



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



In the matter of:)	
)	
)	ISCR Case No. 21-02842
)	
Applicant for Security Clearance)	

Appearances

For Government: Nicole A. Smith, Esq., Department Counsel
For Applicant: Grover H. Baxley, Esq.

02/09/2024

Decision

MURPHY, Braden M., Administrative Judge:

Applicant was arrested for driving under the influence twice in 2005 and again in March 2020. After his most recent arrest, he was diagnosed with severe alcohol use disorder. He underwent inpatient treatment and outpatient treatment. Since then, he has abstained from alcohol and has been an ongoing, active participant in Alcoholics Anonymous. His alcohol disorder is now in sustained remission, and he has a fair prognosis. He has established a healthier lifestyle. He also submitted strong whole-person evidence to show that he has a strong support network. He has shown that his alcohol issues are in the past and unlikely to recur. Applicant has mitigated the security concerns arising from his alcohol involvement. Applicant’s eligibility for continued access to classified information is granted.

Statement of the Case

On June 5, 2020, Applicant submitted a security clearance application (SCA) in connection with his employment. On February 18, 2022, the Defense Counterintelligence Security Agency Consolidated Adjudications Facility (DSCA CAF) issued Applicant a

Statement of Reasons (SOR) detailing security concerns under Guideline G (alcohol involvement). The CAF issued the SOR under Executive Order 10865, *Safeguarding Classified Information within Industry* (February 20, 1960), as amended; Department of Defense (DOD) Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (January 2, 1992), as amended (Directive); and Security Executive Agent Directive 4, *National Security Adjudicative Guidelines* (AG), effective June 8, 2017.

Applicant answered the SOR on March 8, 2022, and requested a hearing before an administrative judge from the Defense Office of Hearings and Appeals (DOHA). The case was assigned to me on June 1, 2022. The hearing was originally scheduled for September 13, 2023, but the hearing was continued when Applicant requested time to retain counsel, which he did soon thereafter. On September 15, 2023, DOHA issued a notice scheduling the hearing for October 25, 2023, by video-conference.

The hearing was held as scheduled. Department Counsel submitted Government's Exhibits (GE) 1 through 4, which were admitted without objection. Applicant, his wife, and two other witnesses testified. He submitted an updated response to the SOR (Applicant's Exhibit (AE) A), with 19 numbered attachments (Att. 1 through 19), all of which were admitted without objection. I held the record open to allow him the opportunity to submit additional documentation. He subsequently submitted AE B, a November 13, 2023, substance abuse evaluation, which was admitted without objection. DOHA received the hearing transcript (Tr.) on November 6, 2023. The record closed on November 16, 2023.

Findings of Fact

Applicant admitted the five allegations in the SOR (¶¶ 1.a-1.e), with a narrative statement. I have incorporated his admissions into the findings of fact. After a thorough and careful review of the pleadings and the record evidence, I make the following findings of fact.

Applicant is 45 years old. He and his wife have been married since 2015. They have three young children. Applicant has a bachelor's degree and has additional credits towards a master's degree. He has been employed with the same large defense contractor, Company A, with a clearance, since April 2001. He is currently a senior manager. He provided numerous awards and work evaluations. (Tr. 8, 106-113, GE 1; AE A; Att. 1-5)

Applicant first consumed alcohol at age 14 or 15. His drinking increased in his 20's, and occurred mostly on weekends with friends. He drank to excess at times during this period, but he did not believe he had a drinking problem. On two occasions in fall 2005, Applicant was arrested and charged with driving under the influence. Both occurred in State 1, where he lived at the time, and occurred shortly after the end of a long-term relationship. (AE A; Tr. 114-116, 148-149)

In September 2005, Applicant went out with work friends. He had a few beers at someone's home. He left his car there while they all went out to bars in a nearby city. At the end of the evening, Applicant retrieved his car and began to drive home, believing he was sober enough to do so. However, on the way home, he also stopped for coffee so he could sober up. He sat in his car in the coffee shop parking lot for 45 minutes. A nearby security guard thought he was acting suspiciously and called police. The officer saw him move his car out of a "no parking" fire zone. Applicant told the officer he had been drinking. He was arrested and charged with DUI after failing roadside sobriety tests. Breathalyzers at the police station revealed a blood alcohol content (BAC) of 0.17%. He was jailed overnight. He reported the incident to his employer's security office days later and kept them informed. (AE A) (SOR ¶ 1.d)

A month later, in October 2005, Applicant attended a concert in another city in State 1, where he lived. He then went to a bar and consumed four alcoholic beverages in four hours. He again attempted to drive home, and soon realized it was unsafe to do so, in part because it was rainy. He pulled over on the highway and was walking to a nearby convenience store to call a taxi when police arrived, having seen his parked car on the roadside. He acknowledged he had been driving the car, failed the sobriety tests, blew a 0.15% BAC on the breathalyzer, and was arrested for DUI. (AE A) (SOR ¶ 1.c)

Both of Applicant's 2005 DUIs were adjudicated together and he was found guilty on both charges, in about September 2006. His license was suspended for two years, he was ordered to attend 48 hours of alcohol education classes and to perform 30 hours of community service. He was also fined and ordered to pay court costs. He attended one required Alcoholics Anonymous (AA) class. He completed all requirements. He reported both arrests to security. (AE A, Att. 6-7; Tr. 114-117, 124)

Applicant had no other alcohol-related incidents or offenses for the next 10 years. During this period, He admitted that he drank too much on weekends, but he denied any driving after consuming alcohol. During this period, he met and began dating his wife. (AE A; Tr. 117)

In April 2015, Applicant and his wife, then his fiancée, were living and working in State 2. He went to a neighborhood bar with friends. He consumed three or four beers during the evening. While paying his bar tab at the end of the evening, he was approached by another bar patron, who confronted him and demanded that he leave the bar immediately. After paying his tab. Applicant left the bar and saw the other patron talking to a uniformed police officer. Applicant was then arrested and taken to a local police station. He spent the night in jail. He only learned later that he was charged with public intoxication. When he went court two months later, the arresting officer failed to appear, and the charge was dismissed. He reported the offense on his next SCA, completed in July 2018. He testified that he was embarrassed and regretful about the incident and he was not proud of it, particularly because it occurred a month before his wedding. (GE 1; AE A; Tr. 118-119, 124-125) (SOR ¶ 1.b)

Applicant and his wife moved to State 3 for work in 2016. (GE 1) Between 2015 and 2020, as they began to raise a family, Applicant drank at happy hours and on weekend nights. (AE A) He stopped drinking hard alcohol and would mostly drink wine with his wife. He acknowledged uncomfortable conversations with his wife about his drinking, including whether he should stop. As his wife testified, he acknowledged drinking wine after she went to bed -- "one or two at least." He acknowledged drinking a bottle of wine on the weekends. (Tr. 119-121, 150-151)

On Friday, March 13, 2020, Applicant went to a happy hour with co-workers after work. He had not eaten lunch. He consumed several glasses of wine, without food or water, between about 3 PM and 8 PM. He was pulled over for speeding. He failed roadside sobriety tests and a breathalyzer registered a 0.238% BAC. He was arrested and charged with DUI. (GE 1, GE 2, GE 3, GE 4; AE A; Att. 8; Tr. 121, 152-153) (SOR ¶ 1.a)

Applicant promptly disclosed the matter to his supervisor (Ms. F, discussed below) and reported it to security. (Tr. 125) With the strong urging of his wife and family over the next several days, he also decided to seek treatment. (Tr. 126)

On or about March 18, 2020, only days after his arrest, Applicant entered treatment at Treatment Center B. He was diagnosed with severe alcohol use disorder. (GE 4 at 10) He remained in inpatient treatment for 37 days, and continued with outpatient treatment until May 26, 2020, when he was discharged successfully. (GE 4 at 17-18; AE A, Att. 11, Att. 12; Tr. 127) (SOR ¶ 1.e)

Documentation reflects that, on intake at Treatment Center B, Applicant was regarded as cooperative and well-spoken but he also minimized and disregarded the consequences of his drinking and appeared to justify his conduct. He presented for treatment after his third DUI and recognized the consequences facing him (losing his job, losing his license, and going to jail). (GE 4 at 1) He reported that he drove while intoxicated, cared for his children while under the influence, and had driven with them while under the influence. In his hearing testimony, he acknowledged that there were probably other times when he drove while "over the limit" but denied driving under the influence with his children. (Tr. 128-129, 154, 173-174) He reported blackouts, loss of recollection, missing work, and showing up to work hung over. He explained in testimony that he was sometimes late to work because he did not have a driver's license but denied any other alcohol-related work issues. He denied blackouts. (Tr. 127-128, 149-150, 155) He noted a family history of alcohol abuse and recognized his disregard for his own well-being and the damage alcohol was doing to his health. (GE 4 at 5) He reported beginning drinking in his teens with no significant periods of sobriety. He reported consuming two bottles of wine over the previous 19 days. (GE 4 at 6, 13) He reported struggling with cravings and an inability to stop drinking. (GE 4 at 12) He presented with at least mild signs and symptoms of withdrawal or imminent withdrawal. (GE 4 at 9) He testified that he was placed on withdrawal medication on intake but said this was required as a standard precaution. (Tr. 129-131, 174)

Applicant was discharged from inpatient treatment in mid-April 2020 and was discharged from the outpatient program on May 26, 2020. He was regarded as compliant and cooperative throughout the process. He learned coping skills, the disease model of addiction, a 12-step recovery program, and family systems. He was in a 12-step program and private therapy and would continue both. "His prognosis at this time is positive and good. He has support outlets and is honest with his family and friends." (GE 4 at 19) He was advised to pursue individual therapy and to return to Treatment Center B should relapse occur. He reported being committed to his recovery. (GE 4 at 19) (Tr. 131-133, 135-137)

In July 2020, Applicant pleaded guilty to DUI for his March 2020 offense. He was sentenced to one year of supervised probation. He was also ordered to complete community service, attend a DUI education class, substance abuse treatment, and a victim awareness course. He was fined and ordered to pay court costs. His probation was terminated several months early (and successfully), in July 2021. He also said he was not allowed to drive. By then, his office was working remotely due to the pandemic. (GE 1, GE 2, GE 3; AE A, Att. 9, Att. 10; Tr. 167-168, 172-173)

As recommended, Applicant continued meeting with the Treatment Center B's "alumni" group, both locally and virtually, from about April 2020 to April 2021. (Tr. 162-164) He also immediately joined Alcoholics Anonymous (AA). He attended 90 AA sessions in 90 days. He then attended three to five meetings a week for the next 18-24 months (either in-person or online, due to COVID pandemic restrictions). He has had an AA sponsor ever since, including his current sponsor, Mr. X (discussed below), and others before him. He now attends between one and three AA meetings a week. He gets significant value from the experiences of his sponsors. (AE A, Att. 13; Tr. 133-135, 137-143, 164-166) He acknowledged that his daily AA meetings often put a strain on his wife, since the meetings were often in the evenings, as she was coming home from work. (Tr. 156-157)

Applicant has not consumed any alcohol since March 14, 2020, more than three years and seven months before his October 2023 DOHA hearing. (AE A; Tr. 127) He has had no further arrests. (Tr. 159) He has also pursued a healthier lifestyle, including exercise, gardening, outdoor nature hobbies, and spending time with his wife and young sons. (Tr. 143-145) He acknowledged that he came to the realization that he had to change his life. "Being an alcoholic, alcohol was like a second job;" hiding how much he drank and arguing with his wife or family about his drinking. He does not do that anymore. He prefers to spend time with his family. (Tr. 158-159) Applicant is very confident about his ability to maintain sobriety going forward. He loves his job and the role he plays supporting national defense. (Tr. 146-147)

At the time of his hearing, Applicant had not had a subsequent or updated assessment or diagnoses since his diagnosis of severe alcohol abuse disorder at Treatment Center B in 2020. (Tr. 160) (See AE B, below) Applicant said he intended to continue working through the steps of AA, and ultimately to sponsor new members. It has

made him “a better person, a better father, a better husband,” and better at work. He believes AA saved his life. He has been humbled by the experience of the DUI and the clearance hearing process. He loves his job and hopes for the opportunity to continue in his career as a cleared employee. (Tr. 171-172) He is not currently in other counseling or therapy. He has had a driver’s license without restrictions for about two years. (Tr. 166)

Applicant’s wife is an 18-year cleared employee at Company A. She holds a bachelor’s degree and dual master’s degrees. They met through work in about 2008, began dating in 2011, moved to State 2 together for work in 2013, and married in 2015. They have three boys all under age six, including a toddler. (Tr. 42-46, 87-88)

Applicant’s wife is not a big drinker. He drank but not more than others did. He became more family oriented after the birth of their first child. Beginning in about 2017-2018, she became more concerned about his drinking. This was a hard time in their marriage. She loves him and does not want him to hurt himself but he said at the time that he did not want to be controlled. Incidents where he drank too much were sporadic and often months apart. They had conversations about his drinking level but little changed during this period. (Tr. 42-52)

After their children were born (2017-2018), Applicant’s drinking pattern would be to drink at home, since they did not go out much. She believes he would drink after she went to bed. He would drink wine with dinner and would drink on weekends. She is not aware that he ever went to work late or missed work. He never drove with their children after consuming alcohol. Drinking was social and to relieve stress. (Tr. 72-82)

After Applicant was arrested in March 2020, his wife was upset. His parents and her mother came immediately to help. The family talked and decided that Applicant needed to get help. They researched rehabilitation facilities and he left for inpatient rehab almost immediately. Previously, Applicant had resisted seeking treatment and was initially resistant again due to his family and work responsibilities but agreed to enter treatment voluntarily. His manager was very supportive. (Tr. 52-60 and 77-78)

Applicant’s wife said the family had little contact with him while he was in inpatient treatment, only a few calls. When he came home, he had changed and become more reserved, rather than being “happy-go-lucky” as before. After several more months he began to see life without drinking. It took a year for his wife to feel comfortable having a drink with dinner. She wanted to be supportive of his sobriety. She now feels they have developed confidence and trust that he will not drink and she does not think about him “falling off the wagon.” She said he treated his sobriety as his number one priority because “if I don’t do this, everything falls apart.” They did couples counseling as part of Applicant’s after-care program, for six to nine months as recommended and some individual counseling. He has been actively involved in AA and is working with his sponsor. He now has new hobbies and pastimes, like gardening. He has maintained sobriety since March 2020. They do not keep hard alcohol or beer in the house and she tracks the limited wine

that they have. They socialize as a family and Applicant will separate himself from work social events where alcohol is present. (Tr. 61-69, 78-81)

Applicant's wife said he prioritizes his sobriety now but it is less of a delicate balance with family needs (compared with the immediate aftermath of treatment, due to his daily AA meetings). He is a very good father and husband. He is actively involved with their children. Their marriage and children mean a lot to him. He has tried "really, really, hard" working on rehabilitation and sobriety. He is proud of his work and his support of the country. (Tr. 83-87) Applicant's parents also provided strong recommendation letters for their son, which I read and closely considered. (AE A, Att. 17, 18)

Mr. X, Applicant's AA sponsor is also a cleared employee in the field of aviation. He has been a member of AA for almost 40 years. They met through AA about two years ago and he agreed to become his sponsor a few months later. They see each other at weekly AA meetings, speak by phone between meetings about once a week, and meet occasionally for lunch. Mr. X attested that Applicant is doing well in AA, and that his AA participation and efforts at rehabilitation are "on par" with someone maintaining continuous sobriety: "If he keeps doing what he's doing, he'll keep getting what he's getting." Mr. X has seen no concerning behavior suggesting relapse. Applicant has not expressed any urges to drink, and Mr. X has not known him to have done so. Applicant is on Step 8 of the 12 AA recovery steps (willingness to make amends). (Tr. 24-40) Several other participants from AA and Treatment Center B provided similar, strong recommendation letters, which I read and closely reviewed. (AE A, Att. 14, 15, 16, 19)

Applicant's character witness, Ms. F, is a veteran and longtime employee of the aerospace and defense industry. She graduated from a service academy, was commissioned as an active-duty military intelligence officer for several years, earned a master's degree, and joined the defense industry in 2001. She is currently a vice president. She has held a clearance for many years. (Tr. (91-93)

Ms. F. was Applicant's supervisor for about three and a half years, from 2019 to mid-2023 when she left the company. They generally had very close and continuing professional contact, though it diminished during the COVID pandemic due to remote working (which, by coincidence, began right after Applicant's March 2020 DUI). (Tr. 93-94, 97-98, 101-104) She testified that Applicant was an extremely reliable employee and a creative and strategic thinker, a leader and a subject matter expert. (Tr. 93-95)

Applicant informed Ms. F of his 2020 DUI within days afterward and that he was entering alcohol rehabilitation. Before then, she had no concerns about his work performance, judgment, trustworthiness, reliability, or clearance eligibility and she has no such concerns now. (Tr. 95-96, 99-104) She credits him with disclosing the matter, taking it seriously, and taking concrete steps to change his behavior. (Tr. 99-100)

After the hearing, Applicant participated in an updated substance abuse evaluation, conducted by a licensed mental health counselor (LMHC), Mr. M. The report

was based on a two-hour evaluation and interview of Applicant. Mr. M assessed that Applicant met the full criteria for a provisional diagnosis of Alcohol Use Disorder, in Sustained Remission, code F10.21 of the Diagnostic and Statistical Manual of Mental Disorders 5 – Text Revision (DSM-5-TR). He was given a fair prognosis, given his “extensive history with alcohol” and current ability to provide adequate evidence of how he is maintaining and managing his substance abuse. This included “collateral” evidence such as professional recommendations by peers and supervisors, evaluation of job performance, evaluation of his support system, 12-step program attendance, accountability check-ins with a sponsor and other factors. A higher level of care was not recommended. “It is highly recommended that the client continue to utilize support systems and protective measures set in place that may influence his ability to maintain sobriety.” Mr. M did not see a concern about alcohol impacting Applicant’s work or limiting his workplace abilities. (AE B)

Policies

No one has a right to a security clearance. As the Supreme Court held in *Department of the Navy v. Egan*, 484 U.S. 518, 531 (1988), “the clearly consistent standard indicates that security determinations should err, if they must, on the side of denials.”

The adjudicative guidelines are not inflexible rules of law. Instead, recognizing the complexities of human behavior, administrative judges apply the guidelines in conjunction with the factors listed in the adjudicative process. The administrative judge’s overarching adjudicative goal is a fair, impartial, and commonsense decision. According to AG ¶ 2(a), the entire process is a conscientious scrutiny of several variables known as the “whole-person concept.” The administrative judge must consider all available, reliable information about the person, past and present, favorable and unfavorable, in making a decision. The protection of the national security is the paramount consideration. AG ¶ 2(b) requires that “[a]ny doubt concerning personnel being considered for national security eligibility will be resolved in favor of the national security.”

Under Directive ¶ E3.1.14, the Government must present evidence to establish controverted facts alleged in the SOR. Under Directive ¶ E3.1.15, an “applicant is responsible for presenting witnesses and other evidence to rebut, explain, extenuate, or mitigate facts admitted by applicant or proven by Department Counsel, and has the ultimate burden of persuasion as to obtaining a favorable security decision.”

A person who seeks access to classified information enters into a fiduciary relationship with the Government predicated upon trust and confidence. This relationship transcends normal duty hours and endures throughout off-duty hours. The Government reposes a high degree of trust and confidence in individuals to whom it grants access to classified information. Decisions include, by necessity, consideration of the possible risk that an applicant may deliberately or inadvertently fail to safeguard classified information.

Such decisions entail a certain degree of legally permissible extrapolation as to potential, rather than actual, risk of compromise of classified information.

Analysis

Guideline G, Alcohol Consumption

The security concern for alcohol consumption is set forth in AG ¶ 21:

Excessive alcohol consumption often leads to the exercise of questionable judgment or the failure to control impulses, and can raise questions about an individual's reliability and trustworthiness.

The guideline notes several conditions that could raise security concerns under AG ¶ 22. The following disqualifying conditions are potentially applicable in this case:

(a) alcohol-related incidents away from work, such as driving while under the influence, fighting, child or spouse abuse, disturbing the peace, or other incidents of concern, regardless of the frequency of the individual's alcohol use or whether the individual has been diagnosed with an alcohol use disorder;

(c) habitual or binge consumption of alcohol to the point of impaired judgment, regardless of whether the individual is diagnosed with alcohol use disorder; and

(d) diagnosis by a duly qualified medical or mental health professional (e.g., physician, clinical psychologist; psychiatrist, or licensed clinical social worker) or alcohol use disorder.

Applicant was arrested for DUI twice in the fall of 2005 and again in March 2020. He was arrested for public intoxication in 2015. AG ¶ 22(a) applies. His habitual consumption of alcohol, to the point of impaired judgment, satisfies AG ¶ 22(c). Applicant was diagnosed with severe alcohol use disorder in March 2020. AG ¶ 22(d) applies.

Conditions that could mitigate alcohol consumption security concerns are provided under AG ¶ 23. The following are potentially applicable:

(a) so much time has passed, or the behavior was so infrequent, or it happened under such unusual circumstances that it is unlikely to recur or does not cast doubt on the individual's current reliability, trustworthiness, or judgment;

(b) the individual acknowledges his or her pattern of maladaptive alcohol use, provides evidence of actions taken to overcome this problem, and has

demonstrated a clear and established pattern of modified consumption or abstinence in accordance with treatment recommendations;

(c) the individual is participating in counseling or a treatment program, has no previous history of treatment and relapse, and is making satisfactory progress in a treatment program; and

(d) the individual has successfully completed a treatment program along with any required aftercare, and has demonstrated a clear and established pattern of modified consumption or abstinence in accordance with treatment recommendations.

Applicant incurred two DUI charges in 2005, in the aftermath of a breakup. He was arrested for public intoxication while outside a bar in 2015, though the case was dismissed. His drinking continued during the early years of his marriage and, as his wife testified and as he acknowledged, it became problematic and caused strain in the marriage as they began raising a young family. Matters culminated in March 2020, when he was arrested and charged with a third DUI, with a 0.238 BAC, while coming home from a happy hour.

As Applicant acknowledges, it took this third DUI for him to seriously address his alcohol issues through treatment and counseling. He completed inpatient and outpatient treatment in the weeks that followed. He then pursued AA, participating daily for 90 days, and several times a week in the years since then. He engaged in couples counseling with his wife. He completed probation successfully and it was terminated early. He maintains active, ongoing participation in AA, with a very experienced sponsor who testified credibly about Applicant's participation and appropriate progress in AA and his sobriety since March 2020.

Applicant's severe alcohol use disorder is now in sustained remission and he has a fair prognosis, as demonstrated by AE B. He has abstained from alcohol use entirely since his March 2020 DUI and intends to continue doing so. He has a strong, active support network in his wife and family, his AA network and his network of Treatment B "alumni."

Applicant's 2020 DUI was not isolated or due to unusual circumstances, as he had two earlier, similar DUI offenses almost 20 years ago, and another public intoxication charge in 2015. While it cannot be said that there is no risk of relapse, Applicant is doing everything he can to address his alcohol problem responsibly. And he has established a documented track record of abstinence and sobriety, without any evidence of relapse in the more than three and a half years since his 2020 DUI.

Applicant has also found new hobbies and pastimes and is a dedicated father and husband. He has a long, established, excellent work record. He credibly attested that with his record, he needs to continue with his AA counseling and to utilize his support networks

to continue to maintain sobriety (as Mr. M concluded and recommended in the post-hearing evaluation).

In addition to his own testimony, which I found credible, Applicant also presented strong, very credible whole-person testimony from his wife, his supervisor, and his AA sponsor that support his case in mitigation. Applicant has demonstrated a clear and established pattern of abstinence and changed behavior, with a support network in place to guard against future relapses. Applicant has provided sufficient evidence to mitigate the alcohol-related security issues under AG ¶¶ 23(a), 23(b), 23(c), and 23(d).

Whole-Person Concept

Under the whole-person concept, the administrative judge must evaluate an applicant's eligibility for a security clearance by considering the totality of the applicant's conduct and all the circumstances. The administrative judge should consider the nine adjudicative process factors listed at AG ¶ 2(d):

- (1) the nature, extent, and seriousness of the conduct;
- (2) the circumstances surrounding the conduct, to include knowledgeable participation;
- (3) the frequency and recency of the conduct;
- (4) the individual's age and maturity at the time of the conduct;
- (5) the extent to which participation is voluntary;
- (6) the presence or absence of rehabilitation and other permanent behavioral changes;
- (7) the motivation for the conduct;
- (8) the potential for pressure, coercion, exploitation, or duress; and
- (9) the likelihood of continuation or recurrence.

Under AG ¶ 2(c), the ultimate determination of whether to grant eligibility for a security clearance must be an overall commonsense judgment based upon careful consideration of the guidelines and the whole-person concept.

I considered the potentially disqualifying and mitigating conditions in light of all the facts and circumstances. I have incorporated my comments under Guideline G in my whole-person analysis. Overall, the record evidence leaves me without questions or doubts as to Applicant's continued eligibility and suitability for a security clearance. I conclude Applicant has mitigated the alcohol involvement and personal conduct security concerns.

Formal Findings

Formal findings for or against Applicant on the allegations set forth in the SOR, as required by section E3.1.25 of Enclosure 3 of the Directive, are:

Paragraph 1, Guideline G:	FOR APPLICANT
Subparagraphs 1.a-1.e:	For Applicant

Conclusion

In light of all of the circumstances presented, it is clearly consistent with the interests of national security to grant Applicant eligibility for continued access to classified information. Eligibility for access to classified information is granted.

Braden M. Murphy
Administrative Judge