



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



In the matter of:

ISCR Case No. 17-00583

Applicant for Security Clearance

Appearances

For Government: Adrienne Driskill, Esq., Department Counsel

For Applicant: *Pro se*

November 9, 2017

Decision

GOLDSTEIN, Jennifer I., Administrative Judge:

On April 19, 2017, the Department of Defense (DOD) issued a Statement of Reasons to Applicant detailing security concerns under Guideline B, foreign influence.¹ Applicant responded to the SOR on May 10, 2017, and requested a hearing before an administrative judge. The case was assigned to me on June 23, 2017. The hearing was held as scheduled on July 27, 2017. On October 26, 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 62-year-old, U.S. citizen who has worked for a defense contractor since June 2015. He is a linguist. He has worked for the U.S. Government directly and as a contractor for the past 36 years. He held a security clearance in connection with his employment from 2005 to 2015. He deployed to Iraq four times as a linguist. He is

¹ 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.

married to a naturalized U.S. citizen. His two children are natural born U.S. citizens. (Tr. 28, 38-40.)

Applicant was born in Iraq and is Kurdish. He sought refugee status in 1980 in Australia after Applicant and his father were tortured by the Iraqi Government. He immigrated to the United States in 1981. He became a U.S. citizen in 1987. He earned a bachelor's degree in 1987. (Tr. 30-33.)

Applicant's 80-year-old mother is a citizen of Iraq and currently resides in Sweden. She travels back and forth between the two nations. She is supported by Applicant's siblings and retirement benefits in Sweden. He has two brothers and one sister who also reside in Sweden. Applicant does not provide his mother any financial support. (Tr. 40-43.)

Additionally, Applicant has two sisters and one brother who are citizens and residents of Iraq. They all reside in a Kurdish city. His sisters are teachers. Applicant speaks to them once to twice per month. His brother works in a private business distributing food. Applicant has not spoken to his brother in two years. (Tr. 44-47.)

Applicant's mother-in-law is a citizen and resident of Iraq. She is a 70-year-old housewife. Applicant provides no financial support to his mother-in-law. (Tr. 49.)

Applicant is active within his local community in the United States as evidenced by numerous letters of recommendation and certificates of appreciation. He owns a home and has retirement savings in the United States. His loyalty is to the United States. (Applicant Exhibits B through D; Tr. 55.)

Mitigating conditions set out in AG ¶¶ 8(a) through 8(c) have been established 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 whether 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 national security eligibility for access to classified information. This case is decided for Applicant.

Jennifer Goldstein
Administrative Judge