the job offer in the U.A.E. In 1987, he moved his wife and five-month-old son there. He always intended on returning to the United States. On their vacations they would return to the United States. He filed and paid his U.S. federal income tax returns each year. Applicant's daughter was born in the U.A.E. He had her

¹ Tr. 38-45, 84.

² Tr. 46-63.

birth certificate stamped by the U.S. embassy in the U.A.E., certifying that she was an American citizen. He worked for one employer, a private oil company, from 1987 until 1999. He changed jobs in 1999, and was employed by a new employer, a private water and electricity authority from 1999 until 2003.³

In 2001, Applicant and his wife decided they wanted their children educated in the United States. His son has a learning disability, and they wanted to use the available educational resources for him in the United States. In addition, the United States was where Applicant wanted to live. He looked for a job in the United States, but was unsuccessful in finding one. He moved his family back to the U.S., but he remained working in the U.A.E. to support his family. In June 2003, without a job, he severed all ties with the U.A.E., and returned to the United States to be with his family. They lived off of their savings until December 2003. He continued to look for employment during this time.⁴

In 2004, Applicant accepted a job with a federal contractor to serve as a linguist/interpreter in Afghanistan. Applicant went on dangerous combat missions and was in harm's way while deployed. He was deployed for 330 days a year. Every six months he returned to the United States to visit his family. He explained that he puts his life in danger in his job to protect the interests of the United States and the military. He stated his duty is to his adopted country. He changed employers in 2007-2008, but continued to work in the same capacity. He was not deployed for a period of time after he changed employers and worked in the United States for several months before deploying again to Afghanistan.⁵

Applicant has no immediate family ties in Afghanistan. He does not know if he has any other relatives living in Afghanistan, except his stepbrothers and stepsister. He does not know where they live. He has never attempted to contact any relative in Afghanistan. All of his assets are in the United States. He owns a home, property in another state, and a time-share property. He and his wife have Individual Retirement Accounts and bank accounts. He intends on retiring in the United States. His ties to Afghanistan are through his employment.⁶

Applicant visited his brother in the U.A.E. one time when he was traveling from Afghanistan back to the United States to visit his family. He saw him for a couple of hours during a layover.⁷

³ Tr. 66-75.

⁴ Tr. 75-81.

⁵ Tr. 81-83, 99-107.

⁶ Tr. 45, 85, 107-108.

⁷ Tr. 88-89.

Applicant's wife testified on his behalf. While Applicant was deployed to Afghanistan in 2006, his wife received a telephone call from a woman claiming to be Applicant's stepsister. She begged for money, claiming her family was sick and destitute. Applicant's wife was compassionate and wired \$400 to the woman. She told Applicant about the contact and gift. Applicant was angry and told his wife not to respond to any further calls from his stepsister. He explained it could have been anyone calling claiming to be related to him. Applicant has had no contact with his stepsister since he left Afghanistan when he was 17 or 18 years old. He does not know how she found him. The stepsister continued to call, but Applicant's family was instructed not to answer the phone. Eventually, they changed their phone number and have not heard from the stepsister again. He does not intend on ever contacting his stepsisters or stepbrothers.⁸

The director of a charitable organization devoted to assisting Afghani orphans testified on behalf of Applicant. She has known him since approximately 2002 or 2003. He has assisted her in organizing and contributing to fundraisers for the cause. He is considered a reliable, honest, and trustworthy person and she believes he exercises good judgment.⁹

Applicant's daughter testified on his behalf. She recently graduated from college and is applying to medical schools. She was born in the U.A.E. and returned to the United States when she was 13. She intends to remain in the United States. She described her mother as a "good soul" when she sent money to Applicant's stepsister. She described her father as an honest and trustworthy person who risks his life to support his family and the United States. She is proud of him and his loyalty to his adopted country.¹⁰

Applicant provided numerous character letters and letters of recommendation from senior military officers, senior enlisted personnel, and civilian personnel stationed with him in Afghanistan and covering the period from 2005 to the present.¹¹ He has worked as an interpreter for a combat action team. Due to his ability to speak different dialects and his leadership ability, he has been engaged in increasingly more vital assignments. Those writing on his behalf detail his proven dedication and loyalty to the United States. He has proven his commitment, enthusiasm, and courage in numerous dangerous situations. He is engaged in combat patrols and important key engagements. In addition, it was noted: "One of his greatest assets is his versatility. [Applicant] can accomplish his duty on a combat patrol in the mountains under enemy contact one minute and can translate at key leader engagements with high ranking [police officials]

⁸ Tr. 63-66, 89-99, 109-117, 119-120.

⁹ Tr. 27-35.

¹⁰ Tr. 118-121.

¹¹ AE A.

and local village elders the next.”¹² He is the consummate team player who has integrated himself as the interpreter, but also a valued member of the platoon. Another person commented: “[Applicant] came to Afghanistan not only to interpret but to participate in the cause to help the Afghan people and do his part serving our country. He was passionate coming here to help.”¹³

Afghanistan¹⁴

Afghanistan is located in Southwestern Asia and borders Pakistan, Iran and Russia. It has been an independent nation since 1919, after the British relinquished control. A monarchy ruled from 1919 until a military coup in 1973. Following a Soviet-supported coup in 1978, a Marxist government emerged. In 1979, Soviet forces invaded and occupied Afghanistan. A resistance movement eventually led to an agreement known as the Geneva Accords, signed by Afghanistan, Pakistan, the United States, and the Soviet Union, which ensured Soviet forces withdrew by February 1989. The resistance party was not part of the Accords and refused to accept it. A civil war ensued after the Soviet withdrawal. In the mid-1990s, the Taliban rose to power largely due to anarchy and the existence of warlords. The Taliban sought to impose extreme interpretation of Islam and committed massive human right violations. The Taliban also provided sanctuary to Osama Bin-Laden, Al Qaida, and other terrorist organizations.

After the September 11, 2001, terrorist attacks, demands to expel Bin-Laden and his followers were rejected by the Taliban. U.S. forces and a coalition partnership commenced military operations in October 2001 that forced the Taliban out of power in November 2001. The new democratic government took power in 2004 after a popular election. Despite that election, terrorists including Al-Qaida and the Taliban continue to assert power and intimidation within the country. Safety and security are key issues, because these terrorists target United States and Afghan interests by suicide operations, bombings, assassinations, carjacking, assaults, and hostage taking. At this time, the risk of terrorist activity remains extremely high. The country’s human rights record remains poor and violence is rampant.

Civilians continue to bear the brunt of the violence and increased attacks. Despite the loss of some key leaders, insurgents have adjusted their tactics to maintain momentum following the arrival of additional U.S. forces. It is suspected that the Taliban was most likely responsible for suppressing voter turnout in the August 2009 elections in key parts of the country. The Taliban’s expansion of influence in northern Afghanistan since late 2007 has made the insurgency a country-wide threat.

Afghan leaders continue to face the eroding effect of official corruption and drug trade. Criminal networks and narcotics constitute a source of funding for the insurgency

¹² *Id.*

¹³ *Id.* Tr. 84-86, 107.

¹⁴ HE I, II.

in Afghanistan. Other insurgent groups and anti-coalition organizations also operate in Afghanistan. Insurgents have targeted Non Government Organizations, journalists, government workers, and United Nation workers. Instability along the Pakistan-Afghan frontier continued to provide Al-Qaida with leadership mobility and the ability to conduct training and operational planning, targeting Western European and U.S. interests. The United States Department of State has declared that the security threat to all American citizens in Afghanistan remains critical as no part of the country is immune to violence.

United Arab Emirates¹⁵

The United Arab Emirates is located in the Persian Gulf region, and it is a federation of emirates, each with its own ruler. The federal government is a constitutional republic headed by a president and council of ministers. There are no democratically elected legislative institutions or political parties, and no general election. Only 15-20% of the U.A.E.'s population are U.A.E. citizens.

The U.A.E. contributes to the continued security and stability of the Gulf and the Straits of Hormuz. It is a leading partner in the campaign against global terrorism, providing assistance in military, diplomatic, and financial arenas since September 11, 2001. The U.A.E is a member of the Gulf Cooperation Council (GCC). Following Iraq's invasion and attempted annexation of Kuwait, the U.A.E. has sought to rely on the GCC, the United States, and other Western allies for its security. The U.A.E. believes that the Arab League needs to be restructured to become a viable institution and would like to increase strength and interoperability of the GCC defense forces. The U.A.E. was one of only three countries to recognize the Taliban as the legitimate government of Afghanistan and two of the September 11, 2001, hijackers were U.A.E. nationals.

The U.S. and U.A.E. have enjoyed friendly relations since 1971. Private commercial ties, especially oil, have developed into friendly government-to-government ties which include security assistance. The U.S. and U.A.E. relations increased dramatically when the U.S. led the campaign to end Iraqi occupation of Kuwait. The U.S. and U.A.E. launched a strategic partnership and it has been a key partner in the War on Terror. However, the U.A.E.'s cooperation in counterterrorism efforts has been hampered by the lack of a mutual legal assistance treaty between the two nations. Dubai in the U.A.E. has been a key transfer point for illicit sales of nuclear technology to Iran, Libya, and North Korea.

The U.A.E. does not recognize dual nationality, and authorities have confiscated U.S. passports of U.S./U.A.E. dual nationals. U.S. citizens who also hold U.A.E. citizenship may be subject to laws that impose special obligations on citizens of the U.A.E. Citizens of the United States who become involved in disputes of a commercial nature have had their U.S. passports confiscated by local firms or courts, and have been subjected to travel bans that preclude them from being able to depart the U.A.E. until the dispute is resolved.

¹⁵ HE III, IV.

U.A.E. ports host more U.S. Navy ships than any port outside the U.S. The U.S. was the third country to establish formal diplomatic relations with the U.A.E. and has had an ambassador resident in the U.A.E. since 1974.

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 AG 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 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. 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 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 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 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 considered all of them and especially considered the following:

- (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;

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. Applicant’s brother resides in the U.A.E. Applicant had contact with him in 2007. In 2006, Applicant’s wife had telephonic contact with a stepsister, presumably who is a citizen and resident of Afghanistan, and provided her money. Applicant worked in the U.A.E. for 16 years for a private oil company and later for a private water and electricity authority. Applicant’s contact with relatives living outside of the United States and his lengthy employment in the U.A.E. is sufficient to raise a security concern. I find both of the above disqualifying conditions apply.

The nature of a nation's government, its relationship with the U.S., and its human rights record are relevant in assessing the likelihood that an applicant's family members are vulnerable to government coercion. The risk of coercion, persuasion, or duress is significantly greater if the foreign country has an authoritarian government, a family member is associated with or dependent upon the foreign government, or the country is known to conduct intelligence operations against the U.S.

There is sufficient evidence of the insurgency operations being conducted in Afghanistan against American forces. There is also evidence that Afghanistan has a dismal human rights record and has active terrorist groups operating within their borders. There is also some evidence that the U.A.E has a questionable human rights record and is one of only three countries that recognizes the Taliban, which sponsors terrorism. This places the burden of persuasion on Applicant to demonstrate that his contacts in Afghanistan and the U.A.E. do not pose a security risk, and he is not in a position to be forced to choose between loyalty to the U.S. and his connections to family members and his former employers. With its negative human rights record, its government, and the violent insurgency that operate within the Afghan borders, it is conceivable that Applicant's family members could be vulnerable to coercion. It is also conceivable that Applicant's brother's residency in the U.A.E creates a heightened risk.

Guideline B is not limited to countries hostile to the United States. "The United States has a compelling interest in protecting and safeguarding classified information from any person, organization, or country that is not authorized to have access to it, regardless of whether that person, organization, or country has interests inimical to those of the United States."¹⁶ Furthermore, friendly nations can have profound disagreements with the United States over matters they view as important to their vital interests or national security. Finally, we know friendly nations have engaged in espionage against the United States, especially in the economic, scientific, and technical fields.¹⁷

I have also analyzed all of the facts and considered all of the mitigating conditions for this security concern under AG ¶ 8, including the following:

- (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

¹⁶ ISCR Case No. 02-11570 at 5 (App. Bd. May 19, 2005).

¹⁷ See ISCR Case No. 00-0317, 2002 DOHA LEXIS 83 at **15-16 (App. Bd. Mar. 29, 2002).

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.

Applicant's brother is an American citizen working for an American university in the U.A.E. He has property in the U.S. and his children live here. He intends on returning to the United States in the future. Applicant visited his brother when he was transiting through the U.A.E. on his return to the U.S. in 2007. Although there are some issues with the U.A.E., for the most part it is an ally of the U.S. It is unlikely Applicant will be placed in a position of having to choose between his brother and the interests of the United States. Applicant has worked for the past six years, under dangerous combat conditions, supporting the United States, and its military. He has proven his deep and longstanding loyalty to the United States. He can be expected to resolve any conflict of interest in favor of the United States.¹⁸ I find mitigating condition AG ¶¶ 8(a) and 8(b) applies to Applicant's relationship with his brother.

While Applicant was deployed, and unbeknownst to him, his wife sent a step-sister some money. She did this due to her charitable nature, not because she or Applicant had a close relationship with the stepsister. When Applicant learned of the telephone call and gift, he admonished his wife and told her not to have further contact or send money again. They have since changed their telephone number. Prior to this contact, Applicant has not had any contact with his stepsister since he left Afghanistan when he was 17 or 18 years old. All of Applicant's immediate family members are U.S. citizens. I find AG ¶ 8(c) applies. His contact with his stepsister was nonexistent except for the one gift in 2006. There is little likelihood that the previous contact would create a heightened risk for foreign influence or coercion.

Applicant worked in the U.A.E. when he had difficulty finding employment in the United States. His family returned when he and his wife decided they wanted the children educated in the United States. All of Applicant's financial interests are in the United States. He has worked as a linguist/translator for the past six years with the U.S. military. He returns to visit his family twice year, but otherwise is deployed to Afghanistan serving with U.S. troops in combat operations. He has no other connection with the U.A.E. where he was once employed. There is no evidence he maintains ties in the U.A.E., other than with his brother which was previously discussed. In the unlikely event an issue was to arise, there is no doubt Applicant would resolve any conflict in favor of the United States, due to his longstanding and deep loyalty to his adopted

¹⁸ See ISCR Case No. 05-03846 at 6 (App. Bd. Nov. 14, 2006) citing ISCR Case No. 01-03357 at 4 (App. Bd. Dec. 13, 2005); ISCR Case No. 02-10113 at 5 (App. Bd. Mar. 25, 2005); ISCR Case No. 03-10955 at 2-3 (App. Bd. May, 30, 2006). The Appeal Board recognized that in Guideline B cases, "where the applicant has established by credible, independent evidence that his compliance with security procedures and regulations occurred in the context of dangerous, high-risk circumstances in which the applicant had made a significant contribution to the national security. See, e.g. ISCR Case No. 04-12363 at 2 (App. Bd. July 14, 2006). The presence of such circumstances can give credibility to an applicant's assertion that he can be relied upon to recognize, resist, and report a foreign power's attempts at coercion or exploitation."

country. He has repeatedly proven himself by working for the U.S. military, in harm's way, for the past six years. I find mitigating conditions AG ¶¶ 8(a) and 8(b) apply.

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) 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 considered the potentially disqualifying and mitigating conditions in light of all the facts and circumstances surrounding this case. I have incorporated my comments under Guideline B in my whole-person analysis. Some of the factors in AG ¶ 2 were addressed under that guideline, but some warrant additional comment. Applicant has been a U.S. citizen for almost 30 years. His contact with Afghanistan is through his work with the U.S. military. All of his immediate family members are citizens of the United States. The only nominal contact with a family member was in 2006, when his wife gave a gift to a stepsister. He does not maintain contact with the employers he worked for when he was in the U.A.E. Applicant has proven for the past six years his devotion to duty and loyalty to the United States by serving in dangerous combat operations alongside our military. Those with whom he has served provided strong evidence of his character and commitment to his adopted nation. There is no evidence to suggest that any ties Applicant may have outside of the United States would in any way influence him. It is clear that if any conflict of interest was ever raised that Applicant would resolve it in favor of the United States. Applicant's family and livelihood has been imbedded in the United States. All of his financial interests are in the United States.

Overall, the record evidence leaves me with no questions or doubts as to Applicant's eligibility and suitability for a security clearance. For all these reasons, I conclude Applicant successfully mitigated the security concerns arising under the Foreign Influence guideline.

Formal Findings

Formal findings for or against Applicant on the allegations set forth in the SOR, as required by section E3.1.25 of Enclosure 3 of the Directive, are:

Paragraph 1, Guideline B:	FOR APPLICANT
Subparagraphs 1.a-1.d:	For Applicant

Conclusion

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

Carol G. Ricciardello
Administrative Judge