



DEPARTMENT OF DEFENSE  
DEFENSE OFFICE OF HEARINGS AND APPEALS



In the matter of: )  
)  
) ISCR Case No. 17-03555  
)  
Applicant for Security Clearance )

**Appearances**

For Government: Chris Morin, Esq., Department Counsel  
For Applicant: *Pro se*

06/25/2018

**Decision**

LOUGHRAN, Edward W., Administrative Judge:

On October 25, 2017, 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 November 6, 2017, and requested a hearing before an administrative judge. The case was assigned to me on June 6, 2018. The hearing was held as scheduled on June 12, 2018. On June 25, 2018, 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 37-year-old employee of a defense contractor. She was born in Iraq to Iraqi parents. Because they were religious minorities, her family was forcibly relocated to Iran when she was an infant. Most of her family returned to Iraq in 2004 after the U.S.-led coalition overthrew the government of Saddam Hussein, but some extended family members remained in Iran. She worked under dangerous conditions

<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 (AG), which became effective on June 8, 2017.

with the U.S. military in Iraq as a linguist from 2008 to 2009. Because of her work with the military, she was eligible for a special immigrant visa. She immigrated to the United States in 2010, and she became a U.S. citizen in 2015.

Applicant's husband is also originally from Iraq. He immigrated to the United States several months after Applicant. He is now a U.S. citizen. Their two children were born in the United States. Applicant's parents and siblings immigrated to the United States. Her parents are now deceased. Her siblings are U.S. permanent residents applying to become U.S. citizens.

Applicant's father-in-law is deceased. Her mother-in-law is an Iraqi citizen and resident who has applied to immigrate to the United States. Three of Applicant's siblings-in-law live in European countries. Her oldest sibling-in-law is still in Iraq, but Applicant's husband is not close to him as he is much older than Applicant's husband.

Applicant has worked overseas as a linguist since 2016. She and her husband are in the process of buying a house in the United States. They do not own any foreign assets. She credibly stated that she would immediately report any contact by a foreign government, intelligence or security service, or terrorist organization, or any attempt to blackmail or coerce her.

I considered the totality of Applicant's ties to Iraq and Iran. I also considered the nature of those governments, their human rights records, and the risk of terrorism in those countries. The disqualifying conditions under AG ¶¶ 7(a), 7(b), and 7(e) have been raised by the evidence. However, Applicant's ties to Iraq and Iran are outweighed by her relationships and loyalties in the United States. I find that it is unlikely Applicant will be placed in a position of having to choose between the interests of the United States and the interests of Iraq or Iran. There is no conflict of interest, because Applicant can be expected to resolve any conflict of interest in favor of the United States. The mitigating conditions under AG ¶¶ 8(a) and 8(b) are applicable.

The concerns over Applicant's foreign connections do not create doubt about her 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 she met her ultimate burden of persuasion to show that it is clearly consistent with the national interest to grant her eligibility for access to classified information. This case is decided for Applicant.

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Edward W. Loughran  
Administrative Judge