



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



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| In the matter of: |) | |
| |) | |
| |) | ISCR Case No. 22-01341 |
| |) | |
| Applicant for Security Clearance |) | |

Appearances

For Government: Erin P. Thompson, Esq., Department Counsel
For Applicant: *Pro se*

10/31/2024

Decision

On September 19, 2022, the Department of Defense (DOD) issued a Statement of Reasons (SOR) to Applicant detailing security concerns under Guideline G, alcohol consumption, and Guideline I, psychological conditions. The action was taken 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 implemented by DOD on June 8, 2017 (AG).

On September 20, 2022, Applicant provided a response to the SOR, and requested a hearing before an administrative judge. The case was assigned to another administrative judge on January 26, 2023. A hearing was scheduled and held on March 7, 2023. I was assigned to the case on October 16, 2024. I contacted Applicant offering to reopen his case for another hearing since so much time had passed. He accepted the offer, and a supplemental hearing was scheduled and held on October 22, 2024. During the course of the supplemental hearing, and after completely reviewing the record from the first hearing, I stated on the record that I believed this case was appropriate for a Summary Disposition in Applicant’s favor. Department Counsel did not object.

This case involves four allegations of alcohol consumption concerns under Guideline G, and two cross-allegations of psychological conditions concerns under

Guideline I. Applicant had two alcohol incidents in 2012 while attending college. In 2015, while intoxicated, he made a suicide attempt by overdosing on prescribed medication. He was admitted to a hospital and later diagnosed with Unspecified Episodic Mood Disorder, Personality Disorder, and Alcohol Use Disorder-moderate. In 2021, he underwent a DOD-directed psychological evaluation, where he was again diagnosed with Alcohol Use Disorder-moderate, in early remission.

Applicant credibly testified that he has been sober for over three years. His last alcoholic drink was in approximately August 2021, while attending a friend's wedding. He acknowledged that the Alcohol Use Disorder is accurate and understands that he cannot drink in the future, and he is committed to that course of behavior. He also acknowledged that he was young and immature when the two alcohol incidents occurred while in college. He is an outstanding performer at work and has the full support of his wife and family in his efforts to remain sober.

The November 2021 psychological evaluation found that Applicant did not meet the diagnostic criteria for any other mental health concerns other than the Alcohol Use Disorder. The evaluator offered a guarded prognosis concerning future alcohol abuse given the short amount of sobriety at the time of the evaluation (about three months). That concern has been refuted by Applicant's continued sobriety of over three years.

The concerns over Applicant's alcohol problems and mental health no longer create doubts about his current reliability, trustworthiness, good judgment, and ability to protect classified information. His established period of sobriety and his recognition that he must abstain from alcohol in the future show maturity and a willingness to deal with this condition in a straight-forward manner. In reaching these conclusions, 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 he met his ultimate burden of persuasion to show that it is clearly consistent with the national interest to grant his eligibility for access to classified information. This case is decided for Applicant. Clearance is granted.

Robert E. Coacher
Administrative Judge