



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



In the matter of:	)	
	)	
[Name Redacted]	)	ISCR Case No. 17-04265
	)	
	)	
Applicant for Security Clearance	)	

**Appearances**

For Government: Erin Thompson, Esquire, Department Counsel  
For Applicant: *Pro Se*

08/13/2018

**Decision**

HOGAN, Erin C., Administrative Judge:

On January 10, 2018, the Department of Defense Consolidated Adjudications Facility (DOD CAF) issued a Statement of Reasons (SOR) to Applicant detailing security concerns under Guideline B, Foreign Influence, and Guideline E, Personal Conduct. The action was taken under Executive Order (EO) 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) implemented within the Department of Defense on June 8, 2017.

On February 16, 2018, Applicant timely answered the SOR and requested a hearing before an administrative judge. Department Counsel was ready to proceed on March 23, 2018. The case was assigned to me on May 15, 2018. On May 29, 2018, a Notice of Hearing was issued, scheduling the hearing for July 19, 2018. The hearing was held as scheduled. During the hearing, the Government offered four exhibits, which were admitted without objection as Government (Gov) Exhibits 1 - 4. Applicant offered five exhibits, which were admitted as Applicant Exhibits (AE) A – E, without objection. The Government requested administrative notice be taken of certain facts regarding the country of Afghanistan. The administrative notice document was marked as Administrative Notice Document I (Admin Not I). The transcript was received on July 27,

2018. Based upon a review of the case file, pleadings, and exhibits, eligibility for access to classified information is granted.

### **Administrative Notice - Afghanistan<sup>1</sup>**

Afghanistan is an Islamic Republic with a directly elected president, a bicameral legislative branch, and a judicial branch. Afghanistan remains an important partner with the United States against terrorism. Afghanistan works with the U.S. to eliminate the remnants of al-Qaeda and its affiliates. The U.S. continues to invest U.S. resources to help Afghanistan improve its security, governance, institutions and economy. The United States' strong bilateral relationship with Afghanistan is guided by the Enduring Strategic Partnership Agreement (SPA) between Afghanistan and the United States signed in May 2012, which lays out respective economic and political commitments, as well as by the Bilateral Security Agreement signed in September 2014, which lays out mutual security understandings. In July 2012, following the country's entry into the SPA, President Obama designated Afghanistan a Major Non-NATO ally.

The U.S. has engaged in Afghanistan since 2001. There has been a drawdown in the number of troops in Afghanistan. The troops are there to train the Afghan forces to become more effective, professional, and sustainable. U.S. forces continue to disrupt and degrade al-Qaeda and Islamic State activities in Afghanistan through partnered operations with Afghan forces, as well as unilateral operations. The U.S. makes it a priority to ensure that Afghanistan is never again a safe haven for terrorism.

The U.S. Department of State issued a travel advisory warning U.S. citizens not to travel to Afghanistan because of continued instability and threats by terrorist organizations against U.S. citizens. Travel to all areas of Afghanistan remains unsafe because of the ongoing risk of kidnapping, hostage-taking, suicide bombings, widespread military combat operations, land mines, terrorist and insurgent attacks, including attacks using vehicle-borne or other improvised explosive devices (IEDs). Attacks may also target official Afghan and U.S. government convoys and compounds, foreign embassies, military installations, and other public areas.

Afghanistan also has significant human rights problems to include extrajudicial killings by security forces; ineffective government investigations of abuse and torture by local security forces; poor prison conditions; arbitrary arrest and detention; judicial corruption and ineffectiveness; violations of privacy rights; restrictions on freedom of speech, press, religion, and movement; pervasive governmental corruption; underage and forced marriages; abuse of children; trafficking in persons including forced labor; discrimination against persons with disabilities; discrimination and abuses against ethnic minorities; societal discrimination based on race, religion, gender, sexual orientation, and HIV/AIDS status; and abuse of workers' rights, including child labor.

Widespread disregard for the rule of law and official impunity for those who committed human rights abuses were serious problems. The government did not consistently or effectively prosecute abuses by officials, including security forces.

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<sup>1</sup> Admin Not I (Administrative Notice filing on Afghanistan and supporting documents)

## **Findings of Fact**

Applicant is a 34-year-old linguist who is an employee of a Department of Defense contractor who is seeking to maintain a security clearance. He has worked for his current employer since May 2014. He currently works in Afghanistan in support of the U.S. military missions. Applicant was born and raised in Afghanistan. He became a U.S. citizen in 2013. He has a college degree from a university located in Afghanistan. He married his wife in 2014. They married in Afghanistan. His wife is a permanent U.S. resident. She currently lives in the United States with their two children, a daughter, three, and a newborn son. Both children were born in Afghanistan, but are U.S. citizens. His wife and children currently live in the United States. (Tr. 24-29; Gov 1; AE E at 11) (Note: The facts in this decision do not specifically describe employment, names of witnesses, or locations in order to protect Applicant and his family's privacy. The cited sources contain more specific information.)

Since May 2003, Applicant has worked for various contractors. He became a contract linguist for the Department of Defense in September 2005. Because of his support of the U.S. mission in Afghanistan, he was sponsored for a Special Immigrant Visa (SIV). He immigrated to the U.S. in March 2008. From 2008 to 2009, he worked as a linguist and cultural advisor at a U.S. military installation teaching military members preparing to deploy to Afghanistan. He then worked as a contract interpreter in Afghanistan. When he became a U.S. citizen, he surrendered his Afghani passport to his security officer. The passport was recently returned to him because of a policy change. Applicant's Afghani passport is expired and he does not intend to renew it. He travels on a valid U.S. passport. (Tr. 26, 29-32; Gov 1; AE E at 11)

### **Guideline E – Personal Conduct**

The SOR raises security concerns under personal conduct because of two incidents which occurred in March 2015 and October 2017 resulting in Applicant being counseled by his employer. In March 2015, Applicant's team lead recommended the release of Applicant because of performance issues. It was alleged that Applicant changed the intent of a message from an advisor during a task; added extraneous comments to the translation which were not consistent with what the advisor dictated to be translated; tasked an individual to conduct a mission without the direction of the assigned advisor; discussed operational details on an unsecure line, and possessed a cell phone during debriefs. No additional details were provided (GE 3; GE 4)

As a result of the concerns raised by his government supervisor, SFC D., Applicant was transferred to another unit. Applicant states he was never counseled about performance issues. Applicant's contract supervisor provided him a counseling statement for the incident. This was the first time that Applicant became aware of SFC D.'s concerns. Applicant did not agree with the allegations. He believed that SFC D. did not like him personally. Applicant states he is always very careful with interpretations and translations. He has been a linguist for a long time and is aware that all intelligence information is very sensitive. He routinely brought in his government-issued cell phone to briefings because he thought he was required to do so. He left his personal cell phone in his room. A couple weeks after being transferred, SFC D. approached

Applicant and requested that he return to the unit. SFC D. also provided a favorable letter of recommendation to Applicant. (Tr. 10-11, 39-41; Gov 3; Gov 4; AE E at 5)

The second incident, occurred in October 2017. Applicant violated the policy of not going off base even though he was briefed on the policy. On October 21, 2017, Applicant's Site Manager performed a personnel accountability check. Applicant was unaccounted for. The gate guards observed Applicant entering the U.S. installation around 5:30 pm. When confronted about where he was, Applicant told the Site Manager that he was at the nearby Afghan Military Installation helping an Afghan military officer to complete a resume in order to apply for military school in the United States. Applicant stated it took longer than anticipated. Applicant was not answering his cell phone because the phone was in the process of recharging in his room. (Gov 4)

Applicant testified that he was unaware that the not going off base policy applied to the Afghan military installation. He states that the Afghan military compound was behind the same gate as the U.S. military installation. He misunderstood the policy and did not think he had traveled off base. His motivation for going to the Afghan part of the base was to build trust and a bridge of communication with the Afghans. He believed that this would facilitate a safe environment for U.S. troops. He does not believe that he violated the policy. After he was informed of the terms of the policy, he did not violate the policy again. (Tr. 48-55; Gov 3; Gov 4)

## **Guideline B – Foreign Influence**

Security concerns were raised under Foreign Influence because Applicant has several close family members who are citizens and residents of Afghanistan. His father, two brothers and a sister are citizens and residents of Afghanistan. His father is a retired teacher. He retired in 2008. He does not receive a government pension. Applicant calls his father weekly. He sends his father \$200 to \$300 a month. Applicant's older brother owns his own construction company in Afghanistan. Applicant has contact with his brother on a monthly basis. Applicant's younger brother is a recent college graduate. He works at his brother's construction company. He hopes to travel to the United States in order to study for his Master's degree in Business Administration (MBA). He has weekly contact with his younger brother. Applicant's sister is a widow. She does not work outside the home. She has three sons and four daughters. He has quarterly contact with his sister. He has not seen his nieces and nephews since immigrating to the United States. (Tr. 32 – 34, 37, 62-63)

Applicant's parents-in-law are citizens and residents of Afghanistan. His father-in-law worked for a transportation company. He is now retired and runs a small grocery shop near his home. His mother-in-law is a housewife. Applicant has monthly contact with his parents-in-law. (Tr. 34-35)

Applicant plans to live and retire in the United States. He owns a home in the United States. He has close to \$115,000 in his U.S. bank account. He does not own property or have any bank accounts in Afghanistan. Applicant considers the team he works with to be like a family. He treats his work with respect and honesty. He is honored to serve with the U.S. military. He admits that it is hard to be away from his wife

and children. The United States has done a lot for him and his family. He was granted citizenship, was able to purchase a house and have a good job. He considers his service as a linguist is a way of paying back the United States for the opportunities he was given. (Tr. 36, 63-64)

### **Whole-person Factors**

United States Air Force Captain A.M. worked closely with Applicant during a recent six month deployment to Afghanistan from January 2018 to June 2018. She worked with Applicant on a daily basis. She ranked Applicant as the strongest of the six interpreters assigned to her unit. Applicant was assigned the most difficult tasks and was seen as “the go-to team member for any problem set that was out of the ordinary, demanding, or complicated.” In March 2018, the team was temporarily reduced by half. Applicant assumed the workload of two of the three absent interpreters, enabling all operations to run smoothly with zero mission impact. Captain A.M. concludes by stating “[Applicant] can be trusted and relied upon to think critically and skillfully navigate any situation that presents itself, no matter how great or small a task.” (AE A)

A HUMINT Support Team (HST) member who worked with Applicant from March 2018 to June 2018, relied on Applicant’s expertise. He states:

Throughout our time together, [Applicant] consistently impressed me with his ability to manage the translation of multiple reports, documents, and conversations, all under time sensitive conditions and stressors common to an operational environment in a dynamic combat zone. [Applicant’s careful attention to detail, ability to multi-task and prioritize, and his consistently professional demeanor led to effective and expedient transmission of vital information that directly led to mission success for the Joint Task Force. (AE B)

In a letter dated October 27, 2017, MSgt V., U.S. Army, states she served with Applicant for a year in Afghanistan. Applicant served with honor and integrity as her linguist enabling the training and advising mission for the Afghan National Army. He earned the trust and respect of both the U.S. and Afghan forces. She states his performance as a linguist was outstanding. He was the top linguist of the 50 linguists assigned to her location. (AE C)

Captain S.G., U.S. Army, worked with Applicant from June 2016 to around January 2017. He describes Applicant as a Linguist/Supply Specialist. He admires Applicant, stating Applicant provided the team and the military “with priceless assessment and dedication to mission.” (AE at 2)

Captain V., U.S. Army, worked with Applicant from October 2015 to September 2016. Applicant served as his primary linguist in the daily communications and operations with Afghanistan counterparts in a military and strategic environment. Applicant proved to be “extremely effective, efficient, and versatile in his ability to adapt to special taskings and changes due to operational needs. He would often voluntarily deploy to other stations to assist with Intel analyst interpretations.” (AE E at 3)

In a letter, dated July 25, 2015, Captain A.A., U.S. Army, states Applicant served as his personal interpreter/translator for nearly six months. He enthusiastically gives Applicant his highest recommendation. He states Applicant consistently went above and beyond in terms of professionalism, dedication to duty, doggedly pursuing issues with extreme competence and a passion for doing the job right. Applicant traveled with him to austere locations with no complaints and made himself available at all times during night and day for a variety of tasks. He describes Applicant, as “inherently trustworthy, passionate, and competent.” (AE E at 4)

SFC D., the person who brought forth the allegations related to the March 2015 incident, also wrote a favorable recommendation on Applicant’s behalf on March 17, 2015, not long after the incident. (AE E at 5) Other co-workers had similar favorable things to say about Applicant’s abilities as an interpreter. (AE E at 6-7) Over the years, Applicant received numerous letters of appreciation for his work as a linguist and cultural advisor in Afghanistan. (AE D; AE E at 8 - 10)

### **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 useful 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(a), 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 for national security eligibility will be resolved in favor of the 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.

Under Directive ¶ E3.1.14, the Government must present evidence to establish controverted facts alleged in the SOR. Under Directive ¶ E3.1.15, the applicant is responsible for presenting “witnesses and other evidence to rebut, explain, extenuate, or mitigate facts admitted by applicant or proven by Department Counsel. . . .” The applicant has the ultimate burden of persuasion as to obtaining 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 that the applicant may deliberately or inadvertently fail to protect or safeguard classified information. Such decisions entail a certain degree of legally permissible extrapolation as to potential, rather than actual, risk of compromise of classified information.

Section 7 of EO 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**

The security concern relating to the guideline for Personal Conduct is set out in AG ¶15:

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 or sensitive information. Of special interest is any failure to cooperate or provide truthful and candid answers during the national security or adjudicative processes.

The following disqualifying condition applies apply to Applicant’s case:

AG ¶ 16(d) credible adverse information that is not explicitly covered under any other guideline and may not be sufficient by itself for an adverse determination, but which, when combined with all available information, supports a whole-person assessment of questionable judgment, untrustworthiness, unreliability, lack of candor, unwillingness to comply with rules and regulations, or other characteristics indicating that the individual may not properly safeguard classified or sensitive information. This includes, but is not limited to, consideration of:

(3) a pattern of dishonesty or rule violations.

AG ¶ 16(d) applies because there is a *prima facie* case that Applicant violated several work-related rules although I do not consider him dishonest. He was counseled in March 2015 for changing the intent of a message from an advisor during tasking, adding extraneous comments to the translation, tasking an individual to conduct a mission without the direction of the assigned advisor, discussing operational details on a secured line and bringing his cell phone into a debrief. In October 2017, he was counseled and recommended for termination because he violated the Off Post Travel Policy. These two incidents raise issues about Applicant’s judgment, willingness to comply with rules and regulations, reliability and ability to protect classified information.

Under Guideline E, the following mitigating conditions apply in Applicant's case:

AG ¶ 17(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 is unlikely to recur and does not cast doubt on the individual's reliability, trustworthiness, or good judgment; and

AG ¶ 17(d) the individual has acknowledged the behavior and obtained counseling to change the behavior or taken other positive steps to alleviate the stressors, circumstances or factors that contributed to untrustworthy, unreliable, or other inappropriate behavior, and such behavior is unlikely to recur.

The above mitigating conditions apply. AG ¶ 17(c) applies with regard to both incidents which based on the record evidence appear to be minor violations. After the incident in March 2015, Applicant was reassigned to another unit, but was called back several months later because of his excellent translation skills. SFC D., the person who complained about Applicant, wrote a favorable recommendation for him. Additional favorable recommendations from several military officers and noncommissioned officers attest to his trustworthiness and reliability as well as his strong translation skills.

Regarding the October 2017 incident, although Applicant acknowledged his employer's off-post travel policy, he misunderstood the policy. He believed he could go to the Afghan military unit because it was on the same compound as the U.S. military unit within the compound's main gate. Upon being counseled on the policy, Applicant apologized and has followed the policy. Since that time, he has continued to serve as a cultural advisor and translator in an outstanding manner. The extremely favorable recommendation letters of Captain A.M. and the HST member support this fact.

Both of the incidents alleged appear to be the result of misunderstandings and were of a minor nature. (Applicant was recommended for termination after the October 2017 incident, which seems extreme. Applicant continues to serve as a linguist so it is not clear whether the company is pursuing termination.) Applicant listened to his superior's counseling and has continued to honorably serve the U.S. military mission in Afghanistan. Personal conduct security concerns are mitigated.

## **GUIDELINE B: Foreign Influence**

AG ¶ 6 explains the Government's concern under Foreign Influence:

Foreign contacts and interests, including, but not limited to, business, financial, and property interests, are a national security concern if they result in divided allegiance. They may also be a national security concern if they create circumstances in which the individual may be manipulated or induced to help a foreign person, group, organization, or government in a way inconsistent with U.S. interests or otherwise made vulnerable to pressure or coercion by any foreign interest. Assessment of foreign contacts and interests should consider the country in which the foreign



contact or interest is located, including, but not limited to, considerations such as whether it is known to target U.S. citizens to obtain classified or sensitive information or is associated with a risk of terrorism.

AG ¶ 7 lists conditions that could raise a security concern and may be disqualifying. The following are applicable to Applicant's case:

(a) contact, regardless of method, 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;

(b) connections to a foreign person, group, government, or country that create a potential conflict of interest between the individual's obligation to protect classified or sensitive information or technology and the individual's desire to help a foreign person, group, or country by providing that information or technology; and

In Applicant's case, AG ¶ 7(a) and AG ¶ 7(b) apply. The mere possession of close family ties with a person in a foreign country is not, as a matter of law, disqualifying under Guideline B. However, if only one relative lives in a foreign country and an applicant has contacts with that relative, this factor alone is sufficient to create the potential for foreign influence and could potentially result in the compromise of classified information. See ISCR Case No. 03-02382 at 5 (App. Bd. Feb. 15, 2006); ISCR Case No. 99-0424 (App. Bd. Feb. 8, 2001). Applicant's father, two brothers, one sister and his in-laws are residents and citizens of Afghanistan. This creates a heightened risk of foreign exploitation, inducement, manipulation, pressure, or coercion because of Afghanistan's instability, serious human rights problems, and issues with terrorism. The government of Afghanistan has made some progress, but a heightened risk remains. Applicant's contacts with his family in Afghanistan also creates a potential conflict of interest between his obligation to protect classified information and his desire to help his family members by providing that information.

The Government produced substantial evidence of disqualifying conditions AG ¶¶ 7(a), and 7(b). The burden shifted to Applicant to produce evidence and prove a mitigating condition. The burden of disproving a mitigating condition never shifts to the Government.

AG ¶ 8 lists conditions that could mitigate security concerns. The following mitigating condition applies:

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

It is clear that Applicant has ties of affection and obligation to his family members in Afghanistan. Despite those ties, I find AG ¶ 8(b) applies because Applicant has deep and longstanding ties to the United States. Applicant has served as a linguist supporting the US mission in Afghanistan since 2003. He moved to the United States in 2008 after being granted a SIV related to his service as a linguist supporting the US military in Afghanistan. He became a U.S. citizen in 2013. His wife is a permanent U.S. resident and his two sons, although born in Afghanistan, are U.S. citizens by virtue of Applicant's U.S. citizenship. While his family traveled and lived in Afghanistan in the past while Applicant was working as a linguist, they now are living in the United States. Applicant owns a home in the United States. All of his financial assets are in the United States. He owns no property and has no assets in Afghanistan. He has worked alongside U.S. forces under austere conditions. The favorable reference letters from U.S. military officers and noncommissioned officers attest to his over 13 years of service to the U.S. mission in Afghanistan as a linguist/cultural advisor as well as his deep and longstanding commitment to the United States. In ISCR Case No. 05-03846 at 6 (App. Bd. Nov. 14, 2006), the Appeal Board discussed this issue as follows:

As a general rule, Judges are not required to assign an applicant's prior history of complying with security procedures and regulations significant probative value for the purposes of refuting, mitigating, or extenuating the security concerns raised by that applicant's more immediate disqualifying conduct or circumstances. See, e.g., ISCR Case No. 01-03357 at 4 (App. Bd. Dec. 13, 2005); ISCR Case No. 02-10113 at 5 (App. Bd. Mar. 25, 2005); ISCR Case No. 03-10955 at 2-3 (App. Bd. May 30, 2006). However, the Board has recognized an exception to that general rule in Guideline B cases, where the applicant has established by credible, independent evidence that his compliance with security procedures and regulations occurred in the context of dangerous, high-risk circumstances in which the applicant had made a significant contribution to the national security. See, e.g., ISCR Case No. 04-12363 at 2 (App. Bd. July 14, 2006). The presence of such circumstances can give credibility to an applicant's assertion that he can be relied upon to recognize, resist, and report a foreign power's attempts at coercion or exploitation.

I considered Applicant's longstanding commitment to the United States as well as his favorable contributions to national security. I find that Applicant can be expected to resolve any potential conflict of interest in favor of the United States. AG ¶ 8(b) is applicable. The security concerns under Foreign Influence are mitigated.

### **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 relevant circumstances. The administrative judge should consider the nine adjudicative process factors listed at AG ¶ 2(d):

- (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 considered Applicant's gratitude to the U.S. government for accepting him as a refugee and his support of U.S. forces both state-side and at deployed locations. Applicant has lived in the U.S. since 2008. He became a U.S. citizen in 2013. His immediate family lives with him. His wife is a U.S. permanent resident and his children are U.S. citizens.

I considered the reference letters and certificates of appreciation indicating Applicant's outstanding record as a linguist working on sensitive projects that were vital to U.S. national security. He received high praise from several U.S. military officers and a noncommissioned officers who attest to his dedication to the mission as well as his trustworthiness. He responded favorably to counseling related to the two minor incidents in March 2015 and October 2017. The personal conduct and foreign influence security concerns are mitigated.

### **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 E:	FOR APPLICANT
Subparagraphs 1.a -1.b:	For Applicant
Paragraph 2, Guideline B:	FOR APPLICANT
Subparagraphs 1.a -1.e:	For Applicant

## **Conclusion**

In light of all of the circumstances presented by the record in this case, it is clearly consistent with the national security interests of the U.S. to grant Applicant eligibility for a security clearance. Eligibility for access to classified information is granted.

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ERIN C. HOGAN  
Administrative Judge