



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



In the matter of:)
)
) ISCR Case No. 10-01962
)
Applicant for Security Clearance)

Appearances

For Government: Raashid Williams, Esquire, Department Counsel
For Applicant: *Pro se*

04/30/2012

Decision

O'BRIEN, Rita C., Administrative Judge:

Based on a review of the pleadings, exhibits, and testimony, I conclude that Applicant has mitigated the security concerns raised under the guidelines for foreign influence and foreign preference. Accordingly, Applicant's request for a security clearance is granted.

Statement of the Case

On September 12, 2011, the Defense Office of Hearings and Appeals (DOHA) issued Applicant a Statement of Reasons (SOR) setting forth security concerns under Guidelines B (Foreign Influence) and C (Foreign Preference) of the Adjudicative Guidelines (AG).¹ Applicant signed his notarized Answer to the SOR on October 27, 2011, in which he admitted one of the two allegations under Guideline C, and seven of the eight allegations under Guideline B. He also requested a hearing before an administrative judge.

¹ See Executive Order 10865 and DoD Directive 5220.6. Adjudication of this case is controlled by the Adjudicative Guidelines implemented by the Department of Defense on September 1, 2006.

Department Counsel was prepared to proceed on December 14, 2011, and the case was assigned to me on December 21, 2011. DOHA issued a Notice of Hearing on January 30, 2012, and I convened the hearing as scheduled on February 22, 2012. Department Counsel offered four exhibits, which I admitted as Government Exhibits (GE) 1 through 4. Applicant testified and offered five exhibits, which I admitted as Applicant Exhibit (AE) A through E. DOHA received the transcript (Tr.) on March 6, 2012.

Procedural Rulings

Department Counsel moved to amend the SOR to conform to the evidence at the hearing. He added the following two allegations under Guideline B, ¶ 2, which Applicant admitted: (Tr. 106-108)

- i. Your wife's grandmother is a citizen and resident of Venezuela.
- j. Your wife's three uncles are citizens and residents of Venezuela.²

I take administrative notice of facts relating to Colombia, as requested by Department Counsel. The facts are set forth in a summary with five attached documents, marked as Hearing Exhibit (HE) I. The facts administratively noticed are limited to matters of general knowledge and not subject to reasonable dispute.

Findings of Fact

Applicant's admissions to the SOR are incorporated as findings of fact. After a thorough review of the pleadings, Applicant's response to the SOR, and the record evidence, I make the following additional findings of fact.

Applicant is a 38-year-old electrical engineer, specializing in satellite communications. He has worked for the same defense contractor for more than 15 years. He speaks at public fora and conferences in his field of expertise. He has also run a sensitive program in counter-narcotics for the Department of State. This is his first application for a security clearance. He is a dual citizen of Colombia and the United States. Although born in Colombia, he holds U.S. citizenship because his mother is a U.S. citizen. As a child, he spent summers with his grandparents in the United States. He attended high school in Colombia. He came to the United States when he was 16 years old to attend college. He completed a bachelor's degree in 1992 and a master's degree in 1996, both in electrical engineering. He married in the United States in 1997. His wife was born in Venezuela and is a United States citizen. Their three children were born in the United States, and Applicant has not applied for Colombian citizenship for them. (GE 1; Answer; Tr. 30-33, 63-65, 68-69, 87)

² Applicant testified that the SOR was in error in stating that his father is a citizen of Venezuela. He holds only Colombian citizenship. (Tr. 31-32)

In 1974, a group of professors, including five or six members of Applicant's family, established a private, non-profit, four-year university in Colombia to offer an educational opportunity for those who could not afford private college costs. The university does not pay taxes, and is not supported or subsidized by the government, whose role is limited to oversight of curriculum quality and adherence to financial regulations. Currently, 13,000 students are enrolled in 30 campuses around the country. (Tr. 33-41, 102)

Twelve of Applicant's family members hold an interest in the university; eight non-family members also hold shares. Since the age of 18, Applicant has held an ownership interest. It is a proportionately small interest, which he estimates to be worth \$100,000. He is a member of the board of trustees, and the board members receive no dividends, salary, or other financial benefit from board membership, because it is a non-profit organization. His membership requires him to vote annually, with the 19 other members, at board of trustees meetings. He attends in person every two or three years, and on other years he votes by proxy. He last attended in person in 2009. He has provided assistance to the university, including in 1998, when he helped his father set up intranet communications among campus buildings. He sometimes provides advice about the curriculum as it relates to his field of expertise. (Answer; GE 2, 4; AE A; Tr. 33-47, 52-53, 104)

Between 2000 and 2007, Applicant traveled to Colombia six times, using his Colombian passport. Prior to approximately 2006 or 2007, Applicant's company was not engaged in defense work, it did not have a facility security officer (FSO), and Applicant did not hold a security clearance. He was unaware that use of a foreign passport was a security concern. He used his United States passport for his 2009 visit to Colombia. He provided a letter from his FSO showing that he surrendered his Colombian passport in January 2010; it expired in September 2010. Other than past travel for board meetings, Applicant does not travel to Colombia, because all of his siblings and their families live in the United States, and his parents visit the United States frequently to see their children and grandchildren. He testified that, because he can perform his board function by proxy, he no longer has a reason to travel to Colombia. Applicant expressed his willingness to renounce his Colombian citizenship during his security interview in 2009, in his Answer, and at the hearing. The university's constitution allows for that process.³ (GE 2, 3, 4; Tr. 25, 47-51, 120-121, 150)

Applicant voted in the Colombian presidential election in 2002. He did not hold a security clearance at the time, and was unaware that such action had security significance. He has not voted in subsequent Colombian elections, and has no intent to vote in future Colombian elections. Moreover, because he surrendered his Colombian

³ Applicant provided a copy of the university's constitution in Spanish (he translated one section in his Answer). He testified that the constitution does not require members of the board to be citizens of any specific country; and it allows members of the board to end their membership in three ways, including by renouncing it. (Answer; AE A; Tr. 18, 104)

passport, he is unable to vote in Colombian elections. He votes in national and local U.S. elections. (Answer; GE 2; Tr. 162-165)

Applicant's wife, an engineer, was born in Venezuela. She became a United States citizen in 2003. Her parents and two siblings live in the United States. Her father is a U.S. citizen, and her mother was applying for U.S. citizenship at the time Applicant answered the DOHA interrogatories. Her 95-year-old grandmother lives in Venezuela, and Applicant's wife talks with her about every two months; Applicant sometimes talks with her on her birthday. Applicant's wife also has three uncles in Venezuela, with whom she talks once or twice per year. None of these relatives have connections with the Venezuelan government. Applicant and his wife have no intention to visit Venezuela because they consider it dangerous. None of Applicant's wife's relatives in Venezuela are involved with the Venezuelan government. (GE 2, 4; Tr. 94-100, 129)

Applicant's parents live in Colombia. His mother is a psychologist and dean of graduate studies at the Colombian university. She has no connections with the Colombian government. She has voted in every U.S. election by absentee ballot, and timely files and pays U.S. taxes. His father is a U.S. legal permanent resident and a Colombian citizen. He earned a masters degree in actuarial science at a U.S. university, and lived and worked in the United States for nine years. He is partially retired, and serves on the board of directors of the Colombian university. He has no connection to the Colombian government. Applicant's family members are known because of their positions at the university. Because of kidnapping risks in Colombia, his parents maintain a low profile. Applicant's parents have never experienced violent crime while living in Colombia. They have 4 children, several nieces and nephews, and 11 grandchildren who live in the United States. They visit two to three times per year, and stay with Applicant's sister for three to four weeks at a time. They co-own with their children three U.S. properties valued at more than \$300,000, and have an additional \$300,000 in funds. Applicant speaks with his parents twice per week by telephone or e-mail. (Answer; GE 2, 4; Tr. 30-31, 55-57, 60-63, 67, 69-74)

Applicant's uncle (allegation 2.d) is married to the aunt listed at SOR allegation 2.f. He lived for five years in the United States, where he completed a master's degree at a U.S. university. He is a retired university mathematician, and was a Colombian senator from 1998 to 2002. Applicant is unaware of any noteworthy actions his uncle was involved in at that time. Applicant's parents were not involved in his campaign. Applicant's uncle has an ownership interest in, and serves on the board of directors, of the Colombian university. Applicant's aunt (allegation 2.f) is a U.S. citizen, and served in the Peace Corps. Applicant's aunt and uncle are mathematicians. She heads the mathematics department at the university and he is on the board of directors. Neither has any connection to the Colombian government. They have financial interests in the United States, and own several properties. They have five children, who are all U.S. citizens, and who all earned post-graduate degrees in the United States. Two of their children reside in the United States with their families. Applicant speaks to his uncle

twice per year, and sees his aunt and uncle when they visit the United States, once every year or two. (Answer; GE 2, 4; Tr. 60, 74-77, 80-83, 90-93)

Applicant's two aunts who live in Colombia are retired. He talks to one about once per year, because she is a member of the board of the university. He has not talked with the other aunt in four or five years. Applicant's cousin lives in Colombia, and works for a head-hunting firm. Applicant talks with him once or twice per year. Applicant has seen him in person twice in the past three years when he visited the United States. (Answer; GE 2, 4; Tr. 77-80, 83-85)

Applicant has three friends with whom he attended high school in Colombia. Applicant has not talked with friend A, an attorney in private practice, in three or four years. Friend B is an environmental engineer who works for a private firm. Applicant talks with her once every two years. Friend C is a chemical engineer. He last saw them when he visited Colombia in 2009. (GE 2, 4; Tr. 85- 90)

Applicant has no stocks, investments, or real estate in Colombia. He bought his first home in the United States in 1998. He purchased his current home in 2005 for \$889,000. He estimates his U.S. assets to be approximately \$1,377,000. Applicant was an Eagle Scout, and volunteers in his community with Boy Scouts, his church, and his son's soccer team. He was president of his homeowners' association, and is a member of numerous professional associations. Applicant has received letters of appreciation for his professional work. An Air Force colonel commended Applicant's technical contributions at a conference in 2011. His technical expertise at other conferences in 2008 and 2011 was also lauded. (Answer; GE 2, 3; AE C, D, E; Tr. 100, 130)

The senior vice-president of Applicant's company has known Applicant since 1996, and supervised him for more than ten years. He noted that the company became involved in government contracts only within the previous five years, and not many employees had security clearances before that time. He testified that he is confident as to Applicant's honesty and integrity. Another vice-president, who has held a top secret security clearance for more than 30 years, has supervised Applicant for the past three years. He testified that a significant portion of Applicant's job is to handle proprietary and unclassified information, and Applicant has always been careful about handling it. (Tr. 110-128)

Administrative Notice

I take administrative notice of the following facts.⁴ Colombia is a constitutional, multiparty democracy with a population of approximately 44.8 million. Dual U.S. – Colombian citizens must present a Colombian passport to enter and exit Colombia.

The U.S. State Department warns U.S. citizens of the dangers of travel to Colombia because violence by narco-terrorist groups continues to affect some cities

⁴ The facts cited concerning Colombia derive from Hearing Exhibit 1.

and rural areas. While security in Colombia has improved significantly in recent years, terrorists and other criminal organizations kidnapped and held persons of all nationalities and occupations. The incidences of kidnapping in Colombia have diminished significantly in recent years.

The Colombian government's respect for human rights continues to improve. However, human rights violations continued, committed primarily by illegal armed groups and terrorist groups. These violations include political killings and kidnappings, forced disappearances, torture, and other serious human rights abuses.

The U.S. Secretary of State has designated three Colombian groups – the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), and the United Self-Defense Forces of Colombia (AUC) – as foreign terrorist organizations. In 2009, these groups carried out bombings and other attacks in and around major urban areas, including against civilian targets.

The United States remains fully committed to supporting the Colombian government in its efforts to defeat Colombian-based foreign terrorist organizations. The Colombian government continues vigorous law enforcement, intelligence, military and economic measures against the FARC, ELN, and AUC. The Colombian government has also increased its efforts with neighboring countries to thwart terrorist expansion, investigate terrorist activities inside and outside Colombia, seize assets, secure hostage release, and bring terrorists to justice. Colombia provided anti-terrorism training to nations in the region. The government continues to seek enhanced regional counterterrorism cooperation to target terrorist safe havens in vulnerable border areas. The United States – Colombia extradition relationship remains the most successful and comprehensive effort in the world.

Policies

Each security clearance decision must be a fair, impartial, and commonsense determination based on examination of all available relevant and material information, and consideration of the pertinent criteria and adjudication policy in the (AG).⁵ Decisions must also reflect consideration of the “whole person” factors listed in ¶ 2(a) of the Guidelines.

The presence or absence of disqualifying or mitigating conditions does not determine a conclusion for or against an applicant. However, specific applicable guidelines are followed when a case can be so measured, as they represent policy guidance governing the grant or denial of access to classified information.

⁴ Directive. 6.3.

A security clearance decision is intended only to resolve the question of whether it is clearly consistent with the national interest⁶ for an applicant to receive or continue to have access to classified information. The government bears the initial burden of producing admissible information on which it based the preliminary decision to deny or revoke a security clearance. Additionally, the government must be able to prove controverted facts alleged in the SOR. If the government meets its burden, it falls to applicants to refute, extenuate, or mitigate the government's case. Because no one has a "right" to a security clearance, applicants bear a heavy burden of persuasion.⁷ A person who has access to classified information enters a fiduciary relationship based on trust and confidence. The government has a compelling interest in ensuring that applicants possess the requisite judgment, reliability, and trustworthiness to protect the national interest as her or her own. The "clearly consistent with the national interest" standard compels resolution of any reasonable doubt about an applicant's suitability for access to classified information in favor of the government.⁸

Analysis

Guideline C, Foreign Preference

AG ¶ 9 expresses the security concern regarding foreign preference:

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 considered all the disqualifying conditions, and find that the following are relevant to the case:

(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;

(7) voting in a foreign election; and,

⁵ See *Department of the Navy v. Egan*, 484 U.S. 518 (1988).

⁶ See *Egan*, 484 U.S. at 528, 531.

⁷ See *Egan*; Revised Adjudicative Guidelines, ¶ 2(b).

(c) performing or attempting to perform duties, or otherwise acting, so as to serve the interests of a foreign person, group, organization, or government in conflict with the national security interest.

In 2002, Applicant voted in the Colombian presidential election. In addition, at the time that Applicant applied for his security clearance in 2009, he possessed a valid foreign passport. AG ¶ 10(a)(7) and 10(a)(1) apply. AG ¶ 10(c) applies to Applicant's service on the board of a university operated by his family in Colombia.

I have considered the mitigating conditions under AG ¶ 11, especially the following:

(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; and

(e) the passport has been destroyed, surrendered to the cognizant security authority, or otherwise invalidated.

Applicant's dual citizenship results from his birth in Colombia, and his mother's U.S. citizenship. Applicant has expressed his willingness to renounce his Colombian citizenship throughout the security process. AG ¶¶ 11(a) and 11(b) apply.

Regarding AG ¶ 10(a)(7), none of the mitigating conditions listed under AG ¶ 11 specifically refer to voting in a foreign election. However, the Concern under Guideline C is that certain activities, such as foreign voting, may indicate a preference for a foreign country, and that those who engage in such activities may be prone to provide information or make decisions that are harmful to the interests of the United States. Here, Applicant's voting occurred 10 years ago. He did not hold a security clearance at the time he voted, and did not know that such action would constitute a security concern. Applicant's voting did not express a preference for Colombia, but an interest in participating in a democratic process. He has not voted in a foreign election since 2002. He now demonstrates his desire to participate in the democratic process by regularly voting in U.S. federal and state elections. Applicant's history and conduct show that he is unlikely to make decisions that would harm the United States. On the contrary, he is a life-long U.S. citizen, has lived in the United States for the past 22 years, and has deep family, financial, and community ties here. Applicant is unlikely to make decisions that would be harmful to the United States.

Mitigating condition AG ¶ 11(e) applies to Applicant's former possession of a foreign passport. Applicant did not hold a security clearance when he possessed the foreign passport. His company was unfamiliar with security requirements, and did not have an FSO until approximately 2006 or 2007. Neither he nor his company knew that

holding a foreign passport was a security concern. When Applicant later learned it was an issue, he surrendered it to his FSO, and provided documentation to support the surrender.

Regarding Applicant's membership on the board of trustees of a foreign university, none of the mitigating conditions specifically address such membership. Viewing the membership in light of the Concern under Guideline C, and considering all the other facts of Applicant's history and background, I conclude that Applicant has minimal involvement with the university. His annual board vote does not require foreign travel, as he can vote by proxy, and has done so numerous times. The school's constitution does not require him to maintain Colombian citizenship, because it does not require any specific citizenship to serve on the board. His financial interest in the university is *de minimus* compared to his U.S. assets. Moreover, Applicant places his obligation to the United States first, and he is willing to renounce his membership on the school board. His board membership is mitigated because it does not indicate that he prefers Colombia to the United States, or that he might make decisions harmful to United States interests.

Guideline B, Foreign Influence

AG ¶ 6 expresses the security concern pertaining to 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.

The following disqualifying conditions under AG ¶ 7 are relevant:

(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, 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 father, uncle, aunts, a cousin, and three friends are citizen-residents of Colombia. His mother is a U.S. citizen who lives in Colombia. Applicant is on the board of trustees of a nonprofit Colombian university that his family operates. Although he receives no salary, dividends, or other compensation from his position, he estimates the value of his interest to be \$100,000. His wife's grandmother and uncles are citizen-residents of Venezuela, and she is in contact with them. These facts raise security concerns about a heightened risk of foreign exploitation or a possible conflict of interest. Disqualifying conditions AG ¶ 7(a), (b), and (e) apply.

The foreign influence guideline also includes factors that can mitigate security concerns. I have considered the mitigating factors under AG ¶ 8, especially the following:

(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 U.S., that the individual can be expected to resolve any conflict of interest in favor of the U.S. interest;

(c) contact or communication with foreign citizens is so casual and infrequent that there is little likelihood that it could create a risk for foreign influence or exploitation; 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.

The mere possession of close family ties to persons 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 frequent, non-casual 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.⁹ The nature of the foreign country must be considered in evaluating the likelihood of exploitation. Although terrorist groups operate in Colombia, and kidnappings occur, the Colombian government continues its vigorous law enforcement, intelligence, military, and economic measures against these groups. The United States and Colombia share a strong relationship and cooperate on numerous fronts including energy, trade, counter-narcotics, and the environment. The documents submitted do not indicate that the Colombian government targets U.S. classified information. Moreover, Applicant's family is aware of the situation, and acts prudently. They have never experienced violence in the decades they have lived in Colombia. It is unlikely that Applicant would have to choose between the interests of the family and the interests of the United States. AG ¶ 8(a) applies.

Applicant's connections in the United States weigh in his favor when evaluating the question of exploitation or potential conflicts of interest based on his ties to Colombia. Applicant has been in the United States since he was 16 years old, more than 22 years. He and his wife are U.S. citizens. His three children are native-born U.S. citizens. He completed bachelor's and master's degrees at U.S. universities. He has worked for the same defense contractor for more than 15 years. His closest foreign ties are to his parents, and their contacts are frequent. However, Applicant's parents have strong and long-lasting ties to the United States as well. His mother is a U.S. citizen who, though she lives in Colombia, continues to vote and pay U.S. taxes. His father earned a masters degree in the United States, holds a "green card," and lived and worked here for nine years. Neither of them have connections with the Colombian government. Applicant's parents visit the United States for about three months per year, to visit their numerous U.S. family members, and have more than \$600,000 in U.S. properties and funds. I conclude that Applicant would choose his strong U.S. ties over his foreign connections, in the event a conflict of interest arose. AG ¶ 8(b) applies.

Applicant's contacts with the remaining family and friends in Colombia are casual and infrequent. He talks by telephone with his uncle, aunts, and cousin one or two times per year. He has not seen two of his aunts in the past four or five years. He sees one aunt, who is a U.S. citizen, and her husband in person when they visit the United States to see their U.S.-citizen children. He talks with one of his Colombian friends every two years, and has not talked with another in four years. He last saw them personally in 2009. Applicant's wife's has family in Venezuela. Applicant has concerns about crime and kidnappings there, and for this reason, he and his wife have not been there in seven years. They have no intention of visiting in the future. Applicant's wife talks with her grandmother every other month, and her uncles once or twice per year. Applicant has little contact with his wife's family in Venezuela. AG ¶ 8(c) applies to these friends and family members in Colombia and Venezuela.

⁸ See ISCR Case No. 03-02382 at 5 (App. Bd. Feb 15, 2006); ISCR Case No. 09-0424 (App. Bd. Feb. 8, 2001).

Applicant has no real estate, stocks, or bonds in Colombia. However, he has an interest in a non-profit university operated there by several members of his family. He estimated the value of his interest at \$100,000. He has substantially more assets and investments in the United States, where his property and funds total approximately \$1,377,000. It is unlikely that his share in the university, which represents approximately 7 percent of his total assets, could be used effectively to influence or pressure him. Mitigating condition AG ¶ 8(f) applies.

Whole-Person Analysis

Under the whole-person concept, an administrative judge must evaluate the Applicant's security eligibility by considering the totality of the Applicant's conduct and all the relevant circumstances. An 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.

AG ¶ 2(c) requires that the ultimate determination of whether to grant a security clearance must be an overall commonsense judgment based upon careful consideration of the guidelines and the whole-person concept. Under the cited guidelines, I considered the potentially disqualifying and mitigating conditions in light of all the facts and circumstances surrounding this case.

Foreign family ties raise security concerns because of the potential for conflicts of interest and exploitation. Here, Applicant's family in Colombia raise such concerns. Although one uncle held a political position, that occurred 10 years ago, and he is no longer politically active. No other family members have connections with the Colombian government. The country is plagued by terrorists and narco-terrorism, but the Colombian government is engaged in vigorous efforts against these groups. Applicant has no intention to travel to Colombia in the future, and has surrendered his passport. He also has no need to travel there to see his parents, as they travel frequently to the United States to visit their many U.S.-citizen and resident family members. Applicant's connection with Venezuela is minimal, as he has little contact with his wife's grandmother or uncles, he has not been there in seven years, and has no intention to travel there in the future. Applicant can and often does fulfill his minimal participation in the annual Colombian university meeting by proxy. He can renounce this position under the school's constitution, and is willing to do so. Applicant's connections to Colombia are outweighed by his strong and long-standing ties to the United States,

including his 22 years living here, his two advanced degrees from U.S. institutions, his substantial financial assets in the United States, 15 years of supporting the government through his work on sensitive defense projects, his U.S.-citizen children, and his participation in the church and community.

Overall, the record evidence satisfies the doubts raised concerning Applicant's suitability for a security clearance. For all these reasons, I conclude Applicant has mitigated the security concerns arising from the cited adjudicative guidelines.

Formal Findings

Paragraph 1, Guideline C	FOR APPLICANT
Subparagraphs 1.a – 1.b	For Applicant
Paragraph 2, Guideline B	FOR APPLICANT
Subparagraphs 2.a – 2.j	For Applicant

Conclusion

In light of all of the circumstances presented by the record in this case, it is clearly consistent with the national interest to allow Applicant access to classified information. Applicant's request for a security clearance is granted.

RITA C. O'BRIEN
Administrative Judge