



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



In the matter of:)	
)	
REDACTED)	ISCR Case No. 11-13965
)	
Applicant for Security Clearance)	

Appearances

For Government: David F. Hayes, Esq., Department Counsel
For Applicant: David Barnette, Esq.

05/17/2013

Decision

MENDEZ, Francisco, Administrative Judge:

Applicant mitigated the financial considerations and foreign influence concerns. His past financial problems were related to a failed business venture and he provided proof that he resolved his debts. His current finances are under control. He established that he would resolve any potential conflict of interest that might arise from his connections to foreign nationals in favor of the United States. Clearance is granted.

Statement of the Case

On April 17, 2012, the Department of Defense (DoD), in accordance with DoD Directive 5220.6, as amended (Directive), issued Applicant a Statement of Reasons (SOR), alleging security concerns under Guideline F (Financial Considerations) and Guideline B (Foreign Influence). On June 23, 2012, Applicant answered the SOR and requested a hearing (Answer).

On January 3, 2013, the Government indicated it was prepared to proceed with a hearing. I was assigned Applicant's case on January 11, 2013. After coordinating with the parties, I scheduled the hearing for February 11, 2013. I granted Applicant's request

for a delay due to an unexpected medical emergency and rescheduled the hearing for March 26, 2013.

At hearing, Department Counsel withdrew the allegation at ¶ 2.f regarding Applicant's step-mother, who was a foreign national but is now a U.S. citizen. Department Counsel then proceeded to offer Government Exhibits (Gx.) 1 through 4, which were admitted without objection. Department Counsel also offered Hearing Exhibits (Hx.) I and II, a proposed summary of facts regarding Belarus and Russia. The official, unclassified, source documents referenced in Hx. I and II were considered in assessing the security concerns at issue and in setting forth the relevant, administrative facts about Belarus and Russia.

Applicant appeared at the hearing with his counsel, testified, called two character witnesses, and offered Applicant's Exhibits (Ax.) 1 – 8, which were admitted without objection.¹ Applicant's list of witnesses and exhibits was marked Hx. III. The hearing transcript (Tr.) was received on April 2, 2013.

Findings of Fact

Applicant, 61, is the owner-operator of a U.S.-based private security firm, which solely handles U.S. Government (USG) contracts. He is also the owner of a foreign-based private security firm, which he established to handle non-USG contracts and the recruitment of foreign national workers. Both companies have collaborated on USG and non-USG contracts in the past. Applicant's U.S.-based company was recently awarded a multi-million dollar USG contract. His foreign-based company is recruiting the foreign nationals who will work on the USG contract. Neither company currently has any foreign contracts.² (Tr. at 27, 71-79; Gx. 1 – 4)

Applicant enlisted in the U.S. military in 1969. He served on active duty until 1983 and then in the reserves until 1993, when he retired. He currently receives retirement pay for his 24 years of U.S. military service. He held a security clearance throughout his military career without issue. (Tr. at 28-32, 35-37, 68; Gx. 1)

In the mid-1980s, Applicant started his own company with several former U.S. military members. The company had several USG contracts and was quite successful until about 1998, when it filed for bankruptcy. Applicant, on the advice of counsel, also filed for bankruptcy because he had personally guaranteed the business's debts. His debts were discharged through bankruptcy in 1999.

Applicant then settled and satisfied a nearly \$800,000 federal tax debt related to his failed business and a smaller state income tax debt. He was unable to resolve a payroll tax issue and the state issued a tax lien for nearly \$800,000. Applicant disputed

¹ The transcript does not reflect Department Counsel's position on the admissibility of Applicant's exhibits, but my contemporaneous notes reflect that there was no objection. (Tr. at 25)

² Applicant's ownership and control of both companies was not alleged as a security concern.

this tax debt and the state eventually released the lien. He provided documentation showing that the lien was released. His finances have been stable since his former business failed. (Tr. at 32-34, 37-39, 103-116; Gx. 4; Ax. 1 – 4) Applicant's 1999 bankruptcy and the released state tax lien are alleged as concerns under the financial considerations guidelines. (SOR ¶¶ 1.a and 1.b)

After his former business failed, Applicant went to work for different companies until shortly after the terrorist acts of September 11, 2001. He was then recruited and joined a company involved in buttressing the security of U.S. cities. He was entrusted with sensitive information to handle this work.

After the start of the U.S.-led military operation in Iraq in 2003, Applicant was recruited by a private security firm to perform USG contracts in Iraq. He purchased the company with the financial assistance of his wife, and is currently its sole managing director. He was awarded a number of USG contracts related to U.S. efforts to bring security, stability, and order to Iraq. He placed his own personal safety at risk on a number of occasions. Although he did not hold a security clearance, he was provided access to sensitive information by the U.S. military and other USG agencies. However, he made certain to leave any meeting that he suspected may involve classified information and the speaker was unaware he did not possess a clearance. He provided critical information to U.S. agencies that helped protect U.S. troops and other personnel serving in Iraq. Applicant and his company received high praise for their work. He remains in Iraq handling USG contracts and providing support to U.S. non-governmental organizations. He is proud that his company and employees have never been involved in any incident that negatively impacted U.S. efforts in Iraq. (Tr. at 46-55, 95-98, 102-103; Gx. 3 – 4; Ax. 8)

Applicant's wife is a citizen of Belarus, currently residing in a country within the European Union. She runs the operations of Applicant's foreign-based company. She also recruits foreign nationals, primarily from former Eastern Bloc countries, to work on contracts awarded to Applicant's businesses. She worked as a USG contractor in Iraq for a number of years. Prior to starting her employment as a USG contractor, she was screened by the U.S. military. She was then granted a common access card (CAC) and unfettered access to U.S. facilities in Iraq. She received numerous awards and certificates for her support of the U.S. mission in Iraq. She left Iraq due to the threat posed to her personal safety by insurgents and terrorist groups. She owns some property in Belarus, but plans to sell it in the near future and move to the United States. Applicant disclosed their marriage to his facility security officer. (Tr. at 45-60, 78-79, 90; Gx. 3 – 4; Ax. 5)

Applicant's sister-in-law (his wife's only sister) is also a citizen of Belarus. She recently relocated to the United States from Iraq, where she had been working as a USG contractor for several years. Applicant described his sister-in-law as the "boots on the ground" in Iraq, who took care of the day-to-day business of the company. (Tr. at 60) She was also screened by the USG before being granted a CAC and provided unfettered access to U.S. facilities in Iraq. She earned high praise for her work. (Tr. at

59-61; Gx. 4; Ax. 6) Witness A, a retired U.S. military officer and former member of the Coalition Provisional Government in Iraq, testified that Applicant's sister-in-law was "undaunted in her commitment" to the U.S. mission. He went on to opine that Applicant's sister-in-law was "very trustworthy." (Tr. at 130-131)

Applicant's sister-in-law now works for Applicant in the United States. She is the human resources director for his U.S.-based company. She has purchased a home in the United States and will apply for U.S. citizenship once she is eligible. She has no plans to return to Belarus. (Tr. at 58-59, 82-83; Gx. 4)

Applicant's in-laws are residents and citizens of Belarus. They are both retired. They are close to Applicant's wife and her sister. They are in frequent contact with Applicant's wife and visit her regularly outside Belarus. Applicant and his wife do not visit her parents in Belarus and do not recruit workers from Belarus because of concerns relating to the government in Belarus. Applicant's wife and her family have no connections to the government in Belarus, or any foreign government or foreign intelligence service. (Tr. at 55-56, 61, 87-92, 117-118; Gx. 4) Applicant's wife, her sister, their respective employment with his companies, and his in-laws are alleged as potential foreign influence concerns. (SOR ¶¶ 2.a – 2.e)

Applicant's father married a former Russian national a few years before he passed away from a serious medical condition. Her son, Applicant's stepbrother by marriage, is alleged as a foreign influence concern. (SOR ¶ 2.g) Applicant has never met his stepbrother and could not have identified him if he were to have stepped into the hearing room while he was testifying. Applicant does not plan to meet or attempt to forge a relationship with his stepbrother, because he disapproved of his father's marriage to his stepmother. (Tr. at 42-45, 98-99; Gx. 4)

Applicant's former bodyguard is also alleged as a foreign influence concern. (SOR ¶ 2.h) He was born and raised in Iraq, and is a citizen of Iraq. He served with U.S. military forces after U.S.-led coalition forces invaded Iraq. After being hired by Applicant, he continued to work for the U.S. military in Iraq. He was ambushed and almost killed by insurgents because he was working for the U.S. military. Applicant was able to arrange for his medical care and eventual transport out of Iraq. His former bodyguard now lives in the United States and is awaiting action on his asylum application.

Applicant's former bodyguard comes from a prominent Iraqi family. Several of his family members have served in high level posts in the Iraqi government and military. Applicant has infrequent contact with his former bodyguard, but considers him an adopted member of his family. Applicant has provided his former bodyguard some financial support in the past. (Tr. at 62-68; Gx. 4)

Applicant primarily lives in Iraq and his company previously held a contract with the Iraqi government. Applicant no longer has a contract with the Iraqi government or any foreign government or entity. He has worked with several Iraqi and foreign government officials, as well as foreign businesses, during his nearly ten years of living

and working in Iraq. He fully disclosed and discussed his foreign connections during his background investigation. (Tr. at 26, Gx. 1 – Gx. 4)

When he enlisted in the U.S. military in 1969 at 17 years of age, Applicant was following in the footsteps of his father, uncle, and grandfather, who had all served in the U.S. military. His father served for over 20 years in the U.S. military, including combat service during World War II. (Tr. at 28, 40-42) Applicant has been married three times before. All were U.S. citizens. He has four children from those marriages. His children are all U.S. citizens by birth, and they all work and live in the United States. Applicant voluntarily provides financial support to one of his children, who is severely disabled. (Tr. at 70-71; Gx. 1; Gx. 4) He owns a home in the United States, where he and his wife plan to live. He and his wife plan to sell their foreign properties and assets, which he voluntarily disclosed and discussed during his background investigation, and settle in the United States. (Tr. at 84-85 Gx. 1 – Gx. 4) He testified that no foreign government or intelligence service has ever attempted to recruit him, and if anyone ever did: “I would immediately notify the authorities, if I didn’t break his bloody neck” first. (Tr. at 68)

Witness A, who has known Applicant since about 2004, opined that Applicant “was a rock solid patriot” who exhibited high standards and professionalism in carrying out his duties as a USG contractor in Iraq. (Tr. at 129) Witness B, a 36-year veteran of the U.S. military, who has known Applicant since they were in officer basic school, testified about Applicant’s integrity and professional ethics. He specifically recalled conversations with Applicant in Iraq about his refusal to accept money from suspect sources while serving as a USG contractor. Neither witness harbored any reservation in recommending Applicant for access to classified information. (Tr. at 123-142)

Russia

U.S.-Russian relations can best be described as complex. The countries cooperate in several areas of common concern, such as counter-terrorism. However, several areas of vital U.S. concern remain, including Russia’s poor human rights record and its intelligence gathering efforts targeting the United States.

Belarus

Belarus is a former Soviet Republic, which declared its sovereignty in July 1990 and its independence from the Soviet Union in August 1991. However, it maintains close ties to Russia. Russia is the single largest partner for Belarus in the economic and political fields. One-third of all Belarusian exports go to Russia, and it is economically dependent on subsidized Russian energy and preferential access to Russian markets.

Belarus purports to be a democratic republic, but has been ruled by its authoritarian leader, Alyaksandr Lukashenka, since 1994. Belarusian authorities have severely restricted the constitutional rights of its citizens, and committed sweeping and harsh human rights violations. There have been numerous reports that Belarus has exported arms and weapons-related technology to countries of concern to the United

States, including state sponsors of terrorism. U.S.-Belarusian relations have steadily deteriorated since Lukashenka took power and following several provocative acts by the Belarusian government, including the unlawful seizure of the U.S. ambassador's residence in Belarus.

The U.S. State Department warns that naturalized U.S. citizens from Belarus do not automatically lose Belarusian citizenship and, upon travel to Belarus, will need a valid passport from Belarus to exit the country. At times, Belarusian security personnel place foreigners under surveillance, including monitoring their communication and searching their personal possessions.

Iraq³

Following the December 2011 departure of U.S. troops, Iraq continues to develop as a sovereign, stable, and self-reliant country. Iraq is now a key partner for the United States in the region, as well as a voice of moderation and democracy in the Middle East. Iraq has made significant political, economic, and security progress in recent years, but the country still faces many challenges. Those challenges include overcoming three decades of war and government mismanagement that stunted Iraq's economy; sectarian and ethnic tensions that have slowed progress toward national reconciliation; and ongoing criminal and terrorist violence. Furthermore, chronic human rights problems persist. The State Department warns that travel within Iraq remains dangerous and that U.S. citizens in Iraq remain at risk of kidnapping and terrorist violence. Given the security situation in Iraq, the State Department continues to warn against all but essential travel to Iraq and advises U.S. businesses in Iraq to use protective security details.

Policies

When evaluating an applicant's suitability for a security clearance, the administrative judge must consider the adjudicative guidelines. In addition to brief introductory explanations for each guideline, the adjudicative guidelines list potentially disqualifying conditions and mitigating conditions, which are to be used 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, administrative judges apply the guidelines 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

³ The administrative facts regarding Iraq are taken from the following U.S. State Department documents: (1) Fact Sheet, U.S. Relations with Iraq, dated September 7, 2012; (2) Country Specific Information regarding Iraq, dated December 17, 2012 available at <http://www.state.gov>; (3) Travel Warning regarding Iraq, dated February 25, 2013; and (4) Country Reports on Human Rights Practices for 2012, regarding Iraq. These documents are readily available at www.state.gov or travel.state.gov.

available, reliable information about the person, past and present, favorable and unfavorable, in making a decision.

The Government must present evidence to establish controverted facts alleged in the SOR. Directive ¶ E3.1.14. On the other hand, an applicant is responsible for presenting “witnesses and other evidence to rebut, explain, extenuate, or mitigate facts admitted by the applicant or proven by Department Counsel.” Directive ¶ E3.1.15. An applicant has the ultimate burden of persuasion to obtain a favorable security decision. In resolving this ultimate question, an administrative judge must resolve “[a]ny doubt concerning personnel being considered for access to classified information . . . in favor of national security.” AG ¶ 2(b).

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. “A clearance adjudication is an applicant’s opportunity to demonstrate that, prior to being awarded a clearance, he (or she) actually possesses the judgment, reliability, and trustworthiness essential to a fiduciary relationship with this country.”⁴

The Government reposes a high degree of trust and confidence in individuals to whom it grants access to classified information. Decisions include, by necessity, consideration of the possible risk the applicant may deliberately or inadvertently fail to safeguard classified information. Such decisions entail a certain degree of legally permissible extrapolation of potential, rather than actual, risk of compromise of classified information.

Section 7 of EO 10865 provides that adverse 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.”

Analysis

Guideline F, Financial Considerations

The security concern relating to financial problems is articulated at AG ¶ 18:

Failure or inability to live within one’s means, satisfy debts, and meet financial obligations may indicate poor self-control, lack of judgment, or unwillingness to abide by rules and regulations, all of which can raise questions about an individual’s reliability, trustworthiness and ability to protect classified information. An individual who is financially overextended is at risk of having to engage in illegal acts to generate funds.

⁴ ISCR Case No. 10-09986 at 3 (App. Bd. Dec. 15, 2011).

This concern is broader than the possibility that an applicant might knowingly compromise classified information in order to raise money to satisfy his or her debts.⁵ The concern also encompasses financial irresponsibility, which may indicate that an applicant would also be irresponsible, unconcerned, negligent, or careless in handling and safeguarding classified information.

Applicant's past financial problems and the substantial tax lien, which was not resolved until relatively recently, raises this concern. It also establishes the disqualifying condition listed at AG ¶¶ 19(b), "a history of not meeting financial obligations."

Applicant may mitigate the financial considerations concern by establishing one or more of the conditions listed under AG ¶ 20. The relevant mitigating conditions are:

- (a) the behavior happened so long ago, was so infrequent, or occurred under such circumstances that it is unlikely to recur and does not cast doubt on the individual's current reliability, trustworthiness, or good judgment;
- (b) the conditions that resulted in the financial problem were largely beyond the person's control (e.g., loss of employment, a business downturn, unexpected medical emergency, or a death, divorce or separation), and the individual acted responsibly under the circumstances;
- (c) the person has received or is receiving counseling for the problem and/or there are clear indications that the problem is being resolved or is under control;
- (d) the individual initiated a good-faith effort to repay overdue creditors or otherwise resolve debts; and
- (e) the individual has a reasonable basis to dispute the legitimacy of the past-due debt and provides documented proof to substantiate the basis of the dispute.

Applicant's past financial problems were directly linked to the failure of his former business over ten years ago. He did not simply rely on bankruptcy to resolve his debts. Instead, he responsibly addressed and satisfied a number of debts, including a significant federal tax debt and a smaller state tax obligation. He submitted documentary proof that the only remaining debt, the substantial state tax lien for a disputed payroll tax assessment, was favorably resolved and the lien has been released. Since this period of financial turmoil over a decade ago, Applicant has responsibly managed his finances, built a successful business, and financially supports his family. He has repeatedly proven his reliability, trustworthiness, and good judgment; not the least of which when he rebuffed offers for illicit monetary gain while serving as a

⁵ ISCR Case No. 11-05365 at 3 (App. Bd. May 1, 2012). See also ISCR Case No. 10-00925 at 2 (App. Bd. June 26, 2012).

USG contractor in Iraq. AG ¶¶ 20(a) – (d) apply.⁶ His past financial problems no longer raise a security concern.

Guideline B, Foreign Influence

The foreign influence concern is set forth at AG ¶ 6:

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.

An individual's familial ties to a foreign country can raise the foreign influence concern. However, there is no *per se* rule against applicants who have such ties. Instead, in assessing the likelihood that an applicant's family members are vulnerable to coercion, and administrative judge must consider the foreign government involved; the intelligence gathering history of that government; the country's human rights record; and the presence of terrorist activity in that country.⁷

Applicant's stepbrother, who he has never met, does not raise a foreign influence concern. The allegation at ¶ 2.g is decided in Applicant's favor.

Applicant's wife and her family, coupled with the hostile nature of the Belarusian regime, raise a heightened risk of foreign influence.⁸ Additionally, Applicant's former bodyguard, whose family either currently holds or in the recent past held prominent posts within the Iraqi government, also raise a heightened risk of foreign influence.⁹ These foreign connections establish the following disqualifying conditions under AG ¶ 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

⁶ I considered AG ¶ 20(e), but Applicant did not submit documentation to substantiate the basis of his dispute regarding the state tax lien.

⁷ ISCR Case No. 11-06619 at 2 (App. Bd. May 2, 2013)

⁸ See *generally*, ISCR Case No. 11-04980 (App. Bd. Sep. 21, 2012) (judge's finding that applicant's parents-in-law residing in Belarus did not raise a foreign influence concern was error).

⁹ *Cf.*, ISCR Case No. 08-02715 (App. Bd. Mar. 9, 2010) (applicant did not mitigate the foreign influence concern raised by her ties to her father, who was a retired general of a foreign military).

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;

(d) sharing living quarters with a person or persons, regardless of citizenship status, if that relationship creates a heightened risk of foreign inducement, manipulation, pressure, or coercion; and

(e) a substantial business, financial, or property interest in a foreign country, or in any foreign-owned or foreign-operated business, which could subject the individual to heightened risk of foreign influence or exploitation.

Applicant's foreign connections do not end the analysis. AG ¶ 8 sets forth a number of conditions that could mitigate the concern. The following mitigating conditions under AG ¶ 8 are relevant:

(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 U.S.;

(b) there is no conflict of interest, either because the individual's sense of loyalty or obligation to the foreign person, group, government, or country is so minimal, or the individual has such deep and longstanding relationships and loyalties in the U.S., that the individual can be expected to resolve any conflict of interest in favor of the U.S. interest; and

(e) 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.

Foreign Connections to Belarus

AG ¶ 8(a) does not apply to Applicant's familial connections to Belarus. Although Applicant's wife and her sister have not resided in Belarus for some time, their parents live in Belarus and are subject to the whims of the Belarusian authorities. Applicant and his wife have taken proactive steps to curtail the chance that her family will come to the attention of the Belarusian authorities. However, such measures are insufficient to

dispel the possibility that a conflict of interest might arise between Applicant's security responsibilities and the safety of his in-laws.

AG ¶ 8(b) squarely applies to Applicant's familial connections to Belarus. Applicant has proven time and again, including in hostile environments, that he will resolve any potential conflict of interest in favor of U.S. national security. Moreover, his wife and sister-in-law, although close to their parents, have clearly demonstrated their commitment to the United States while serving as USG contractors in Iraq and with their subsequent actions to settle in the United States. In light of such evidence, it is highly unlikely that either would attempt to persuade Applicant to betray the United States for the sake of their parents or for other reason. More importantly, Applicant demonstrated, through his words and actions, while in the military and as a USG contractor, that he will not allow any potential conflict of interest to sway him from his responsibility to safeguard the nation's secrets.

AG ¶ 8(f) also applies. Applicant's wife's property and other financial interest in Belarus are insufficient to raise a potential conflict of interest. Such financial interests pale in comparison to their property and other financial interest outside Belarus, not the least of which is Applicant's successful U.S. business from which they derive substantial income. Moreover, as Applicant demonstrated through his service in Iraq, where he rebuffed illicit offers to make significant money, he will place his security obligations before his own financial interest.

Foreign Connections to Iraq:

AG ¶¶ 8(a) and 8(b) apply to Applicant's connections to Iraq through his former bodyguard. Applicant's former bodyguard has been residing in the United States for several years and is no longer susceptible to the dangers posed to those living in Iraq, especially to those brave Iraqis who assisted the United States during the height of the war in Iraq. However, the potential for adverse foreign influence extends to Applicant's former bodyguard's family who live in Iraq and hold prominent positions within the Iraqi government. Assuming *arguendo* that the former bodyguard's Iraqi family members were to attempt, either of their own volition or under duress, to influence Applicant through his former bodyguard, such an attempt would be futile. Both Applicant and his former bodyguard have demonstrated their commitment to the United States – no matter the personal cost or sacrifice.

Accordingly, Applicant can be trusted to resolve any potential conflict of interest that might arise due to his connections to foreign nationals in favor of the United States.

Whole-Person Concept

Under the whole-person concept, an administrative judge must evaluate an applicant's eligibility for a security clearance by considering the totality of an applicant's conduct and all the relevant circumstances. I hereby incorporate the above analysis and highlight some additional whole-person factors. Applicant voluntarily disclosed his

foreign connections in his security clearance application and then fully cooperated and discussed such connections over the course of several interviews over the past five years. During his 24-year military career, he properly handled and safeguarded classified information. Since that time, he has been privy to and safeguarded sensitive U.S. information. He further demonstrated his security conscientiousness by leaving meetings, when he realized the speaker or speakers were veering into classified information. He also shared critical information with U.S. authorities that helped protect the lives of U.S. personnel serving in Iraq. These favorable whole-person factors, together with the mitigating conditions noted above, mitigate the security concerns at issue. Overall, the record evidence leaves me with no questions or doubts about Applicant's eligibility for access to classified information.

Formal Findings

I make the following formal findings regarding the allegations in the SOR:

Paragraph 1, Guideline F (Financial Considerations): FOR APPLICANT

 Subparagraphs 1.a & 1.b: For Applicant

Paragraph 2, Guideline B (Foreign Influence): FOR APPLICANT

 Subparagraphs 2.a – 2.e: For Applicant

 Subparagraph 2.f: Withdrawn

 Subparagraphs 2.g – 2.h: For Applicant

Conclusion

In light of the record evidence and for the foregoing reasons, it is clearly consistent with the national interest to grant Applicant access to classified information. Applicant's request for a security clearance is granted.

Francisco Mendez
Administrative Judge