

Besides the identified items in the FORM, the Government requested administrative notice of facts covered by 10 source documents. Included are the following documents: *Country Reports on Terrorism 2011, Chapter 5-Safe Havens-Strategies, Tactics, and Tools for Disrupting or Eliminating Safe Havens*, U.S. Department of State (July 2012); *Transcript of Interview, Chairman of the Joint Chiefs of Staff, Admiral Mike Mullin*, Interview on National Public Radio (May 2012); *Worldwide Threat Assessment of the U.S. Intelligence Community for the House Permanent Select Committee on Intelligence*, Director of National Intelligence (February 2012); *Travel Warning, Pakistan*, U.S. Department of State (September 2012); *Country Reports on Terrorism 2011, Chapter 2 - Country Reports South and Central Asia Overview*, U.S. Department of State (July 2012); *Statement before the Armed Services Committee on Afghanistan and Iraq*, Chairman of the Joint Chiefs of Staff Admiral Mike Mullen (September 2011); *U.S. Declares Haqqani Network a Terrorist Organization*, U.S. Department of State (September 2012); *Press Briefing by Senior Administration Officials on the Killing of Osama bin Laden*, the White House Office of the Press Secretary (May 2011); *Country Specific Information: Pakistan*, U.S. Department of State (August 2012); *2011 Human Rights Report: Pakistan*, U.S. Department of State (May 2012).

Administrative or official notice is the appropriate type of notice used for administrative proceedings. See ISCR Case No. 05-11292, at 4 n.1 (App. Bd. Apr. 12, 2007). Administrative notice is appropriate for noticing facts or government reports that are well known. See *Stein*, Administrative Law, Sec. 25.01 (Bender & Co. 2006).

For good cause shown, administrative notice was granted with respect to the above-identified background reports containing facts pertaining to the geopolitical situation in Pakistan. Administrative notice was extended to the documents themselves, consistent with the provisions of Rule 201 of Fed. R. Evid. This notice did not foreclose Applicant from challenging the accuracy and reliability of the information contained in the reports addressing Pakistan.

Summary of Pleadings

Under Guideline B, Applicant allegedly (a) was employed by the Pakistani government for 24 years (1973-1997); (b) maintains a bank account in Pakistan and has intermittently received retirement funds for his service in the Pakistani government; (c) holds a valid Pakistani identity card; (d) owns inherited property in Pakistan worth approximately \$10,000; (e) has four brothers who are citizens and residents of Pakistan; (f) has three brothers who are currently employed by the Pakistani government; (g) has a stepbrother who is a citizen and resident of Pakistan; (h) has five sisters-in-law who are citizens and residents of Pakistan; (i) sends money to his family in Pakistan about three times a year; and (j) maintains regular contact with two friends, who are citizens and residents of Pakistan.

In his response to the SOR, Applicant admitted all but one of the allegations covered by Guideline B. He denied holding a valid Pakistani identity card. He claimed he has never claimed, used, or benefitted from the property he inherited from his father.

Findings of Fact

Applicant is a 62-year-old linguist for a defense contractor who seeks a security clearance. The allegations covered in the SOR and admitted by Applicant are adopted as relevant and material findings. Additional findings follow.

Background

Applicant married in June 1983. (Item 3) He has three adult children from this marriage. He immigrated to the United States in April 1997 and became a naturalized U.S. citizen in October 2010. (Item 3) He claims no military experience. (Items 1 and 7) Applicant attended vocational classes between June 2010 and September 2010, but earned no diploma or certificate. (Item 3)

Before immigrating to the United States, Applicant worked for the Pakistani government for about 24 years (1973-1997) He maintains a bank account in Pakistan and has intermittently received retirement funds he earned from his Pakistan government service. (Item 7) Currently, he keeps an average balance in his account of \$100. (Item 7) He is willing to close the account if requested. And he holds an expired Pakistani National identity card. (Item 3)

Applicant inherited property from his father in 1977. (Item 7) His oldest brother (AQ) resides on the property and maintains it for Applicant. He estimates the property to be worth approximately \$10,000. (Items 3 and 7) Applicant has never claimed, used, or benefitted from the property. (Items 3 and 7) Between 1973 and 1997 he lived away from his father's village, while working in Pakistan. And he 1997, he immigrated to the United States where he has resided continuously. (Item 3)

Following his emigration from Pakistan in 1997, Applicant experienced lengthy periods of unemployment. Based on his furnished accounts, he was unemployed from July 2001 through October 2006, June 2007 through August 2008, and from September 2008 through October 2010. (Items 1 and 7) During these extended unemployment periods, he relied on his wife's Social Security benefits and his son's limited unemployment benefits.

Both of Applicant's parents are deceased. His father died in 1997, and his mother passed away in 2000. (Item 7) Applicant's in-laws passed away before he immigrated to the United States. He has four brothers who are citizens and residents of Pakistan. Three of the brothers are employed by the Pakistani government. (Item 7) The fourth brother is a retired teacher with no known affiliations or connections with the Pakistani government. (Item 7) Applicant has a stepbrother and three sisters-in-law who are citizens and residents of Pakistan. None of these family members have any known affiliations or connections with the Pakistani government. (Item 7)

Applicant maintains telephone contact with his brothers and stepbrother several times a year. (Item 7) He has little contact with any of his wife's siblings. (Item 7) However, he maintains regular contact with two friends who are citizens and residents of Pakistan. (Item 7) Periodically (typically three times a year), Applicant sends money to his family members in Pakistan. (Item 7)

Political and economic background of Pakistan

Pakistan is a parliamentary federal republic located in Southeast Asia, with a population of nearly 170 million. See *Country Specific Information: Pakistan, supra*, at 1. Pakistan's government is comprised of an executive (the president), a prime minister (the functioning head of government), a bicameral parliament, and a judiciary. The judiciary includes a supreme court, provincial high courts, and a federal Islamic (or Sharia) court. (*id.*)

Background

Pakistan achieved its independence from Great Britain in August 1947. Still disputed is the independent state of Kashmir. See *Country Specific Information: Pakistan, supra*, at 3-7. Concerned over incursions of Pakistan tribesmen, the Maharajah of Kashmir sought assistance from India (*id.*). He signed accession papers with India in October 1947 that permitted Indian accession of Kashmir. Pakistan refused to recognize Kashmir's accession, and the legal status of Kashmir remains in dispute to this day. See *id.* While direct military hostilities between India and Pakistan across the line of control (LOC) have ceased, militant insurgent groups from the Indian side of the LOC have active bases and supporters operating from the Pakistani side and pose considerable threats to American visitors of the region. (*id.*)

The United States and Pakistan established diplomatic relations in 1947, following Great Britain's declaration in June 1947 that it would bestow full dominion status of two successor states: India and Pakistan. See *Country Specific Information: Pakistan, supra*, at 1-7. Pakistan (comprised of West Pakistan and its provinces of Punjab, Sindh, Balochistan, and the Northwest Frontier province and East Pakistan with its Bengal province) became independent on August 14, 1947. (*id.*)

Pakistan's independence proved fragile and rife with political and economic instability following the death of the country's first head of state (Muhammad Ali Jinnah) in 1948 and the ensuing assassination of its first prime minister (Liaquat Ali Khan) in 1951. In October 1958, President Iskander Mirza (with military support) suspended his country's constitution (adopted just two years before), imposed martial law, and canceled the scheduled elections. President Mirza's action resulted in a military coup, his arrest, and the establishment of a military dictatorship under the rule of General Mohammad Ayub Khan.

Political and economic turmoil followed and new governments were installed over the next 20 years: some as the result of general elections (such as the Pakistan People's Party or PPP which swept Zulfikar Ali Bhutto into power). It was under Ali Bhutto's civilian leadership that Pakistan emerged as a nuclear power in the 1970s. India's nuclear test in 1974 injected further uncertainty and concern into Pakistan's relationship with India, and is generally credited as the principal impetus behind President Ali Bhutto's decision to make Pakistan a nuclear state. See *Country Specific Information: Pakistan, supra*, at 1-8.

Political tensions and economic unrest in Pakistan also produced military interventions before the close of the 20th century. See *Country Specific Information:*

Pakistan, supra, at 1-8. Disputed national elections that marred Bhutto's declared victory in 1977 spurred anti-government unrest and ultimately prompted a military takeover of the Bhutto government in July 1977 and installation of Army chief of staff, Muhammad Zia ul-Haq) as the chief martial law administrator. When Zia assumed power, his military government arrested Bhutto, tried him on conspiracy charges and hanged him in April 1979.

With Zia's untimely death in August 1988, the political parties of Benazir Bhutto and Muhammad Mawaz Sharif competed for the formation of coalition governments to lead Pakistan. Each party's efforts were marked with ethnic conflict, fragmentation within their coalitions, corruption and nepotism, which stoked political tensions, created gridlock, and contributed to the deterioration of law and order.

Following the ouster of Prime Minister Sharif in October 1999, Pakistan's military, led by President Pervez Musharraf, declared a state of emergency and issued the provisional constitutional order that suspended the federal and provincial parliaments, placed the constitution in abeyance, and designated Musharraf as chief executive. Musharraf's presidency was extended for five years by referendum in 2004. See *Country Specific Information: Pakistan, supra*, at 1. After the terrorist attacks on U.S. soil in September 11, 2001, Pakistan pledged and provided its support to the U.S. in its coalition efforts to confront Al Qaida terrorists and Taliban fugitives. However, since the successful raid on the Pakistan compound of Osama bin Laden in May 2011, U.S. relations with Pakistan have deteriorated and become more difficult to manage. (*id.*)

Political unrest, human rights, and travel warnings

Anti-American sentiment is widespread among a coalition of Islamic parties in Pakistan's parliament. See *Country Specific Information: Pakistan, supra*, at 1-7. This coalition controls approximately 20 per cent of the national assembly (long noted for their adamant expression of anti-American sentiment against the United States. (*Id.*, at at 1-8) These groups have called for "jihad" against U.S. interests, which they view as a threat to Pakistan sovereignty.

Pakistan has extensive terrorist networks operating within its borders. Members of the Taliban are known to be in the Federally Administered Tribal Areas (FATA) of Pakistan, the Khyber Pakhtunkhwa, and in the Balochistan Province, which borders Iran and Afghanistan. Taliban senior leaders continue to enjoy safe haven in Pakistan. See *Administrative Notice*, at 2; *Country Reports on Terrorism 2011, Chapter 5-Safe Havens-Strategies, Tactics, and Tools for Disrupting or Eliminating Safe Havens, supra*, at 4. The leader of the Taliban, Mullah Omar, has operated openly in Pakistan. See *Transcript of Interview, Chairman of the Joint Chiefs of Staff, Admiral Mike Mullen, supra*, at 1.

Besides the Taliban presence, the FATA region in Pakistan continues to be a vital sanctuary to al-Qaida and a number of foreign and Pakistan-based extremist groups, including the Haqqani Network, the Quetta Sura, and Lashkar-e-Tayiba. See *Country Reports on Terrorism 2011, Chapter 5-Safe Havens-Strategies, Tactics, and Tools for Disrupting or Eliminating Safe Havens, supra*, at 4. al-Qaida and other Afghan extremist groups exploit that operating environment to plan and direct operations. (*id.*)

Extremist groups operating within Pakistan continue to target Americans and other western interests, as well as high level Pakistan government officials and members of minority, indigenous, and religious groups. See *Administrative Notice, supra*, at 3; *Worldwide Threat Assessment of the U.S. Intelligence Community for the House Permanent Select Committee on Intelligence, supra*, at 10. Despite increased efforts by Pakistani security forces, al-Qaida terrorists, Afghan militants, foreign insurgents, and Pakistani militants continue to find safe haven in portions of Pakistan's FATA, Khyber Paktunkwa, and Baluchistan, and have operated in those areas to organize, train, and plan attacks against the United States and its allies in Afghanistan. See *Administrative Notice, supra*; *Country Reports on Terrorism 2011, Chapter 2 - Country Reports South and Central Asia Overview, supra*, at 1.

The Haqqani Network, an extremist organization operating as a strategic arm of Pakistan's Inter-Services Intelligence Agency, is also operating from Pakistan with impunity. See *Chairman of the Joint Chiefs of Staff Admiral Mike Mullen, supra*. This group has staged attacks on Afghan and U.S. troops in Afghanistan (as well as civilians), including the September 13, 2011 attack on the U.S. embassy in Kabul, Afghanistan. (*Id.*) On September 7, 2012, the United States formally declared the Haqqani Network a Foreign Terrorist Network. See *U.S. Declares Haqqani Network a Terrorist Organization, supra*, at 1.

On May 1, 2011, U.S. special forces personnel raided a large al-Qaida compound located in Pakistan and shot and killed al-Qaida leader Osama bin Laden. See *Press Briefing by Senior Administration Officials on the Killing of Osama bin Laden, supra*, at 1. In announcing bin Laden's death, senior administration officials characterized him as a "sworn enemy of the United States and a danger to all humanity; a man who called for the murder of any American anywhere on Earth," who designated the United States as al-Qaida's "primary target," and who was responsible for killing thousands of innocent men and women not only on 9/11, but in the 1998 East Africa embassy bombings, the attack of the U.S. Cole, and many other acts of brutality. " (*id.*, at 1-2) That bin Laden was found in a residential neighborhood of Pakistan is illustrative of the heightened security concern over Pakistan's use as a safe haven for terrorists, militants, and insurgents. (*id.*, at 3)

The U.S. Department of State continues to warn U.S. citizens against non-essential travel to Pakistan (especially in the border regions) out of concern for terrorist threats in the country. (*Travel Warning, Pakistan, id.*, at 1-2) In 2011, Pakistan experienced hundreds of bomb blasts, suicide attacks, and sectarian violence resulting in the deaths of more than 2,500 civilians and 670 law enforcement personnel. See *Country Reports on Terrorism 2011, Chapter 2 - Country Reports South and Central Asia Overview, supra*, at 12. Attacks targeting civilians and security personnel occur almost daily across all provinces. (*Id.*) These included attacks against the U.S. Consulate in Peshawar, U.S. Government vehicle convoys, and U.S. personnel, and against Pakistani government authorities. (*Travel Warning, Pakistan, supra*). Terrorists have demonstrated their willingness and capability to attack targets where Americans are known to congregate or visit. (*id.*) Fatal bomb attacks have occurred in Islamabad, Peshawar, Quetta, Lahore, and other Pakistan cities on a regular basis. (*id.*, at 3) Records document, too, that several American citizens in Pakistan have been kidnaped. (*id.*)

Country reports on Pakistan reveal a poor Pakistani human rights record. Reported human rights problems include extrajudicial killings, torture, rape by security forces, lack of judicial independence, arbitrary arrest and detention, wide-spread corruption, disappearance and imprisonment of political opponents, and trafficking in women and children. See *2011 Human Rights Report: Pakistan, supra*, at 1-31. Additional problems include poor prison conditions, arbitrary arrest, widespread government corruption, rape, honor crimes, and widespread trafficking in persons. (*id.*) Military and terrorist operations in all four provinces and in FATA resulted in large numbers of deaths and injuries. (*id.*, at 13) The Pakistani government also maintains several domestic intelligence services that monitored politicians, political activists, suspected terrorists, and the media. (*id.*, at 14) Credible reports document that Pakistani authorities routinely used wiretaps and intercepted and opened mail without the requisite court approval, as well as monitoring mobile phones and electronic correspondence. (*id.*)

Endorsements

Applicant provided no endorsements or performance evaluations on his behalf. Nor did he provide any proof of community and civic contributions. His e-QIP reflects his vocational classes. (Item 4)

Policies

The AGs list guidelines to be used by administrative judges in the decision-making process covering DOHA cases. These guidelines take into account factors that could create a potential conflict of interest for the individual applicant, as well as considerations that could affect the individual's reliability, trustworthiness, and ability to protect classified information. These guidelines include "[c]onditions that could raise a security concern and may be disqualifying" (disqualifying conditions), if any, and many of the "[c]onditions that could mitigate security concerns." These guidelines must be considered before deciding whether or not a security clearance should be granted, continued, or denied. The guidelines do not require administrative judges to place exclusive reliance on the enumerated disqualifying and mitigating conditions in the guidelines in arriving at a decision. Each of the guidelines is to be evaluated in the context of the whole person in accordance with AG ¶ 2(c).

In addition to the relevant AGs, administrative judges must take into account the pertinent considerations for assessing extenuation and mitigation set forth in AG ¶ 2(a) of the revised AGs, which are intended to assist the judges in reaching a fair and impartial commonsense decision based upon a careful consideration of the pertinent guidelines within the context of the whole person. The adjudicative process is designed to examine a sufficient period of an applicant's life to enable predictive judgments to be made about whether the applicant is an acceptable security risk.

When evaluating an applicant's conduct, the relevant guidelines are to be considered together with the following AG ¶ 2(a) factors: (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 chances; (7) the motivation for the conduct; (8) the potential for pressure, coercion, exploitation, or duress; and (9) the likelihood of continuation or recurrence.

Viewing the issues raised and evidence as a whole, the following individual guidelines are pertinent in this case:

Foreign Influence

The Concern: 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 ¶ 6)

Burden of Proof

By virtue of the principles and policies framed by the AGs, a decision to grant or continue an applicant's security clearance may be made only upon a threshold finding that to do so is clearly consistent with the national interest. Because the Directive requires administrative judges to make a commonsense appraisal of the evidence accumulated in the record, the ultimate determination of an applicant's eligibility for a security clearance depends, in large part, on the relevance and materiality of that evidence. See *United States, v. Gaudin*, 515 U.S. 506, 509-511 (1995). As with all adversarial proceedings, the judge may draw only those inferences which have a reasonable and logical basis from the evidence of record. Conversely, the judge cannot draw factual inferences that are grounded on speculation or conjecture.

The Government's initial burden is twofold: (1) it must prove by substantial evidence any controverted facts alleged in the SOR, and (2) it must demonstrate that the facts proven have a material bearing to the applicant's eligibility to obtain or maintain a security clearance. The required materiality showing, however, does not require the Government to affirmatively demonstrate that the applicant has actually mishandled or abused classified information before it can deny or revoke a security clearance. Rather, the judge must consider and weigh the cognizable risks that an applicant may deliberately or inadvertently fail to safeguard classified information.

Once the Government meets its initial burden of proof of establishing admitted or controverted facts, the evidentiary burden shifts to the applicant for the purpose of establishing his or her security worthiness through evidence of refutation, extenuation, or mitigation. Based on the requirement of Exec. Or. 10865 that all security clearances be clearly consistent with the national interest, the applicant has the

ultimate burden of demonstrating his or her clearance eligibility. “[S]ecurity-clearance determinations should err, if they must, on the side of denials.” See *Department of the Navy v. Egan*, 484 U.S. 518, 531 (1988).

Analysis

Born and raised in Pakistan, Applicant immigrated to the United States in 1997 and became a naturalized U.S. citizen in 2010. He married his wife in 1983 and has three adult children from this marriage. Security concerns focus on Applicant’s siblings and extended family members in Pakistan, his contacts with these family members, and the financial interests he maintains in Pakistan. Cited security concerns about his working for the Pakistani government prior to immigrating to the United States have little security significance standing alone. When considered contextually with his continued ties to family members employed by the Pakistani government, Applicant’s past government service carries the potential to increase his vulnerability to pressures exerted by Pakistani authorities on his family members.

By virtue of the Pakistani citizenship and residency status of Applicant’s family members in Pakistan, the annual contacts he maintains with them, and the money he remits to them when they are in need, Applicant manifests close working relationships with his family and an abiding interest in their welfare. Potential heightened security risks covered by disqualifying condition (DC) ¶ 7(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,” of the AGs for foreign influence apply to Applicant’s situation.

Three of the brothers that Applicant communicates with are employed by the Pakistani government. Another brother is a retired teacher who still resides in Pakistan. As a result, DC ¶ 7(b), “connection 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,” applies as well.

The citizenship and residence status of Applicant’s siblings, stepbrother, and other family members in Pakistan imposes heightened risk because of the political and economic instability that currently pervades the country. Pakistan’s unsettling political and economic conditions cannot be fully reconciled with U.S. security interests.

The AGs governing collateral clearances do not dictate *per se* results or mandate particular outcomes for applicants with relatives who are citizens/residents of foreign countries in general. What is considered to be an acceptable risk in one foreign country may not be in another. While foreign influence cases must by practical necessity be weighed on a case-by-case basis, guidelines are available for referencing in the supplied materials and country information about Pakistan. Quite clearly, the geopolitical aims and policies of the particular foreign regime operating in Pakistan does matter.

Pakistan's bilateral relations with the United States over the past half-century have been uneven and sometimes contentious. Pakistan has extensive terrorist networks operating within its borders. Extremist groups operating within Pakistan continue to target Americans and other western interests, as well as high level Pakistan government officials and members of minority, indigenous, and religious groups. Despite increased efforts by Pakistani security forces, al-Qaida terrorists, Afghan militants, foreign insurgents, and Pakistani militants continue to find safe haven in portions of Pakistan's FATA, Khyber Paktunkwa, and Baluchistan, and have operated in those areas to organize, train, and plan attacks against the United States and its allies in Afghanistan.

Based on his case-specific circumstances, neither MC ¶ 8(a), "the nature of the relationships with foreign persons, the country in which these persons are located, or the persons or activities of these 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 U.S.," nor MC 8(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," are applicable. Applicant only recently became a naturalized U.S. citizen and has several brothers residing in Pakistan who work for the Pakistani government. He has additional family members (e.g., a stepbrother and sisters-in-laws) who are citizens and residents of Pakistan and property interests in Pakistan that could place Applicant in a potentially conflicting situation. Not enough is known about Applicant to facilitate safe predictions about how he would likely respond were he to be placed in a pressure situation.

MC ¶ 8(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," has little applicability, too, based on Applicant own reported contacts with his family members in Pakistan and monetary remittances to Pakistani relatives.

Neither MC ¶ 8(d), "the foreign contacts and activities are on U.S. Government business or are approved by the cognizant security authority;" MC ¶ 8(e), "the individual has promptly complied with existing agency requirements regarding the reporting of contacts, requests, or threats from persons, groups, or organizations from a foreign country," nor MC ¶ 8(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," apply to Applicant's situation. None of Applicant's foreign contacts in Pakistan embrace U.S. business or routine business or financial interests. And there is no proof of any prior self-reporting of his family contacts in Pakistan to warrant any more than minimal consideration.

Whole-person assessment cannot minimize Applicant's exposure to conflicts of interests with his Pakistani family members. In Applicant's case, the potential risk of

coercion, pressure, or influence being brought to bear on him and his identified family members in Pakistan are still too substantial to absolve him of security concerns.

Overall, any potential security concerns attributable to Applicant's relations with his brothers and other family members residing in Pakistan are insufficiently mitigated to permit safe predictive judgments about Applicant's ability to withstand risks of undue influence attributable to his familial relationships in Pakistan. Neither his own citizenship and residence in the United State nor those of his siblings and other family members in Pakistan are safely insulated from risks of coercion, pressure, or influence by Pakistani authorities or terrorists. Unfavorable conclusions warrant with respect to the allegations covered by sub-paragraphs 1.a, 1.b, and 1.d through 1.j of Guideline B. Favorable conclusions are warranted with respect to sub-paragraph 1.c.

Formal Findings

In reviewing the allegations of the SOR and ensuing conclusions reached in the context of the findings of fact, conclusions, conditions, and the factors listed above, I make the following formal findings:

GUIDELINE B (FOREIGN INFLUENCE):	AGAINST APPLICANT
Subparas. 1.a, 1.b, and 1.d through 1.j:	Against Applicant
Subpara. 1.c:	For Applicant

Conclusions

In light of all the circumstances presented by the record in this case, it is not clearly consistent with the national interest to grant or continue Applicant's security clearance. Clearance is denied.

Roger C. Wesley
Administrative Judge

