



DEPARTMENT OF DEFENSE
DEFENSE LEGAL SERVICES AGENCY
DEFENSE OFFICE OF HEARINGS AND APPEALS
APPEAL BOARD
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ARLINGTON, VIRGINIA 22203
(703) 696-4759

Date: September 17, 2025

In the matter of:

Applicant for Security Clearance

ISCR Case No. 24-00972

APPEAL BOARD DECISION

APPEARANCES

FOR GOVERNMENT

Andrea M. Corrales, Esq., Deputy Chief Department Counsel

FOR APPLICANT

Pro se

The Department of Defense (DoD) declined to grant Applicant a security clearance. On October 18, 2024, DoD issued a Statement of Reasons (SOR) advising Applicant of the basis of that decision – security concerns raised under Guideline G (Alcohol Consumption), Guideline J (Criminal Conduct), and Guideline E (Personal Conduct) of the National Security Adjudicative Guidelines in Appendix A of Security Executive Agent Directive 4 (effective June 8, 2017) and DoD Directive 5220.6 (Jan. 2, 1992, as amended) (Directive). On August 6, 2025, Defense Office of Hearings and Appeals Chief Administrative Judge Robert B. Blazewick denied Applicant national security eligibility. Applicant appealed pursuant to Directive ¶¶ E3.1.28 and E3.1.30.

Under Guideline G, the SOR alleged four Driving While Intoxicated arrests that spanned from 1999 to 2021. Under Guideline J, the SOR alleged an arrest in 2006 for Criminal Possession of Marijuana and an arrest in 2022 for Driving While License Suspended or Revoked, as well as the four DWI offenses. The Guideline G and Guideline J security concerns were also cross-alleged under Guideline E. The Applicant admitted to all allegations in his answer to the SOR and elected a decision on the written record. In January 2025, the Government submitted a file of relevant

material (FORM) and provided a copy of all materials to Applicant, who chose not to respond. The Judge found adversely to Applicant on all allegations.

On appeal, Applicant challenges as inaccurate several of the Judge's factual findings about his drinking history. Our review of the record confirms that the Judge, in recounting Applicant's history of alcohol consumption, relied upon a summary of Applicant's February 2024 interview with a government investigator,¹ which Applicant adopted, and Applicant's August 2024 response to interrogatories, in which he detailed his alcohol habits. Government Exhibit 4. Both documents were provided to Applicant in the FORM, and Applicant noted no corrections or objections. We find that the Judge's factual findings in this regard are amply supported by the record and that Applicant's argument to the contrary is without merit.

Applicant also argues that he has mitigated the Guideline G allegations as he stopped drinking in July 2022. We are not persuaded by this argument, which is directly contradicted by the record. As the Judge noted, Applicant reported in his August 14, 2024 response to interrogatories that he continued to drink at that time, with his most recent consumption having been just four days earlier, on August 10, 2024.

Applicant failed to establish any harmful error below. The record supports a conclusion that the Judge examined the relevant evidence and articulated a satisfactory explanation for the decision. The decision 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).

¹ The Judge mistakenly identified the date of the interview as May 2024, but the error in date is harmless as it was not likely to have affected the Judge's decision.

Order

The decision in ISCR Case No. 24-00972 is **AFFIRMED**.

Signed: Moira Modzelewski
Moira Modzelewski
Administrative Judge
Chair, Appeal Board

Signed: Allison Marie
Allison Marie
Administrative Judge
Member, Appeal Board

Signed: Jennifer I. Goldstein
Jennifer I. Goldstein
Administrative Judge
Member, Appeal Board