



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



In the matter of:	)	
	)	
	)	ISCR Case No. 19-00803
	)	
Applicant for Security Clearance	)	

**Appearances**

For Government: Tara R. Karoian, Esq., Department Counsel  
For Applicant: *Pro se*

11/04/2024

**Decision**

On September 29, 2022, the Department of Defense (DOD) issued a Statement of Reasons (SOR) to Applicant detailing security concerns under Guideline B, foreign influence. The action was taken 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 implemented by DOD on June 8, 2017 (AG).

On October 28, 2022, Applicant provided a response to the SOR, and requested a hearing before an administrative judge. The case was assigned to another administrative judge on February 17, 2023. A hearing was scheduled and held on April 13, 2023. I was assigned to the case on October 16, 2024. I contacted Applicant offering to reopen his case for a supplemental hearing since so much time had passed. He declined the offer to have a supplementary hearing, but instead provided additional documentary evidence, which I admitted without objection. After completely reviewing the record from the first hearing and considering all the hearing and post-hearing exhibits, I informed the parties that I believed this case was appropriate for a Summary Disposition in Applicant's favor. Department Counsel did not object.

This case involves seven allegations of foreign influence concerns under Guideline B. I believe a Summary Disposition is appropriate because Applicant testified

and presented documentary evidence establishing there is no conflict of interest with his family members in Kyrgyzstan because of his deep and long-standing relationship and loyalties to the United States, as evidenced by his service in the Army National Guard, his community ties through his job and his children's schooling, and his financial ties to the United States. Additionally, his family contact is minimal, the greatest part of which is to communicate with his aged parents about their health status. He cut off contact with one former colleague in Kyrgyzstan in 2018 and the second former colleague now resides in the U.S. as a green card holder. His current supervisor and a colleague testified that Applicant is "forthright and forthcoming" and that he is trustworthy and reliable in performing his duties as a security clearance background investigator.

The concerns over Applicant's foreign influence no longer create doubts about his current reliability, trustworthiness, good judgment, and ability to protect classified information. He established his deep and longstanding relationships and loyalties in the United States, such that he can be expected to resolve any conflict of interest in favor of the U.S. interest. In reaching these conclusions, 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 he met his ultimate burden of persuasion to show that it is clearly consistent with the national interest to grant his eligibility for access to classified information. This case is decided for Applicant. Clearance is granted.

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Robert E. Coacher  
Administrative Judge