



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



In the matter of:)	
)	
REDACTED)	ISCR Case No. 15-06913
)	
Applicant for Security Clearance)	

Appearances

For Government: Daniel F. Crowley, Esq., Department Counsel
For Applicant: *Pro se*

11/22/2016

Decision

MENDEZ, Francisco, Administrative Judge:

On April 6, 2016, the Department of Defense (DOD) Consolidated Adjudications Facility (CAF) sent Applicant a Statement of Reasons (SOR) alleging that his familial and other personal connections and contacts in Turkey raised a security concern under the foreign influence guideline.¹ Applicant answered the SOR and requested a hearing to establish his eligibility for access to classified information.

On September 13, 2016, I convened a hearing. After receipt of the transcript and the record closed, I provided written notice to the parties of my intent to resolve the case through a summary disposition in Applicant's favor. Department Counsel indicated that the Government did not object to my proposed resolution of the matter in this fashion. See Appellate Exhibit I.

Applicant mitigated the heightened foreign influence security concerns raised by his foreign connections and contacts. Specifically, Applicant established that if a foreign

¹ This action was taken under Executive Order (E.O.) 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 by the Department of Defense on September 1, 2006.

government or entity attempted to use his foreign connections and contacts to obtain classified information that, notwithstanding the obvious difficulty, he would repel any such attempt and resolve the conflict in favor of protecting U.S. information. In reaching this conclusion, I found that Applicant has, in a relatively short period of time, established deep and longstanding relationships and loyalties in the United States, to include a family, home, and a well-paying job in the defense industry. The mitigating condition listed at AG ¶ 8(b) applies and, together with several whole-person factors, including a track record of proper handling and safeguarding sensitive information, mitigates the foreign influence security concern.

In evaluating the security concern at issue, I weighed the evidence as a whole and considered if the favorable evidence outweighed the unfavorable evidence or *vice versa*. I also gave due consideration to the whole-person concept and considered the country at issue. After considering the entire record evidence, I conclude that Applicant met his heavy burden of persuasion to show that it is clearly consistent with the national interest to grant him eligibility for access to classified information. Applicant's request for a security clearance is granted.

Francisco Mendez
Administrative Judge