

approximately \$42,800 in delinquent debt and was enrolled in a debt resolution program. Applicant admitted all but the Guideline E allegation in responding to the SOR. The Judge found favorably for Applicant on the Guideline E and Guideline F allegations, but he resolved the Guideline H allegations adversely to Applicant.

The Judge acknowledged that Applicant used marijuana only during visits to a state where marijuana was legal under state law and that Applicant credibly stated that he stopped using in October 2020. The Judge noted, however, that Applicant used marijuana for several years while holding a security clearance and with access to classified information and “with knowledge that its use was prohibited under federal law and DoD policy.” Decision at 7. These circumstances, the Judge concluded, “reflect poor judgment and raise questions as to his trustworthiness.” *Id.* at 8. Moreover, the Judge was not convinced that recurrence was unlikely because Applicant used marijuana more than 40 times over a four-year period, provided varying accounts of the number of times he used and purchased marijuana, and continues to associate with people who use marijuana.

On appeal, Applicant does not challenge any of the Judge’s findings of fact but alleges that the Judge “made several unfounded assumptions,” particularly regarding the risk of recurrence. Appeal Brief at 1. For example, Applicant argues that the Judge did not properly consider that Applicant did not understand that he needed to follow Federal law, that he used only in a state in which marijuana use was legal under state law, and that he no longer uses marijuana as he now understands the application of Federal law. The Judge, however, made specific findings on this issue. None of Applicant’s arguments are enough to rebut the presumption that the Judge considered all of the record evidence or to demonstrate the Judge weighed the evidence in a manner that was arbitrary, capricious, or contrary to law. *See, e.g.,* ISCR Case No. 19-01400 at 2 (App. Bd. Jun. 3, 2020).

Applicant has not established that the Judge committed harmful error. Our review of the record reflects that the Judge examined the relevant evidence and articulated a satisfactory explanation for the decision, which is sustainable on this record. “The general standard is that a clearance may be granted only when ‘clearly consistent with the interests of the national security.’” *Department of the Navy v. Egan*, 484 U.S. 518, 528 (1988). “Any doubt concerning personnel being considered for national security eligibility will be resolved in favor of the national security.” AG ¶ 2(b).

Order

The decision is **AFFIRMED**.

Signed: Moira Modzelewski

Moira Modzelewski
Administrative Judge
Chair, Appeal Board

Signed: Gregg A. Cervi

Gregg A. Cervi
Administrative Judge
Member, Appeal Board

Signed: Allison Marie

Allison Marie
Administrative Judge
Member, Appeal Board