



ISCR Case No. 17-04246

Applicant for Security Clearance

Appearances

For Government: Jeff A. Nagel, Esq., Department Counsel

For Applicant: *Pro se*

07/24/2018

Decision

LOUGHRAN, Edward W., Administrative Judge:

On January 12, 2018, the Department of Defense (DOD) issued a Statement of Reasons to Applicant detailing security concerns under Guideline B, foreign influence.¹ Applicant responded to the SOR on January 20, 2018, and requested a hearing before an administrative judge. The case was assigned to me on May 8, 2018. The hearing was held as scheduled on July 10, 2018. On July 20, 2018, I proposed to the parties that this case was appropriate for a summary disposition in Applicant's favor. Department Counsel did not object.

Applicant is a 56-year-old employee of a defense contractor. She was born in Egypt to Egyptian parents. She worked at the U.S. Embassy in Egypt and met a U.S. citizen who she married in 1993. She immigrated to the United States in 1993, and she became a U.S. citizen in 1998. She served in the U.S. military from 1994 until she was

¹ This case is adjudicated under Executive Order (EO) 10865, *Safeguarding Classified Information within Industry* (February 20, 1960), as amended; DOD Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (January 2, 1992), as amended (Directive); and the adjudicative guidelines (AG), which became effective on June 8, 2017.

honorably discharged in 2004. Her husband passed away. She remarried another native-born U.S. citizen, but they divorced. She has a U.S.-citizen child.

Applicant's parents and one of her siblings are deceased. She has six surviving siblings. One of her siblings is a U.S. citizen and resident. He holds a top secret security clearance. Another sibling is a citizen and resident of the United Kingdom. A third sibling lives in Canada. Applicant has three siblings who remain citizens and residents of Egypt. Her oldest sibling is retired and plans to join her daughter (Applicant's niece) who has immigrated to the United States. One of Applicant's siblings performs administrative work for the police in Egypt.

Applicant's father gave land in Egypt to her before she immigrated to the United States. The current value of the land and house on the property is about \$200,000. Applicant intends to sell the property because she does not plan to return to Egypt to live. She estimates her U.S. assets at \$400,000. She credibly stated that she would not succumb to any attempt by a foreign government, intelligence or security service, or terrorist organization to blackmail or coerce her.

I considered the totality of Applicant's ties to Egypt. I also considered the nature of that government, its human rights record, and the risk of terrorism in that country. The disqualifying conditions under AG ¶¶ 7(a), 7(b), and 7(f) have been raised by the evidence. However, Applicant's ties to Egypt are outweighed by her relationships and loyalties in the United States. I find that it is unlikely she will be placed in a position of having to choose between the interests of the United States and the interests of Egypt. There is no conflict of interest, because Applicant can be expected to resolve any conflict of interest in favor of the United States. The mitigating conditions under AG ¶¶ 8(a), 8(b), and 8(f) are applicable.

The concerns over Applicant's foreign connections do not create doubt about her current reliability, trustworthiness, good judgment, and ability to protect classified information. In reaching this conclusion, I weighed the evidence as a whole and considered if the favorable evidence outweighed the unfavorable evidence. I also gave due consideration to the whole-person concept. Accordingly, I conclude that she met her ultimate burden of persuasion to show that it is clearly consistent with the national interest to grant her eligibility for access to classified information. This case is decided for Applicant.

Edward W. Loughran
Administrative Judge