



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



In the matter of:

ISCR Case No. 24-01320

Applicant for Security Clearance

**Appearances**

For Government:  
Tara R. Karoian, Esq, Department Counsel

For Applicant:  
Benjamin N. Young, Esq. – Answer  
*Pro se* – FORM

12/09/2025

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**Decision**

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GLENDON, John Bayard, Administrative Judge:

Applicant has not mitigated the security concerns raised under either the Drug Involvement and Substance Misuse adjudicative guideline or the Personal Conduct guideline. National security eligibility for access to classified information is denied.

**Statement of the Case**

Applicant submitted a Questionnaire for National Security Positions on December 4, 2023 (2023 Questionnaire). On November 5, 2024, the Defense Counterintelligence and Security Agency (DCSA) issued a Statement of Reasons (SOR) to Applicant detailing security concerns under Guideline H (Drug Involvement and Substance Misuse) and Guideline E (Personal Conduct). The action was taken 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 the adjudicative guidelines (AG) effective within DoD after June 8, 2017.

On January 20, 2025, Applicant, through counsel, responded to the SOR in writing (Answer) and requested an in-person hearing. During the process of attempting to schedule the hearing, counsel indicated that Applicant instead desired that the case be decided on the written record in lieu of a hearing. This request was confirmed in follow-up correspondence with Department Counsel wherein Applicant's counsel also related that the Applicant would move forward with the case *pro se*. In his Answer, Applicant did not address the specific SOR allegations but rather discussed supporting facts for Mitigating Conditions (MC) ¶¶ 16.c, d, and g as well as ¶¶ 25.a and b. Each allegation and Applicant's response will be addressed *infra*.

On August 6, 2025, Department Counsel submitted the Government's written case in a File of Relevant Material (FORM). A complete copy of the FORM, consisting of Government Exhibits (GE) 1 to 6, and the Government's arguments in support of the SOR, was received by the Applicant on September 3, 2025. He was afforded an opportunity to file objections and submit material to refute, extenuate, or mitigate the security concerns, but he did not respond within the period specified to do so. The case was assigned to me on November 17, 2025.

### **Findings of Fact**

Applicant is 25 years old and has worked for a DoD contractor as an engineer since August 2023. He graduated from college in 2023 with a bachelor's degree. He submitted a Questionnaire on December 22, 2022 (2022 Questionnaire), after which time he received a secret clearance on May 8, 2023. He then submitted the 2023 Questionnaire seeking a top-secret clearance in connection with his employment. He is unmarried and has no children. (GE 3 at 5, 10-12, 22-23; GE 4; GE 6; and supporting letters attached to Answer).

### **SOR Paragraph 1, Guideline H (Drug Involvement and Substance Misuse)**

The Government alleged that Applicant is ineligible for a security clearance because he used marijuana for over six years, including "after completing an Electronic Questionnaires for Investigations Processing," *i.e.*, the 2022 Questionnaire. (SOR ¶ 1.d). The Government also alleged use of mushrooms twice over a two-year period, including after being "granted security clearance eligibility" (SOR ¶ 1.e). In addition, the Government alleged a single instance of Adderall use without a valid prescription. Based upon the evidence presented in the administrative record, I find the following facts regarding the history and status of Applicant's drug use:

**1.a. Marijuana Use from August 2017 to July 2023.** In his Answer, Applicant acknowledged having used marijuana from "around 2017 while in High School" until "a few months after graduation in May 2023." In his December 2022 Questionnaire, Applicant disclosed recreational use of marijuana in high school and college from August 2017 through December 2022. He also declared that "marijuana is not apart (sic) of my behavior..." and stated "since getting notice of this security clearance (sic) I have since stopped and do not anticipate smoking again." He reiterated his plan to refrain from future

use during his security background interview under oath with a DoD investigator on March 23, 2023, which he later adopted as true in his responses to the Government's interrogatories on August 22, 2024.

In his 2023 Questionnaire, Applicant updated his marijuana usage to include July 2023 while on vacation, which was "the last time that I plan to use marijuana." He again repeated his pledge of abstention to a DoD investigator under oath on May 14, 2024, which was likewise adopted as true in his responses to the Government's interrogatories. In those same responses to interrogatories, he stated his most recent use of marijuana was "summer 2023." In both his 2023 Questionnaire and his adopted statement to the DoD investigator, Applicant also admitted to shipping an ounce of marijuana from California to Louisiana in approximately August 2022. (Answer at 3, 7; GE 3 at 44-45; GE 4 at 40-41, 47; GE 5 at 3-4 and 8-9)

**1.b. Mushroom use in July 2021 and June 2023.** In his Answer, Applicant addressed in general terms his "drug use" and marijuana specifically, but he omitted any reference to his use of mushrooms. In his statement attached to his Answer, however, Applicant specifically discussed intentional mushroom ingestion with friends in summer 2021 and June 2023. Both uses were likewise discussed in his 2023 Questionnaire and again with the DoD investigator on May 14, 2024. Applicant recounted having purchased the 2023 dose in a San Francisco park from a dealer known only as "the mushroom man." As with the marijuana use, Applicant intimated he had "no future intent to use any illegal drugs." (Answer at attached statement; GE 3 at 46; GE 5 at 8)

**1.c. Use of Adderall without a prescription in August 2021.** Applicant referred only generally to "drug use" in his Answer, but he omitted any reference to Adderall. In his 2023 Questionnaire, however, he acknowledged taking the drug with a group of people around the time of his 21st birthday, which was August 10, 2021. Applicant confirmed this admission to the DoD investigator on May 14, 2024. (GE 3 at 5, 48-49; GE 5 at 9)

**1.d. Use of marijuana from May – July 2023 "after having completed an Electronic Questionnaires for Investigations Processing application."** In his Answer, Applicant acknowledges having "used drugs on several occasions between the submission of the eQIP (the 2022 Questionnaire) and beginning his work at [defense contractor]..." and that "he failed by using drugs after receiving his initial clearance, even if he had yet to begin working." Applicant completed the 2022 Questionnaire on December 22, 2022, and was granted a secret clearance on May 8, 2023. He admitted using marijuana in July 2023. Applicant received a conditional offer of employment from [defense contractor] in December 2022 but did not start his job until August 28, 2023. (Answer, GE 5 at 6; GE 6 at 1)

**1.e. Use of mushrooms after being “granted security clearance eligibility.”**

As discussed above, Applicant acknowledged in his Answer having “used drugs on several occasions between the submission of the eQIP (the 2022 Questionnaire) and beginning his work at Northrop Grumman...” and that “he failed by using drugs after receiving his initial clearance, even if he had yet to begin working.” Applicant completed the 2022 Questionnaire on December 22, 2022, and was granted a secret clearance on May 8, 2023. He admitted using mushrooms in June 2023. Applicant received a conditional offer of employment from Northrop Grumman in December 2022 but did not start his job until August 28, 2023. (Answer, GE 5 at 6; GE 6 at 1)

**SOR Paragraph 2, Guideline E (Personal Conduct)**

The Government alleged that Applicant is ineligible for a security clearance because he had engaged in conduct that involved questionable judgment, lack of candor, dishonesty, or unwillingness to comply with rules and regulations. I find the following facts regarding this allegation and Applicant’s denial:

**2.a. Falsification in 2022 Questionnaire by omitting mushroom use.** In the 2022 Questionnaire, Applicant did not disclose his July 2021 mushroom use that he admits to in both the Answer and his subsequent 2023 Questionnaire. In the summary of Applicant’s interview by a DoD investigator from March 23, 2023, as adopted via interrogatories on August 22, 2024, Applicant discussed his marijuana use from 2017 to December 2022, but then he specifically denied involvement with any other illegal drugs or prescription medications in the last seven years. In his statement attached to his Answer, Applicant stated that he forgot that he had used mushrooms. (GE 3 at 46; GE 4 at 40-42; Answer).

**2.b. False statements to DoD investigator on March 23, 2023, by omitting mushroom use.** The summary of Applicant’s interview by a DoD investigator from March 23, 2023 (as adopted via interrogatories on August 22, 2024) discussed marijuana use from 2017 to December 2022. Applicant then denied involvement with any other illegal drugs or prescription medications in the last seven years. In his statement attached to the Answer, Applicant acknowledged recalling the mushroom use during the DoD interview, but “suddenly panicked” when he recalled having left the information off of his 2022 Questionnaire. “Instead of being honest, (he) chose to say ‘no’,” because he feared he would be “in deeper trouble by admitting it then.” (Answer, GE 5 at 4.)

**2.c. Charged with marijuana possession in Indiana in about January 2020.** Applicant admitted this incident in both questionnaire submissions. He repeated this admission in his Answer. (Answer, GE 3 at 40-42; GE 4 at 36-38.)

**2.d. Cited for underage marijuana use in California in about August 2019.** Applicant acknowledged and admitted to this incident in both questionnaires. He repeated this acknowledgment in his Answer. (Answer, GE 3 at 42-44; GE 4 at 38-39.)

**2.e. Cross-allegations with paragraph 1 in its entirety.** Discussed above.

## **Whole Person and Mitigating Evidence**

Applicant submitted a personal statement and two letters of support as whole person/evidence in mitigation of the security concerns alleged in the SOR. These submissions were reviewed in their entirety, as well the comments and explanations Applicant included in his questionnaires.

## **Policies**

When evaluating an applicant's suitability for national security eligibility, the administrative judge must consider the adjudicative guidelines. In addition to brief introductory explanations for each guideline, the adjudicative guidelines (AG) list potentially disqualifying conditions and mitigating conditions, which are to be used in evaluating an applicant's national security eligibility.

These guidelines are not inflexible rules of law. Instead, recognizing the complexities of human behavior, these guidelines are applied in conjunction with the factors listed in AG ¶ 2 describing the adjudicative process. The administrative judge's overarching adjudicative goal is a fair, impartial, and commonsense decision. The entire process is a conscientious scrutiny of applicable guidelines in the context of a number of 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, "Any doubt concerning personnel being considered for national security eligibility will be resolved in favor of the national security." In reaching this decision, I have drawn only those conclusions that are reasonable, logical, and based on the evidence contained in the record. I have not drawn inferences based on mere speculation or conjecture.

Directive ¶ E3.1.14, requires the Government to present evidence to establish controverted facts alleged in the SOR. Under Directive ¶ E3.1.15, "The applicant is responsible for presenting witnesses and other evidence to rebut, explain, extenuate, or mitigate facts admitted by the applicant or proven by Department Counsel, and has the ultimate burden of persuasion as to obtaining a favorable clearance 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 national security eligibility. Decisions include, by necessity, consideration of the possible risk the applicant may deliberately or inadvertently fail to protect or safeguard classified information. Such decisions entail a certain degree of legally permissible extrapolation as to potential, rather than actual, risk of compromise of classified or sensitive information.

Finally, as emphasized in Section 7 of Executive Order 10865, “Any determination under this order adverse to an applicant shall be a determination in terms of the national interest and shall in no sense be a determination as to the loyalty of the applicant concerned.” See *also* Executive Order 12968, Section 3.1(b) (listing multiple prerequisites for access to classified or sensitive information.)

## **Analysis**

### **SOR Paragraph 1, Guideline H (Drug Involvement and Substance Misuse)**

The security concerns relating to the guideline for drug involvement and substance misuse are set out in AG ¶ 24, which reads as follows:

The illegal use of controlled substances, to include the misuse of prescription and non-prescription drugs, and the use of other substances that cause physical or mental impairment or are used in a manner inconsistent with their intended purpose can raise questions about an individual’s reliability and trustworthiness, both because such behavior may lead to physical or psychological impairment and because it raises questions about a person’s ability or willingness to comply with laws, rules, and regulations. *Controlled substance* means any “controlled substance” as defined in 21 U.S.C. 802. *Substance misuse* is the generic term adopted in this guideline to describe any of the behaviors listed above.

The facts of this case establish the following potentially disqualifying condition set forth in AG ¶ 25:

(a) any substance misuse (see above definition).

The burden, therefore, shifts to Applicant to mitigate security concerns under Guideline H.

The guideline includes the following two conditions in AG ¶ 26 that can mitigate security concerns arising from Applicant’s drug use:

(a) the behavior happened so long ago, was so infrequent, or happened under such circumstances that it is unlikely to recur or does not cast doubt on the individual’s current reliability, trustworthiness, or good judgment; and

(b) the individual acknowledges his or her drug involvement and substance misuse, provides evidence of actions taken to overcome the problem, and has established a pattern of abstinence, including, but not limited to:

- (1) disassociation from drug-using associates and contacts;
- (2) changing or avoiding the environment where drugs were used; and
- (3) providing a signed statement of intent to abstain from all drug involvement and substance misuse, acknowledging that any future involvement or misuse is grounds for revocation of national security eligibility.

There is evidence in the record to support the application of AG ¶26(b) to all of the alleged drug use. Applicant is working in a new city, has provided statements with his Answer from new friends, and has provided a signed statement of intent to abstain.

The record evidence fails, however, to establish AG ¶26(a) as it pertains to SOR ¶¶ 1.a, 1.b, or 1.c. While Applicant's last uses of marijuana and mushrooms were approximately 18 months before he signed his most recent pledge of abstention and his Answer to the SOR, the circumstances surrounding the uses casts doubt on the Applicant's **current** reliability, trustworthiness, or good judgment. (See ISCR Case No. 22-00392 at 2 (App. Bd. Jun. 1, 2023).) DOHA case law has long held that "[a] person who broke a promise to abide by drug laws after having been placed on notice that drug use is not compatible with access to classified information has not demonstrated the quantum of reliability expected of those with access to classified information." (ISCR Case No. 16-03460 at 4 (App. Bd. May 24, 2018).)

Applicant essentially attributes his decision to use two different drugs on two separate occasions in the summer of 2023 to peer pressure because "it is difficult for young adults, fresh out of college, to stop spending time with friends from high school and their childhood." Spending time with childhood friends does not, *per se*, equate to using drugs with old friends. This was not a one-time mistake, and Applicant did not lack information about the Government's concerns about drug use. This behavior and decision-making process casts doubt on his current reliability, trustworthiness, and good judgment. Applicant has not offered any evidence in mitigation beyond the statement of intent included with his Answer. But as he has offered such assurances in the recent past, the newest pledge remains unpersuasive because "[e]ngaging in disqualifying conduct after being put on notice that said conduct could put his/her clearance in jeopardy is reckless and incompatible with a claim that the Applicant is rehabilitated." (ISCR Case No. 11-00391 at 2-3 (App. Bd. Dec. 1, 2011).)

As for the Adderall use alleged in SOR ¶ 1.c, the drug use happened some time ago. Applicant, however, failed to specifically address this allegation in his Answer or attached statement. He acknowledged the drug use in his 2023 Questionnaire but failed to discuss it at all in his Answer or attached statement. No additional information has been provided to evaluate the circumstances surrounding the drug use beyond a decision to use it “to stay up late” with an unnamed group of people. In the absence of mitigating evidence, it cannot be concluded that this event is unlikely to reoccur.

Finally, it should be noted that the Government alleged an additional potentially disqualifying condition set forth in AG ¶ 25:

(f) any illegal drug use while granted access to classified information or holding a sensitive position.

This condition is inapplicable here because the Government failed to properly allege use while granted access to classified information or holding a sensitive position. Instead, the Government pled allegations that are essentially multiplicitous. While multiplicity relates to criminal charges and Double Jeopardy issues under the Fifth Amendment, the equitable premise still applies here in that the Government cannot allege the same misconduct under different headings absent specific guidance from the Directive. Use of marijuana after submitting a Questionnaire is not a proper separate allegation under the Directive – it is simply the re-allegation of the same use, adding an aggravating condition not listed in the Directive. This is also true for the allegation of mushroom use after being granted security clearance eligibility. Absent an allegation/evidence of holding a sensitive position, *i.e.*, one requiring a clearance, it is simply the re-allegation of the same use, adding another aggravating condition not listed in the Directive. (See *generally* ISCR Case 23-01884 (App. Bd. Nov. 6, 2024).) As such, SOR ¶¶ 1.d and 1.e. cannot be considered as separate allegations under Guideline H (or as cross-alleged under Guideline E).

In reviewing the facts of this case with respect to mitigation, I have considered the Security Executive Agent’s *Clarifying Guidance Concerning Marijuana for Agencies Conducting Adjudications of Persons Proposed for Eligibility for Access to Classified Information or Eligibility to Hold a Sensitive Position* (Dec. 2021) (Clarifying Guidance). This guidance provides, “particularly in response to the increase in the number of states and local governments legalizing or decriminalizing uses of marijuana” that prior “marijuana use by an individual may be relevant to adjudications *but not determinative*.” (Clarifying Guidance at 1-2.) The guidance emphasizes the importance of the Whole-Person Concept in marijuana cases in weighing the “variables in an individual’s life to determine whether the individual’s behavior raises a security concern, if at all, and whether that concern has been mitigated such that the individual may now receive a favorable adjudication determination.” (Clarifying Guidance at 2.) Accordingly, the analysis of this case must weigh both the above mitigating conditions and particularly the Whole-Person Concept. (ISCR Case No. 22-01865 at 4-5 (App. Bd. Jun. 17, 2025).)



## **SOR Paragraph 2 – Guideline E, Personal Conduct**

The security concerns relating to the guideline for personal conduct are set out in AG ¶ 15, which states:

Conduct involving questionable judgment, lack of candor, dishonesty, or unwillingness to comply with rules and regulations can raise questions about an individual's reliability, trustworthiness and ability to protect classified or sensitive information. Of special interest is any failure to cooperate or provide truthful and candid answers during national security investigative or adjudicative processes.

The facts of this case establish the following potentially disqualifying conditions set forth in AG ¶ 16:

(a) deliberate omission, concealment, or falsification of relevant facts from any personnel security questionnaire, personal history statement, or similar form used to conduct investigations, determine employment qualifications, award benefits or status, determine national security eligibility or trustworthiness, or award fiduciary responsibilities;

(b) deliberately providing false or misleading information; or concealing or omitting information, concerning relevant facts to an employer, investigator, security official, competent medical or mental health professional involved in making a recommendation relevant to a national security eligibility determination, or other official government representative; and

(d) credible adverse information that is not explicitly covered under any other guideline and may not be sufficient by itself for an adverse determination, but which, when combined with all available information, supports a whole-person assessment of questionable judgment, untrustworthiness, unreliability, lack of candor, unwillingness to comply with rules and regulations, or other characteristics indicating that the individual may not properly safeguard classified or sensitive information. This includes but is not limited to, consideration of:

(3) a pattern of dishonesty or rule violations.

The burden, therefore, shifts to Applicant to mitigate security concerns under Guideline E.

The guideline includes the following two conditions in AG ¶ 17 that can mitigate security concerns arising from Applicant's conduct:

(c) the offense is so minor, or so much time has passed, or the behavior is so infrequent, or it happened under such unique circumstances that it is unlikely to recur and does not cast doubt on the individual's reliability, trustworthiness, or good judgment; and

(d) the individual has acknowledged the behavior and obtained counseling to change the behaviors or taken other positive steps to alleviate the stressors, circumstances, or factors that contributed to untrustworthy, unreliable, or other inappropriate behavior, and such behavior is unlikely to reoccur.

The record evidence establishes AG ¶¶ 17(c) and (d) as to Applicant's drug charges/citations in 2019 and 2020 (SOR ¶¶ 2.c and 2d). The minor misconduct occurred during Applicant's collegiate years with individuals Applicant does not socialize with anymore. Likewise, AG ¶ 17(c) applies to Applicant's omission of his mushroom use from his 2022 Questionnaire responses. (SOR ¶ 2.a). Applicant's explanation of his failure to recall the use gains credibility in light of his ultimate acknowledgement of later actively deceiving the DoD investigator.

The record evidence, however, fails to establish AG ¶¶ 17(c) and (d) as to Applicant's conscious decision to deceive the DoD investigator on March 23, 2023 (SOR ¶ 2.b). In cases involving the deliberate omission, concealment, or falsification of material information, an Applicant has a "heavy burden in demonstrating evidence of reform, rehabilitation, or changed circumstances to justify a conclusion that it is clearly consistent with the national interest to grant him access to classified information." (ISCR Case No. 23-01207 at 5 (Mar. 25, 2024).) Applicant has not met this heavy burden, only arguing in his Answer that admitting to **some** of his drug use in his 2022 Questionnaire answers "shows (his) honesty and desire to be forthright about his drug use." (Answer at 6)

The record evidence likewise fails to establish AG ¶¶ 17(c) and (d) as to the cross-alleged misconduct of drug use listed in SOR ¶¶ 1.a and 1.b. (marijuana and mushroom use). As discussed above, Applicant's decision to use both marijuana and psilocybin-mushrooms after two criminal citations for marijuana possession/use; after applying for a security clearance following receipt of sponsorship by a defense contractor; after filling out the 2022 Questionnaire December 12, 2022 (wherein he stated "I do not anticipate smoking again"); and after a DoD interview on March 23, 2023 (wherein he claimed to have "no future intent to use it") raises profound concerns about his willingness to comply with rules and regulations and raises questions about his reliability, trustworthiness, and ability to protect classified or sensitive information.

Additionally, the record evidence also fails to establish AG ¶¶ 17(c) and (d) as to the cross-alleged misconduct listed in SOR ¶ 1.c (Adderall) because, as discussed above, Applicant has provided no information in his Answer or any evidence in mitigation to evaluate whether the circumstances of this drug use are unlikely to reoccur. Lastly, as discussed above, the cross-alleged misconduct pled in SOR ¶¶ 1.d and 1.e is legally defective and will not be considered against Applicant.

### **Whole-Person Concept**

Under the whole-person concept, the administrative judge must evaluate an applicant's eligibility for national security eligibility by considering the totality of the applicant's conduct and all relevant 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.

Also, given the Applicant's admission of criminal misconduct not listed in the SOR, it is important to note the well-established premise that unalleged conduct may still properly be considered by the judge (ISCR Case No. 03-20327 at 3 (App. Bd. Oct. 26, 2006)):

- a. To assess an applicant's credibility;
- b. To evaluate an applicant's evidence of extenuation, mitigation, or changed circumstances;
- c. To consider whether an applicant has demonstrated successful rehabilitation;
- d. To decide whether a particular provision of the Adjudicative Guidelines is applicable; or
- e. To provide evidence for the whole person analysis.

Under AG ¶ 2(c), the ultimate determination of whether to grant national security 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 above whole-person factors and the potentially disqualifying and mitigating conditions in light of all pertinent facts and circumstances surrounding this case. I have given the appropriate weight to Applicant's January 20, 2025 Statement of Intent to Abstain and willingness to submit to regular drug testing, though the implementation/enforcement of any such arrangement is beyond the purview of this decision. I have also considered the comments in his answer and the letters of recommendation included with it.

In addition, I have considered that Applicant shipped an ounce of marijuana from California to Louisiana in August 2022. (GE 3 at 47; GE 5 at 9). This would constitute a violation of the Controlled Substances Act by distributing marijuana across state lines (21 U.S.C. §841 pertains). I have also considered the fact that Applicant's 2022 Questionnaire does not mention his 2021 use of Adderall. (GE 4 at 40-42)

I have resolved the two allegations of use after completing a Questionnaire and after being granted clearance eligibility in Applicant's favor as I find them to be legally defective in how they were pleaded in the SOR. In addition, I have resolved the two marijuana charges/citations in Applicant's favor as they are old and occurred during his time in college. Finally, I have resolved the allegation of omitting mushroom use from his 2022 Questionnaire allowing for the likelihood of mistake. The remaining issues cannot be resolved in Applicant's favor, however, and overall, the record evidence leaves me with questions and doubts as to Applicant's suitability for national security eligibility and a security clearance.

### **Formal Findings**

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

Paragraph 1, Guideline H:	AGAINST APPLICANT
Subparagraphs 1.a through 1.c:	Against Applicant
Subparagraphs 1.d. and 1.e:	For Applicant
Paragraph 2, Guideline E:	AGAINST APPLICANT
Subparagraph 2.a:	For Applicant
Subparagraph 2.b:	Against Applicant
Subparagraphs 2.c and 2.d:	For Applicant
Subparagraph 2.e:	Against Applicant

### **Conclusion**

In light of all of the circumstances presented by the record in this case, it is not clearly consistent with the national interest to grant Applicant national security eligibility. Eligibility for access to classified information is denied.

JOHN BAYARD GLENDON  
Administrative Judge