



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



In the matter of:)	
)	
)	ISCR Case No. 12-04179
)	
)	
Applicant for Security Clearance)	

Appearances

For Government: Fahryn Hoffman, Esq., Department Counsel
For Applicant: *Pro se*

02/26/2013

Decision

RICCIARDELLO, Carol G., Administrative Judge:

Applicant failed to mitigate the Government’s security concerns under Guideline B, foreign influence, and Guideline E, personal conduct. Applicant’s eligibility for a security clearance is denied.

Statement of the Case

On October 3, 2012, the Department of Defense (DOD) issued Applicant a Statement of Reasons (SOR) detailing security concerns under Guideline B. The action was taken under Executive Order 10865, *Safeguarding Classified Information within Industry* (February 20, 1960), as amended; Department of Defense Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (January 2, 1992), as amended (Directive); and the adjudicative guidelines (AG) effective within the DOD on September 1, 2006.

Applicant answered the SOR on October 23, 2013, and requested a hearing before an administrative judge. The case was assigned to me on January 15, 2013. The

Defense Office of Hearings and Appeals issued a notice of hearing on January 17, 2013. I convened the hearing as scheduled on February 5, 2013. The Government offered exhibits (GE) 1 through 7. Applicant did not object and they were admitted into the record. The Government requested administrative notice be taken of Hearing Exhibits I, II, and III. There being no objection, I granted the request. Applicant testified on his own behalf. He offered exhibits (AE) A through E, which were admitted into the record without objection. The record was held open until February 12, 2013, to allow Applicant to submit additional documents, which he did. They were marked as AE F through J and were admitted into record without objections.¹ DOHA received the hearing transcript (Tr.) on February 13, 2013.

Procedural Matters

During the hearing, Department Counsel moved to amend the SOR and add allegations under Guideline E, personal conduct, as described in HE V. The motion was granted. Applicant was advised that the hearing would be continued to allow him time to answer and prepare his response. Applicant chose to proceed immediately and not postpone the hearing. He admitted the new allegations. A written copy of the allegations was provided to him on February 11, 2013.²

Findings of Fact

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

Applicant is 29 years old. He was born in Jordan and became a naturalized citizen of the United States in 2006. He is not married and has worked for his present employer, a government contractor, since 2011.³

Applicant's uncle, his father's brother, sponsored his father, Applicant, and his twin sister in 1998 to come to the United States. They applied for permanent resident status and traveled back and forth to Jordan so Applicant could continue to attend school in Jordan. In 2002, Applicant and his sister returned to the United States. His father did not return. Applicant and his sister lived with a brother who resided in the United States with his wife and two children. His brother is a U.S. citizen and is now divorced, but still lives in the United States. Applicant lived with his brother for three years while attending college. His sister is also a naturalized U.S. citizen. She returned

¹ HE IV is Department Counsel's memorandum.

² Tr. 124-132; HE V.

³ Tr. 44.

to Jordan sometime around 2007. She is a manager of a retail store in Jordan. She visits the United States about once a year.⁴

Applicant earned his bachelor's degree in 2012. From 2002 to 2006, Applicant stated he returned to Jordan every two years and stayed for no more than 20 days at a time. Applicant has a U.S. passport. He retained his Jordanian passport, but stated he never traveled on it after becoming a U.S. citizen. It is now expired and he surrendered it to his facility security officer. Applicant does not have assets in Jordan and has about \$5,000 to \$6,000 in the United States.⁵

Applicant's mother came to the United States in 1999 and applied for permanent resident status. His parents traveled back and forth to Jordan. His mother is a homemaker and his father is in the real estate business. He also owns real estate and owns many supermarkets in Jordan. At some point, his parents became U.S. citizens, but reside in Jordan. They visit the United States about once a year. They maintain two passports and are dual citizens of Jordan and the United States.

Applicant has three sisters and three brothers. He has a brother who is 45 years old and unmarried. The brother has health issues. His brother has permanent resident status in the United States, but is unable to obtain health insurance in the United States. His brother lives with his parents in Jordan and works at one of his father's stores.⁶

Two of Applicant's sisters are dual citizens of Jordan and the United States and reside in Jordan. His twin sister lives in Jordan with her husband who owns a business there. They have been married about a year and a half and she is pregnant with their first child. His brother-in-law's family lives in Jordan. Applicant stated his sister's husband is applying for U.S. permanent residence through his sister. No specific information was provided as to the status of his application.⁷

Applicant's other sister lives with their parents in Jordan. She is a secretary who works with students in a cultural exchange program. Applicant is unsure if her position is part of a government agency. Applicant has contact with her about once a month.⁸

Applicant's third sister is a citizen of Jordan and resides in Bahrain. Her husband works for a private company in Bahrain. They have four children and have lived in Bahrain for three to four years. Applicant stated his parents are sponsoring his sister

⁴ Tr. 25-38, 49, 71.

⁵ Tr. 31-35, 49-52.

⁶ Tr. 22, 38-44, 53-56; AE C.

⁷ Tr. 56-58; AE B.

⁸ Tr. 59-61, 68; AE B.

and her family for U.S. permanent residence. Applicant is in contact with his sister about every two to three months.⁹

Applicant's brother is a dual citizen of Jordan and Canada and resides in Qatar. He works for a bank in Qatar. He is married to a Jordanian citizen who also holds dual citizenship with Canada. Applicant does not know if she works. They have three children. Applicant has contact with this brother about once a month. He last visited them in 2008 in Canada. They moved to Qatar in 2009. Applicant stated that he has contact with all of his siblings about once or twice a month.¹⁰

Applicant has a friend who is a citizen and resident of Jordan. He indicated his only contact with this friend is by Facebook.¹¹

On his security clearance application (SCA) dated February 17, 2011, Applicant listed he had two sisters and a brother.¹² He only listed those siblings who are citizens of the United States. Specifically, he listed his one brother who is a citizen and resident of the United States, and two sisters who are citizens of the United States residing in Jordan. He failed to list his two other brothers, both of whom are citizens of Jordan and one who resides in Jordan and the other in Qatar. He also failed to list his sister who is a citizen of Jordan and resides in Bahrain. He disclosed his siblings and their citizenships during his March 17, 2011, background investigation interview. On his December 21, 2011 SCA, Applicant listed all of his siblings.¹³ During his background investigation interview on February 3, 2012, he disclosed all of his siblings. However, the summary of interview is void of the information about the citizenship of the two brothers who are citizens of Jordan and his sister who is also a citizen of Jordan and resides in Bahrain. It only lists their occupations.¹⁴

Applicant failed to disclose in his SCA dated February 17, 2011, all of his foreign travel in the past seven years. He listed that he took four trips to Jordan lasting four days each in 2009. During his March 17, 2011 interview, he disclosed he also traveled to Egypt for four days in August 2009. In his December 21, 2011 SCA, he listed that he traveled to Jordan in 2003, 2005, 2007, 2009, and 2011. There is no reference to these trips in his March 2011 interview. He did not disclose any other foreign travel in his SCA.¹⁵ During his background investigation interview on February 3, 2012, he disclosed

⁹ Tr. 24, 61-65; AE D.

¹⁰ Tr. 21, 65-69.

¹¹ Tr. 70-71.

¹² GE 3.

¹³ GE 1.

¹⁴ Tr. 119-121.

¹⁵ GE 1, 3.

to the government investigator that he traveled in 2011 to his brother's wedding in Jordan, to the Bahamas in August 2009, and to Canada in 2006. In his March 17, 2011, interview he stated he traveled to his brother's wedding in Jordan in 2010. He also disclosed he was detained and questioned at the Canadian border after traveling there, for about four hours, before being released. He told the investigator he failed to disclose this information due to an oversight and he did not think of Canada as a foreign country. He was also detained by U.S. Customs at the airport in 2011 because of a name mix up. He indicated to the investigator he had no other foreign travel in the past seven years, other than what was previously listed.¹⁶

During his hearing, Applicant admitted that while taking trips to Jordan from 2003 to 2009, on three to four occasions, he also traveled to Israel for about three days each trip. He stated he went to visit relatives there. He also admitted that during one of his trips to Jordan from 2005 to 2009, he went to Egypt for a few days. Applicant claimed that after his background investigation interview he sent all of his travel information to his facility security officer. He stated he provided this information shortly after submitting his SCA. He did not remember if he included information about his travel to Israel. Applicant did not know why he did not list all of his foreign travel. Applicant was asked at his hearing if he has had any additional foreign travel since his background investigation and he disclosed he traveled to Jordan in October 2012 and also to Israel. Applicant's testimony was inconsistent and not credible. He did not have a reasonable explanation for why he did not list his foreign travel on his second SCA and second interviews after he was aware that he was required to disclose it.¹⁷

Applicant did not disclose on his February 17, 2011 SCA and his December 21, 2011 SCA that he had been fired from a retail job. He disclosed this information during his background investigation interview on March 17, 2011, but said he was told to resign or be fired. During his February 3, 2012 background investigation interview, he explained to the investigator that he did not disclose the information because he did not have any contact information for his period of employment and he wanted to forget about this experience of being fired. At his hearing, he stated he had been fired on the spot. Applicant's testimony was inconsistent and not believable.¹⁸

Applicant's explanation for the missing information on his SCAs is that he misunderstood and did not think he had to put all of the information requested. He did not ask for help from his facility security officer. He considers himself a top employee at his company and his superiors are happy with his work.¹⁹

¹⁶ Tr. 75-105.

¹⁷ Tr. 75-105.

¹⁸ Tr. 114-118; GE 1, 2, 3, 4.

¹⁹ Tr. 132-133.

Applicant provided character letters that describe him as an employee in good standing who is tremendously vital to his employer's business and development. His personal and professional character traits are impeccable and an asset to the organization. He has incredible initiative and is dedicated to the mission. He works well with everyone and is a trusted member of his team. His cultural experience is relied upon. He is considered outstanding in his field of expertise. He has demonstrated unwavering commitment to the higher goals of the United States.²⁰

Jordan

The Kingdom of Jordan is a constitutional monarchy. The U.S. Department of State's 2011 Human Rights Report lists Jordan's three most significant human rights problems as their citizens' inability to peaceably change their government; abuses committed with impunity by security forces; and violence against women. Other human rights problems were arbitrary deprivation of life; torture or mistreatment; poor prison conditions, arbitrary arrest and denial of due process through administrative detention; prolonged detention and external interference with judicial decisions; infringement on citizens' privacy rights; and restrictions on freedom of speech, press, assembly, and association.

Legal and societal discrimination against Jordanians of Palestinian origin remains widespread. Such persons are subject to arbitrary withdrawal of their citizenship without due process; exclusion from services such as access to public assistance, education and medical services; and exclusion from the political process.

The Government of Jordan considers dual Jordanian-American citizens to be Jordanian citizens. Jordanian authorities may not inform the U.S. embassy of arrests, detentions, or accidents involving dual Jordanian–American citizens. Jordanian law subjects dual citizens to certain obligations; for example, males under the age of 37 are required to register for service in the Jordanian military.

Under Jordanian law, any adult male may prevent a female or child relative from leaving the country by registering a hold on their travel with Jordanian authorities. This is possible even if the child or woman only holds U.S. citizenship. Jordanian authorities consider such disputes to be family matters and the U.S. embassy has a limited ability to intervene.

Bahrain

The Kingdom of Bahrain is a hereditary, constitutional monarchy. The country's citizenry of 1.25 million persons is nearly 100% Muslim, with a minority of the Muslim population, including the royal family, the governing class and the majority of the military and the business elite being Sunni Muslims. The vast majority of the country is Shi'a.

²⁰ AE G, H, I.

Bahrain has close relationships with other Sunni countries in the Gulf region, but has had difficulties with Iran, a Shi'a dominated country.

The royal family in Bahrain has ruled it since 1783. In 1970, Bahrain's independence from Iran was endorsed by the U.N. Security Council and formally accepted by Iran, ending more than a century of disputed claims over Bahrainian sovereignty.

The government of Bahrain is closely allied with the United States. In 1991, the two countries signed a Defense Cooperation Agreement granting U.S. forces access to Bahraini facilities. Bahrain is the headquarters of the U.S. Navy's Fifth Fleet. The United States designated Bahrain a "major Non-NATO Ally" in October 2001. Notwithstanding the shared interests of the two governments, elements within Bahrain raise concerns about the future relationship.

In February and March 2011, there were numerous spontaneous, anti-government demonstrations and often violent clashes between Bahraini security forces and protestors, inspired by the uprisings in Tunisia and Egypt. As of May 2011, armed government presence, including tanks and armored personnel carriers, patrol the streets of the capital, Manama. Active security operations continue in parts of this small country with government-established checkpoints manned by armed police or personnel. The potential for civil and political unrest continues.

Bahrain remains concerned that Iran is supporting Shiite opposition movements, possibly in an effort to install a Shiite led, pro-Iranian government.

Bahrain has a number of human rights issues. During 2011, the country experienced a period of sustained unrest, including mass protests calling for political reform. There were 52 confirmed deaths as a result of the unrest, including five who died of torture by the security services. There were also problems with arbitrary arrests and detentions of large numbers of persons, including medical personnel, human rights activists, and political figures. There is also a problem with discrimination on the basis of gender, religion, nationality, and sect, especially against the Shi'a majority population.

Qatar

The United States and Qatar coordinate on increasing the security in the Persian Gulf. However, the State Department remains concerned about the security in the Middle East region, including Qatar, as attacks against Western targets have occurred. The possibility of terrorist's strikes against Western targets by al-Qa'ida and affiliated organizations continue. Security at official facilities has increased. The U.S. embassy strongly encourages U.S. citizens to avoid large crowds.

Human rights abuses occur in Qatar. Despite the constitutional prohibition against arbitrary detention, society protection and antiterrorism laws provide for exceptions. Recent human rights abuses include the inability to peacefully change the

government, restrictions of fundamental liberties, and a pervasive denial of workers' rights.

Journalists under political pressure censor their own reports related to government policies. Although the Doha-based Al-Jazeera satellite television channel is touted as independent, it is state-owned and subsidized, and the government controls its content.

Qatar does not recognize dual nationality and requires Qatari citizens to only hold Qatari citizenship, and to enter and exit the country only on a Qatari passport. Authorities have confiscated the passports of U.S. citizens who have acquired Qatari citizenship through marriage to a Qatari national. Qatar law enforcement authorities do not routinely notify the U.S. embassy in Doha of U.S. citizens' arrest and, for more serious crimes, the authorities may not allow a U.S. embassy official to visit an arrested U.S. citizen until the initial interrogation has been completed.

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 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, these guidelines are applied in conjunction with the factors listed in the adjudicative process. The administrative judge's overarching adjudicative goal is a fair, impartial, and commonsense decision. According to AG ¶ 2(c), the entire process is a conscientious scrutiny of a number of variables known as the "whole-person concept." The administrative judge must consider all available, reliable information about the person, past and present, favorable and unfavorable, in making a decision.

The protection of the national security is the paramount consideration. AG ¶ 2(b) requires that "[a]ny doubt concerning personnel being considered for access to classified information will be resolved in favor of national security." In reaching this decision, I have drawn only those conclusions that are reasonable, logical, and based on the evidence contained in the record. Likewise, I have avoided drawing inferences grounded on mere speculation or conjecture.

Under Directive ¶ E3.1.14, the Government must present evidence to establish controverted facts alleged in the SOR. Under Directive ¶ E3.1.15, an "applicant is responsible for presenting witnesses and other evidence to rebut, explain, extenuate, or mitigate facts admitted by applicant or proven by Department Counsel and has the ultimate burden of persuasion to obtain a favorable security decision."

A person who seeks access to classified information enters into a fiduciary relationship with the Government predicated upon trust and confidence. This relationship transcends normal duty hours and endures throughout off-duty hours. The Government reposes a high degree of trust and confidence in individuals to whom it grants access to classified information. Decisions include, by necessity, consideration of the possible risk the applicant may deliberately or inadvertently fail to 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 Executive Order 10865 provides that decisions shall be “in terms of the national interest and shall in no sense be a determination as to the loyalty of the applicant concerned.” See *also* EO 12968, Section 3.1(b) (listing multiple prerequisites for access to classified or sensitive information).

Analysis

Guideline E, Personal Conduct

AG ¶ 15 expresses the security concern pertaining to 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.

AG ¶ 16 describes conditions that could raise a security concern and may be disqualifying. Two are potentially applicable:

- (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; and

Applicant repeatedly failed to disclose required information on his SCAs. He failed to provide information about his family members, his foreign travel, and that he was fired from a job. I find his actions were deliberate and intentional. I find both of the above disqualifying conditions apply.

I have considered all of the personal conduct mitigating conditions under AG ¶ 17. The following are potentially applicable:

(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 initially only disclosed those siblings who were U.S. citizens. The SCA is quite clear as far as what information is required to be disclosed. He initially only disclosed some of his trips to Jordan. He failed to initially disclose he was fired from a job. He completed two SCAs and had two interviews and a hearing. New information, that he was required to disclose, was learned each time he was interviewed or in each SCA. At his hearing, it was learned that when he traveled to Jordan he would also on occasion take trips to Israel or Egypt. This was information Applicant repeatedly did not disclose even when thoroughly questioned by the investigator about his foreign travel. I find Applicant was intentionally concealing his trips. The government relies on applicants to provide accurate and complete information upfront to make a determination about their honesty and trustworthiness. Applicant's repeated actions cast doubt on his reliability, trustworthiness, and good judgment. He failed to make prompt, good-faith efforts to correct his omissions, concealments, and falsifications. Rather, it was only when he was re-interviewed or at his hearing that he finally disclosed the accurate information. I find the above mitigating conditions do not apply.

Guideline B, Foreign Influence

AG ¶ 6 expresses the security concern regarding foreign influence:

Foreign contacts and interests may be a security concern if the individual has divided loyalties or foreign financial interests, may be manipulated or induced to help a foreign person, group, organization, or government in a way that is not in U.S. interests, or is vulnerable to pressure or coercion by any foreign interest. Adjudication under this Guideline can and should consider the identity of the foreign country in which the foreign contact or financial interest is located, including, but not limited to, such considerations as whether the foreign country is known to target United States citizens to obtain protected information and/or is associated with a risk of terrorism.

AG ¶ 7 describes conditions that could raise a security concern and may be disqualifying. I have considered all of them and the following are potentially applicable:

(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; and

(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.

AG ¶¶ 7(a) requires substantial evidence of a "heightened risk." The "heightened risk" required to raise one of these disqualifying conditions is a relatively low standard. "Heightened risk" denotes a risk greater than the normal risk inherent in having a family member living under a foreign government or owning property in a foreign country. The totality of Applicant's family ties to a foreign country as well as each individual family tie must be considered.

Guideline B is not limited to countries hostile to the United States. "The United States has a compelling interest in protecting and safeguarding classified information from any person, organization, or country that is not authorized to have access to it, regardless of whether that person, organization, or country has interests inimical to those of the United States."²¹

Jordan is a country with significant human rights issues. Specifically, its citizens' inability to peaceably change their government; abuses committed with impunity by security forces; and violence against women. Another area of concern is its treatment of dual citizens of Jordan, requiring them to comply with certain Jordanian obligations. These issues raise heightened security concerns. I find Applicant's ties to Bahrain and Qatar are minimal. Although he has family members who live in these countries, their ties are also minimal. It is their ultimate ties to Jordan that remain a concern.

Applicant has close ties with his many family members in Jordan. His parents and two sisters are dual citizens of the United States and Jordan and reside in Jordan. They obtained their U.S. citizenship, but their home and work remain in Jordan. Applicant's parents' home is in Jordan and his father has substantial business interests there. His brother is a citizen and resident of Jordan. He works for Applicant's father in one of his stores. He has medical needs that are addressed in Jordan. Applicant has other siblings who are Jordanian citizens but live in Bahrain and Qatar. His brother is a dual citizen of Canada. Applicant visits Jordan regularly. Applicant has strong ties to Jordan. I find Applicant's family connections to Jordan create a heightened security concern. This concern is increased because Applicant failed to disclose all of his foreign travel to Jordan, Egypt, and Israel. I find AG ¶¶ 7(a) and 7(b) apply.

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

(a) the nature of the relationship with foreign persons, the country in which these persons are located, or the positions or activities of those persons in that country are such that it is unlikely the individual will be placed in a

²¹ ISCR Case No. 02-11570 at 5 (App. Bd. May 19, 2004).

position of having to choose between the interests of a foreign individual, group, organization and interests of the U.S.;

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

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

Applicant has regular contact with his family members in Jordan. He visits the country at least every other year. He maintains close contact with his parents and siblings. I find AG ¶ 8(c) does not apply as his family contact is not casual or infrequent.

The nature of a nation's government, its relationship with the United States, and its human rights record are relevant in assessing the likelihood that an applicant's family members are vulnerable to government coercion. The risk of coercion, persuasion, or duress is significantly greater if the foreign country has an authoritarian government, a family member is associated with or dependent upon the foreign government or the country is known to conduct intelligence operations against the United States. Applicant has been a citizen of the United States since 2006. His family remains in Jordan where he maintains close ties. He visits regularly. I am not convinced, based on all of the evidence, including Applicant's failure to be truthful about his foreign travel, that there is no conflict of interest. I cannot conclude at this time that Applicant could be expected to resolve any conflict of interest in favor of the United States. I find AG ¶ 8(b) does not apply. I also find AG ¶ 8(a) does not apply because Applicant's relationship with his family and Jordan's human rights record do not indicate that it is unlikely Applicant would be placed in a position of having to choose between the interests of his family and the interests of the United States.

Whole-Person Concept

Under the whole-person concept, the administrative judge must evaluate an applicant's eligibility for a security clearance by considering the totality of the applicant's conduct and all the circumstances. The administrative judge should consider the nine adjudicative process factors listed at AG ¶ 2(a):

(1) the nature, extent, and seriousness of the conduct; (2) the circumstances surrounding the conduct, to include knowledgeable participation; (3) the frequency and recency of the conduct; (4) the individual's age and maturity at the time of the conduct; (5) the extent to which participation is voluntary; (6) the presence or absence of rehabilitation and other permanent behavioral changes; (7) the motivation

for the conduct; (8) the potential for pressure, coercion, exploitation, or duress; and (9) the likelihood of continuation or recurrence.

Under AG ¶ 2(c), the ultimate determination of whether to grant eligibility for a security clearance must be an overall commonsense judgment based upon careful consideration of the guidelines and the whole-person concept.

I considered the potentially disqualifying and mitigating conditions in light of all the facts and circumstances surrounding this case. I have incorporated my comments under Guidelines B and E in my whole-person analysis. Some of the factors in AG ¶ 2(a) were addressed under those guidelines, but some warrant additional comment. Applicant is a naturalized U.S. citizen with close ties to Jordan. His loyalty and devotion to his family creates a heightened security risk and a conflict of interest that is not mitigated. Applicant's failure to be honest and truthful and his concealment of information throughout the whole investigative process raise serious security concerns.

Overall, the record evidence leaves me with questions and doubts about Applicant's eligibility and suitability for a security clearance. For all these reasons, I conclude Applicant failed to mitigate the security concerns arising under the guidelines for foreign influence and personal conduct.

Formal Findings

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

Paragraph 1, Guideline B:	AGAINST APPLICANT
Subparagraphs 1.a-1.e:	Against Applicant
Subparagraph 1.f:	For Applicant
Paragraph 2, Guideline E:	AGAINST APPLICANT
Subparagraphs 1.a-1.e:	Against Applicant

Conclusion

In light of all of the circumstances presented by the record in this case, it is not clearly consistent with the national interest to grant Applicant a security clearance. Eligibility for access to classified information is denied.

Carol G. Ricciardello
Administrative Judge