



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



In the matter of: )  
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Applicant for Security Clearance )

ISCR Case No. 12-02751

**Appearances**

For Government: Gina Marine, Esq., Department Counsel  
For Applicant: *Pro se*

07/31/2014

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**Decision**

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O'BRIEN, Rita C., Administrative Judge:

Based on a review of the pleadings, testimony, and exhibits, I conclude that Applicant has not mitigated the security concerns related to foreign influence and personal conduct. Accordingly, his request for a security clearance is denied.

**Statement of the Case**

On February 28, 2014, the Department of Defense (DOD) issued to Applicant a Statement of Reasons (SOR) citing security concerns under Guideline B (foreign influence) and Guideline E (personal conduct) of the Adjudicative Guidelines (AG).<sup>1</sup> In his Answer to the SOR, Applicant admitted four of the five allegations under Guideline B, and two of the six allegations under Guideline E. He requested a hearing before an administrative judge of the Defense Office of Hearings and Appeals (DOHA). On June 11, 2014, DOHA issued a Notice of Hearing, and I convened the hearing as scheduled on July 2, 2014. I admitted four Government exhibits (GE 1-4) and one Applicant exhibit (AE A). DOHA received the transcript on July 9, 2014.

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<sup>1</sup> Adjudication of the case is controlled by Executive Order 10865, as amended; DOD Directive 5220.6 (Directive), as amended; and the Adjudicative Guidelines, which supersede the guidelines listed in Enclosure 2 to the Directive. They apply to all security clearance adjudications or trustworthiness determinations in which an SOR was issued on or after September 1, 2006.

## **Procedural Ruling**

### **Administrative Notice**

I take administrative notice of facts related to Iran, included in 16 U.S. Government documents provided by Department Counsel. The facts are limited to matters of general knowledge, not subject to reasonable dispute, and are set out in the Findings of Fact.

### **Amendment to SOR**

At the hearing, Department Counsel moved to amend the SOR to conform to the evidence Applicant presented. (Tr. 73) I granted Department Counsel's motion to add the following allegation under Guideline B, paragraph 1:

- e. Your mother is a dual U.S.-Iranian citizen who resides in Iran for six months each year.

### **Clarification of Answer**

In his Answer to the SOR, Applicant provided a contradictory response to allegation 2.b, under Guideline E, regarding whether or not he had voted in Denmark. At the hearing, he stated that his intention was to deny the allegation.

## **Findings of Fact**

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

Applicant, 46 years old, was born in Iran. He left Iran in about 1984 because of the Iran-Iraq war and his objections to the regime. He and his family moved to Denmark, where he claimed refugee status. He completed high school, and earned a college degree in chemistry. In his 2010 security interview, he said he became a Danish citizen in about 1994, but in his 2012 security interview, he said he became a Danish citizen in 2000. In his 2010 security interview, he said he moved to the United States in about 1999, but in his 2012 security interview, he said he moved to the United States in 2003. In both his 2010 security clearance applications, Applicant listed himself as a dual citizen of Denmark and the United States. However, in his 2012 security clearance application, he denied ever being a dual citizen or holding a foreign passport. Applicant has a Danish passport issued in 2008, and valid until 2018, which he has surrendered to his facility security officer. Foreign preference concerns and denial of his dual citizenship status are not alleged in the SOR. Applicant does not have business, financial, or property interests in Denmark. He became a naturalized U.S. citizen in September 2008. (GE 1, 2, 3, 4; Tr. 75)

In his three security clearance applications, Applicant stated he performed repair work and electronic security for information technology companies in the United States from 2001 to 2006. Applicant began employment with his current company in 2006, as a

service technician. He testified he received his first security clearance in 2012. (GE 1; Tr. 37-40, 47)

## **Guideline B**

Applicant married in 2009. His wife was born in Iran, and is a citizen of Iran. She lives in the United States, and became a naturalized U.S. citizen in May 2014. She is a homemaker. They have a three-year-old daughter who was born in the United States. (GE 1, 2; AE A)

Applicant's parents were born in Iran. His father, who died in 2010, served in the Iranian army, but Applicant is unaware of his rank. He was a U.S. citizen. His mother is a citizen of Iran and the United States. She receives a pension based on his father's military service. In his security clearance applications, Applicant listed that his mother lives in the United States. He testified that she rotates her residence among Applicant and his siblings. He stated in his 2011 application that he talks with his mother by telephone daily; in his 2012 security interview, he said he visits with her about twice per week. (GE 1; Tr. 15, 18, 62-67, 72-73)

Applicant did not disclose in his security clearance applications that his mother also lives about six months per year in Iran. She has been living in both the United States and Iran for the past 15 years. Applicant testified that his mother must live in her house in Iran for part of the year to avoid the government seizing her home. When she is in Iran, Applicant talks with his mother every week by telephone. After his father died, Applicant had a one-fourth ownership right in the home where his mother resides when she is in Iran. However, he and his siblings have transferred their interests to their mother. Applicant no longer has any property interests in Iran.<sup>2</sup> (GE 1; Tr. 15, 18, 62-67, 72-73)

Applicant has three siblings. One brother and one sister live in the United States, and both are dual citizens of Iran and the United States. His brother owns a retail store and his sister is a homemaker. He has daily telephone contact and frequent personal contact because they live near each other. His second sister is a citizen of Iran and the United Kingdom (U.K.). She is a homemaker, and has lived in Iran for the past five years. Her husband was born in Iran, and holds dual citizenship in Iran and the U.K. He is an architecture professor, employed by a private university. Applicant does not speak with his brother-in-law. (GE 1, 2; Tr. 21-30, 50, 68-69, 72)

Applicant said in his December 2011 security clearance application, and at his January 2012 security interview, that he talked with his sister in Iran weekly by telephone. In his August 2013 interrogatory response, Applicant wrote that he was in touch with his sister in Iran "every 2 weeks" by cell phone. However, at the hearing, he testified that since January 2012, he has not had frequent contact with her. He said he has not spoken to her more than twice since he married in October 2009 because they

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<sup>2</sup> The record contains no evidence regarding Applicant's U.S. financial assets.

have “family issues” related to his marriage. He testified that he last spoke to her six months before the hearing, and last saw her in person when she visited the United States, and resided with their brother. Applicant stated it was “five, six years ago. . . I think about 2008 or 2009 she came here.” However, when asked why he told the investigator that he last saw her in 2011, he said that the 2011 date was correct. (GE 1, 2; Tr. 21-30, 50)

Applicant's parents-in-law live in Iran. His father-in-law works for a private furniture company, and his mother-in-law is a homemaker. Since Applicant married in 2009, his in-laws have come to the United States twice to visit Applicant's family. When they visit, they reside with Applicant. Applicant's mother-in-law last stayed with them about eight months before the hearing. About two years ago, Applicant's wife visited Iran with their daughter. She stayed with her parents for about three months. Currently, she is in touch with her parents by telephone every day. Applicant's talks with them every two weeks. (Tr. 29-36)

Applicant maintains contact with a friend who is a citizen and resident of Iran. They were friends from the time Applicant was 11 to 16 years old, when he lived in Iran. They did not keep in touch for approximately 25 years after Applicant left Iran. His friend works delivering pizza. Applicant found his friend's name on a social media site, and they were in touch 10 to 20 times. They have not had recent contact because his friend has difficulty accessing the internet. (GE 2; Tr. 46-50)

## **Guideline E**

The SOR alleges that Applicant:

- Deliberately failed to list his residence in Denmark from 2001 to 2003 in his March and July 2010 security clearance applications, and instead listed a U.S. residence (allegations 2.c and 2.e);
- Deliberately failed to disclose that he worked in Denmark from 2001 to 2003 when he completed his March and July 2010 applications, and his 2012 application, and instead listed employment in the United States for that time period (allegations 2.a, 2.d, and 2.f);
- Deliberately failed to disclose in his 2012 application that he voted in a presidential election in Denmark (allegation 2.b).

In his 2010 and 2011 security clearance applications, Applicant stated he lived in the United States from 2001 to 2003. However, during his 2012 security interview, he informed the investigator that he resided in Denmark from 2001 to 2003. He told the investigator he did not list his Danish residence because he did not know if he could enter foreign addresses on the application. In all three security clearance applications Applicant listed the foreign address of his high school in Denmark, and foreign addresses of his relatives in Iran. (GE 2)

At his 2012 interview, Applicant also disclosed that he worked in Denmark from 2001 to 2003, contrary to the information he listed on his security clearance applications stating that he worked in the United States between 2001 and 2003. He told the investigator he worked full-time in Denmark for an emergency response agency, and also worked several part-time jobs simultaneously. He said he did not disclose the jobs in Denmark because he did not know if he could list overseas employment in the applications. (GE 2)

At the hearing, Applicant testified that he did not enter the information correctly in the security clearance applications because he had difficulty inputting information regarding the dates and addresses of his foreign activities. (GE 1, 3, 4; Tr.19-20, 40-42, 58-62, 69-70) He explained,

And they couldn't accept the, like a zip code, which college I go to in Denmark, which city I was. And the, I have it in, Danish is very different with the U.S. That's why I couldn't fill out, put all the information in. (Tr. 20)

Applicant also testified,

I couldn't do it in the e-Q [security clearance application]. The form, it couldn't have said. That's what I keep telling. It don't accept it. I get an error message all the time. (Tr. 58)

He testified he was also unable to enter information in the comment section of the application. He asked for assistance from his facility security officer (FSO) and the help desk. He completed new applications several times. (GE 1, 3, 4; Tr.19-20, 40-42, 61)

At his 2010 security interview, Applicant told the investigator that he went to a Danish embassy in the United States in 2008 and voted in a Danish presidential election. However, in his 2011 security clearance application, Applicant stated that he had never voted in a foreign election. At the hearing, he also denied voting in a Danish election, and telling the investigator at his interview that he had done so. In August 2013, Applicant was provided with a copy of the reports of his security interviews to review and correct any inaccuracies. He signed a notarized affirmation that the report was accurate. (GE 2; Tr. 51, 70)

### **Administrative Notice: Iran**

Iran is a theocratic Islamic republic dominated by Shia Muslim clergy, with ultimate political authority vested in a religious leader. The United States broke diplomatic relations with Iran in April 1980. The government of Iran is hostile to the United States. In 2013, the United States affirmed its 1984 designation of Iran as a state sponsor of terrorism.

Long-standing U.S. concerns about Iran include its efforts to acquire nuclear weapons and weapons of mass destruction; support for militants opposed to the Middle

East peace process; and its human rights abuses, such as arbitrary arrest and detention; cruel or degrading punishment, including amputation and flogging; life-threatening conditions in prison facilities; impunity of security forces; denial of fair trial; sometimes executions without due process; and severe restrictions on free speech.

In 2013, Iranian security forces engaged in arbitrary interference with privacy, family, home, and correspondence. They monitored citizens' social activities, telephone conversations, internet communications, and mail. They often charged citizens with national security crimes based on private letters and emails. Foreign visitors may be placed under surveillance, or their hotel rooms and personal possessions searched.

Iran has continued to provide arms, financing, training, and facilitation to Iraqi Shi'a fighters supporting the Assad regime's crackdown in Syria, which has resulted in more than 100,000 civilian deaths.

Iran's intelligence operations against the United States, including cyber-intelligence capabilities, have dramatically increased in depth and complexity during the past several years. Iran has aggressive programs for collecting U.S. dual-use technologies and advanced materials development, especially in the area of nanotechnology.

Iran does not recognize dual citizenship. Iranian-born, naturalized U.S. citizens are considered solely Iranian citizens by the Iranian authorities and must present an Iranian passport to enter Iran. The State Department's warning of November 2013 states that U.S. citizens of Iranian origin should consider the risk of being targeted by authorities before planning travel to Iran.

## **Policies**

Each security clearance decision must be a fair 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.<sup>3</sup> Decisions must also reflect consideration of the factors listed in ¶ 2(a) of the Guidelines, commonly referred to as the "whole-person" concept. The presence or absence of a disqualifying or mitigating condition does not determine a conclusion for or against an applicant. However, specific applicable guidelines are followed whenever a case can be measured against them as they represent policy guidance governing the grant or denial of access to classified information. In this case, the pleadings and the information presented by the parties require consideration of the security concerns and adjudicative factors addressed under Guidelines B and E.

A security clearance decision is intended only to resolve whether it is clearly consistent with the national interest<sup>4</sup> for an applicant to either receive or continue to

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<sup>3</sup> Directive. 6.3.

<sup>4</sup> See *Department of the Navy v. Egan*, 484 U.S. 518 (1988).

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 for an applicant. Additionally, the Government must be able to prove controverted facts alleged in the SOR. If the Government meets its burden, it then falls to the applicant to refute, extenuate, or mitigate the Government's case.

Because no one has a "right" to a security clearance, an applicant bears a heavy burden of persuasion.<sup>5</sup> A person who has access to classified information enters into a fiduciary relationship with the Government based on trust and confidence. Therefore, the Government has a compelling interest in ensuring that each applicant possesses the requisite judgment, reliability, and trustworthiness of one who will protect the national interests as her or his own. The "clearly consistent with the national interest" standard compels resolution of any reasonable doubt about an applicant's suitability for access in favor of the Government.<sup>6</sup>

## Analysis

### Guideline B, Foreign Influence

AG ¶ 6 expresses the security concern under Guideline B:

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.

Under AG ¶ 7 of Guideline B, I have considered all the disqualifying conditions, especially the following:

(a) contact with a foreign family member, business or professional associate, friend, or other person who is a citizen of or resident in a foreign country if that contact creates a heightened risk of foreign exploitation, inducement, manipulation, pressure, or coercion;

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<sup>5</sup> See *Egan*, 484 U.S. at 528, 531.

<sup>6</sup> See *Egan*; Adjudicative Guidelines, ¶ 2(b).

(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

(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.

Family ties to residents or citizens of a foreign country do not automatically disqualify an applicant from obtaining a security clearance; such ties are only disqualifying if they create security concerns such as a heightened risk of foreign exploitation or a potential conflict of interest.

The country in question also must be considered.<sup>7</sup> In particular, the nature of a country's government, its relationship with the United States, its human rights record, and terrorist activity in the country are all relevant in assessing the likelihood that an applicant's family members are vulnerable to coercion.<sup>8</sup> Iran and the United States have had a hostile relationship. It has been designated as a state sponsor of terrorism since 1984. The risk of coercion, persuasion, or duress is significantly greater if the foreign country at issue is associated with a risk of terrorism. In addition, Iran engages in human rights abuses such as arbitrary arrest and detention, cruel punishments including amputation and flogging; impunity of security forces; denial of fair trial; severe restrictions on free speech; arbitrary interference with privacy, family, home, and correspondence. Citizens' telephone, internet, and postal communications are monitored. Dual U.S.-Iranian citizens who travel to Iran must exercise particular vigilance during travel. Foreign visitors may be placed under surveillance, or their hotel rooms and personal possessions searched.

Applicant's testimony and the record evidence indicate that he has frequent contact and ties of affection to his family members who are dual U.S.-Iranian citizens—his wife, brother, sister, and mother—and to those who remain in Iran—his wife's parents. Applicant has also had a close relationship with his sister in Iran, and as recently as August 2013, they were in touch every two weeks. Applicant's ties and contacts with his foreign family represent a heightened risk of foreign exploitation, and a potential conflict of interest between his ties to his family and the requirement to protect classified information. He shares a home with his wife who, along with U.S. citizenship, maintains Iranian citizenship. She sometimes visits Iran, and stayed for three months in 2012. Applicant's mother sometimes lives with him during her six-month stays in the United States. AG ¶ 7(a), (b) and (d) apply.

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<sup>7</sup> See ISCR Case No. 04-07766 at 3 (App. Bd., Sep 26, 2006) (the nature of the foreign government involved must be evaluated in foreign influence cases).

<sup>8</sup> ISCR Case No. 02-26130 at 3 (App. Bd. Dec. 7, 2006).



I have considered the mitigating conditions under AG ¶ 8:

(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,

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

Applicant provided conflicting information about his contacts with his sister in Iran. He said in his 2012 interview that he had weekly contact with her by telephone. As recently as August 2013, Applicant stated in his interrogatory response that he talks with her by cell phone every two weeks. But at the hearing, he said he has only talked with her twice since 2009. Applicant's contradictory statements undermine his credibility.

Applicant is in close contact with his brother and sister in the United States, and his mother, who all retain their Iranian citizenship. His mother lives with him at times when she is residing in the United States, and when she is in Iran, they maintain frequent telephone contact. Applicant's friend in Iran, with whom he had a relationship many years ago, and has had only sporadic contact within the last few years, does not represent a security concern. I find for Applicant on SOR allegation 1.d.

Applicant's wife keeps in daily touch with her parents, Iranian citizen-residents, and Applicant talks with them a few times per month. When they visit the United States, they reside with Applicant and his family. Given that terrorist groups operate in Iran, that it targets intelligence operations against the United States, has aggressive programs to collect U.S. sensitive technologies, and monitors its citizens and foreign visitors, I cannot confidently conclude that Applicant could not be placed in a position of having to choose between the interests of foreign family members and the interests of the United States. Finally, Applicant's U.S. citizenship, residence, and employment over approximately 15 years represent substantial ties to the United States. However, on balance, they do not outweigh his relationship to family members who live in Iran and/or are citizens of Iran. AG ¶¶ 8(a) and (c) do not apply, and Applicant receives only partial mitigation under AG ¶ 8(b).

## **Guideline E, Personal Conduct**

AG ¶ 15 expresses the security concern about personal conduct:

Conduct involving questionable judgment, lack of candor, dishonesty, or unwillingness to comply with rules and regulations can raise questions about an individual's reliability, trustworthiness and ability to protect classified information. Of special interest is any failure to provide truthful and candid answers during the security clearance process or any other failure to cooperate with the security clearance process.

The Guideline E allegations implicate the following disqualifying condition under AG ¶ 16:

(a) deliberate omission, concealment, or falsification of relevant facts from any personnel security questionnaire, personal history statement, or similar form used to conduct investigations, determine employment qualifications, award benefits or status, determine security clearance eligibility or trustworthiness, or award fiduciary responsibilities.

The Government alleges that Applicant intentionally failed to disclose that he resided and worked in Denmark from 2001 to 2003, and that he voted in a foreign election in 2008. Applicant testified that he did not intend to conceal these facts: the omission resulted from his difficulty entering the foreign residence and employment information. He denies telling the investigator in 2010 that he voted in a Danish election.

Applicant's explanations about his omissions are not credible. At his 2012 interview, he stated he did not enter his Danish residences and employment because he did not know if he could enter foreign addresses and employment on the application. At the hearing, he testified he was unable to enter the foreign information because of technical difficulties with the electronic application. Applicant may have had problems with his electronic applications. However, the fact that he was able to enter the address of his high school in Denmark, and foreign addresses of his relatives in Iran, on his security clearance applications undermines his explanation that he did not know if he could enter such information or was unable to do so. I conclude that Applicant knowingly decided not to disclose that he resided and worked in Denmark for two years.

In 2010, Applicant informed the investigator at his security interview that he voted in a Danish election, at an embassy in the United States. In 2013, he reviewed the report of his interview, and affirmed that it accurately stated the information he provided. His 2014 denial that he voted is not credible. AG ¶ 16(a) applies.

Under AG ¶ 17, the following mitigating conditions are relevant to Applicant's falsifications about his foreign activities:

(a) the individual made prompt, good-faith efforts to correct the omission, concealment, or falsification before being confronted with the facts; and

(c) the offense is so minor, or so much time has passed, or the behavior is so infrequent, or it happened under such unique circumstances that it is unlikely to recur and does not cast doubt on the individual's reliability, trustworthiness, or good judgment.

Applicant's falsifications are unmitigated. From 2010, when he first stated he lived and worked only in the United States between 2001 and 2003, until 2012, when he disclosed the true facts about his residence and employment in Denmark, he did not disclose the falsifications to his supervisor or facility security officer. Only during the 2012 interview did he reveal that he had not, in fact, been living or working in the United States from 2001 to 2003. He also denied that he voted in a foreign election, when he had admitted that fact to an investigator in 2010. Applicant's falsifications cannot be considered minor. He decided to provide false information to the government not once but on three separate applications over a period of approximately two years. Such actions undermine the security clearance process and raise doubts about Applicant's reliability and judgment. AG ¶¶ 17(a) and 17(c) do not apply.

### **Whole-Person Concept**

Under the whole-person concept, an administrative judge must evaluate an applicant's security eligibility by considering the totality of the applicant's conduct and all the relevant circumstances. I have evaluated the facts presented and have applied the appropriate adjudicative factors under the cited guidelines. I have also reviewed the record before me in the context of the whole-person factors listed in 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 be an overall commonsense judgment based upon careful consideration of the guidelines and the whole-person concept. Under the cited guideline, I considered the potentially disqualifying and mitigating conditions in light of all the facts and circumstances surrounding this case.

Clearance decisions are made “in terms of the national interest and shall in no sense be a determination as to the loyalty of the Applicant concerned.”<sup>9</sup> Here, Applicant’s loyalty is not in question. In evaluating the facts in light of the whole-person concept, I considered Applicant’s ties to the United States: the U.S. citizenship of Applicant and his wife, his daughter’s birth in the United States, his mother’s and siblings’ U.S. citizenship, and his service to the Government through a federal defense contractor.

However, Applicant’s close family ties to Iranian citizens and residents, evidenced by his frequent contacts, raise serious security concerns, especially because they involve a country hostile to the United States, which is a state sponsor of terrorism. Applicant’s failure to be forthright with the Government about his foreign residence, employment, voting, and the frequency of his contacts with his sister in Iran, undermine his credibility, judgment, and trustworthiness.

For all these reasons, I conclude Applicant has not mitigated security concerns. A fair and commonsense assessment of the available information bearing on Applicant’s suitability for a security clearance shows he has not satisfied the doubts raised. Such doubts must be resolved in favor of the Government.

### **Formal Findings**

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

Paragraph 1, Guideline B	AGAINST APPLICANT
Subparagraphs 1.a – 1.c	Against Applicant
Subparagraph 1.d	For Applicant
Subparagraph 1.e	Against Applicant
Paragraph 2, Guideline E	
Subparagraph 2.a – 2.f	Against Applicant

### **Conclusion**

In light of all of the foregoing, it is not clearly consistent with the national interest to allow Applicant access to classified information. Applicant’s request for a security clearance is denied.

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RITA C. O’BRIEN  
Administrative Judge

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<sup>9</sup> See Exec. Or. 10865 §7.