

Government's File of Relevant Material (FORM) and was notified of his ability to respond with any objections or additional information for the Judge to consider. Applicant did not respond to the FORM and the Judge found adversely on all allegations.

On appeal, Applicant challenges the Judge's finding that he "spent an average of \$300 to \$500 weekly on marijuana" and her conclusion that he intentionally falsified his SCAs.¹ Neither challenge is persuasive.

The record reflects that, during his February 2022 background interview, Applicant told the investigator that he "on average spends anywhere from \$300 to \$500 a week on Marijuana and that has basically been since he started using." Government Exhibit 6 at 3. Applicant later reviewed and adopted the statement as accurate in his January 2025 response to interrogatories. The Judge's finding is therefore fully supported by the record.

The Judge's conclusion that Applicant intentionally falsified his SCAs is also amply supported, not just by his admission of both concerns in response to the SOR, but by other record evidence. Specifically, the Judge relied upon Applicant's acknowledgement during his 2022 interview that "he intentionally falsified his 2021 SCA . . . because he did not want it to jeopardize his employment" and that he "indicated that the disclosures he made on his 2021 SCA regarding purchasing marijuana legally from marijuana dispensaries in his state were to cover himself in case he was randomly drug tested." Decision at 3. She cited his 2025 interrogatory response and lengthier marijuana use he disclosed therein to conclude that Applicant also intentionally underreported his marijuana use in his 2024 SCA. Her conclusions on both allegations were reasonable.

Conclusion

Applicant has not established that the Judge's adverse decision was arbitrary, capricious, or contrary to law. Our review of the record confirms 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.'" *Dept. of 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 Applicant also contends that the Judge misrepresented that he "continues to live with his parents, and they sometimes contribute funds to support his use." Appeal Brief at 1 (emphasis in original). Neither this quotation nor the underlying sentiment appears in the Judge's decision, and Applicant's argument in this regard is moot.

Order

The decision in ISCR Case No. 24-01925 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