



Security

Newsletter

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## Adjudicative Guideline – Guideline C – FOREIGN PREFERENCE

By: DoDSecurity.Blogspot

This article is the third in a series of installments on the 13 Adjudicative Guidelines. These guidelines are fundamental to the government's role of evaluating persons and making security clearance decisions. It is the responsibility of each applicant to demonstrate they are capable of protecting classified information under the Guidelines both during the initial investigation and periodic reinvestigations. Often, Guideline C concerns appear with Guidelines A and B.

### **GUIDELINE C: Foreign Preference**

Many immigrants experience great economic, academic, and professional opportunities in America. As such, they have contributed to advanced technologies and capabilities that the US has enjoyed and will continue to benefit from. However, opportunities may not always be available for security clearance jobs with cleared defense contractors. A subject's inability or unwillingness to demonstrate full allegiance to the United States of America over any other country, reduce risk of foreign influence, or demonstrate preference to the US over his or her own countries' of birth, the burden on national security could be too great to grant a security clearance.

A subject under the security clearance adjudication process could have acted or be acting in ways that demonstrate preference for a foreign country. This preference could arise from being born in a foreign country, a foreign spouse, or just ideological concerns which manifest into decisions harmful to the United States. Some indications include travelling with foreign passports, serving the interests of foreign nations, or using foreign documentation to maintain foreign assets. All of which could demonstrate behavior, which could lead to harm to national security.

## Adjudicative Guideline – Guideline C (cont.)

American citizens have allowed their personal convictions and ideologies to benefit other countries; bad decisions with grave consequences. Two such spies are Jonathan Pollard and Ana Montes. Jonathan Pollard provided Top Secret information to his handler for delivery to Israel and Ana Montes provided U.S. secrets to Cuba.

### **Case study: Sending US Secrets to Cuba and Israel**

The first subject was born in Israel, and travels frequently to Israel with an Israeli passport to visit friends and family. He even submits his Israeli passport to his Facility Security Officer (FSO) until needed for travel. However he has not relinquished his Israeli passport because of convenience and financial costs involved with travelling on a US passport. Additionally, he demonstrated problems with Guideline: F because of continuing financial problems and tax delinquency. While the government has clarified individuals may maintain a foreign passport, doing so for financial gain is certainly an issue.

### **Foreign-Born Family Members**

In another case, the applicant was born in Iran and enjoys dual citizenship with the United States and Iran. She and her family moved to the United States where she later became a naturalized U.S. citizen, graduated from an American university and started a position with a defense contractor in July 2014.

Her close family, mother, father, and brother were born in Iran and also have dual citizenship with the United States. The rest of her familial relationships are resident citizens of Iran and she maintains infrequent contact with them.

With the hostilities Iran has expressed with the U.S. , attending school in Iran and relationships with citizen residing there, the risk to national security exists. The security clearance has not been granted. The risk of foreign influence and preference still outweighs other mitigation.

It is incumbent upon the applicant to demonstrate they do not have foreign preference under the requirements of Guideline C. And foreign influence doesn't just apply to naturalized citizens. Individuals born in the U.S. may demonstrate foreign preference through their travel, relationships or financial obligations.

# Silly & Sammy

Bad OPSPEC, Good OPSPEC



**Silly** Planned a spring break trip to Cabo, but didn't plan to tell his security officer.



**Sammy** Organized the summer trip of a lifetime to Turks & Caicos *after* clearing it through her FSO.

**REPORT SUSPICIOUS ACTIVITY TO SECURITY!**

Any Questions? Please contact us:

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