



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



In the matter of: )  
 )  
 ) ISCR Case No. 15-07069  
 )  
Applicant for Security Clearance )

**Appearances**

For Government: Tovah Minster, Esq., Department Counsel  
For Applicant: *Pro se*

10/23/2017

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**Decision**

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GARCIA, Candace Le'i, Administrative Judge:

On May 6, 2016, the Department of Defense (DOD) issued a Statement of Reasons to Applicant detailing security concerns under Guideline B, foreign influence.<sup>1</sup> Applicant responded to the SOR on May 18, 2016, and requested a hearing before an administrative judge. The case was assigned to me on August 14, 2017. The hearing was held as scheduled on September 18, 2017. On October 5, 2017, 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 65-year-old, native-born U.S. citizen who has worked as a consultant for a defense contractor since 2014. He served honorably in the U.S. military from 1970 until he retired in 2007. He was first granted a DOD security clearance in 1992. Applicant has been married and divorced three times. His most recent marriage ended in August 2017.

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<sup>1</sup> 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, which became effective on June 8, 2017.

At the time of the SOR, Applicant's third wife and her son, both native-born citizens of Ukraine, were residing with Applicant in the United States. In addition, her parents, both Ukrainian citizens, resided in Ukraine. Applicant divorced in August 2017. Since the divorce, Applicant has not had any contact with his ex-wife, her son, and her parents.

Applicant does not have any remaining ties to Ukraine. AG ¶¶ 7(a) through 7(i) have not been raised by the evidence. There is no doubt about his 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 he met his ultimate burden of persuasion to show that it is clearly consistent with the national interest to grant him eligibility for access to classified information. This case is decided for Applicant.

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Candace Le'i Garcia  
Administrative Judge