



DEFENSE LEGAL SERVICES AGENCY
DEFENSE OFFICE OF HEARINGS AND APPEALS



In the matter of:)
)
) ISCR Case No. 24-00279
)
Applicant for Security Clearance)

Appearances

For Government: Andre M. Gregorian, Esq., Department Counsel
For Applicant: *Pro se*

07/06/2026

Decision

HARVEY, Mark, Administrative Judge:

Security concerns arising under Guidelines G (alcohol consumption) and J (criminal conduct) are mitigated. Eligibility for access to classified information is granted.

Statement of the Case

On February 11, 2021, and April 12, 2022, Applicant completed and signed Electronic Questionnaires for Investigations Processing (e-QIP) or security clearance applications (SCAs). (Government Exhibit (GE) 1; GE 2) On April 5, 2024, the Defense Counterintelligence and Security Agency (DCSA) issued a statement of reasons (SOR) to Applicant under Executive Order (Exec. Or.) 10865, *Safeguarding Classified Information within Industry*, February 20, 1960; Department of Defense (DOD) Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (Directive), January 2, 1992; and Security Executive Agent Directive 4, establishing in Appendix A the *National Security Adjudicative Guidelines for Determining Eligibility for Access to Classified Information or Eligibility to Hold a Sensitive Position* (AGs), effective June 8, 2017. (Hearing Exhibit (HE) 1)

The SOR detailed reasons why the DCSA did not find under the Directive that it is clearly consistent with the interests of national security to grant or continue a security clearance for Applicant and recommended referral to an administrative judge to

determine whether a clearance should be granted, continued, denied, or revoked. Specifically, the SOR set forth security concerns arising under Guidelines G and J. (HE 1) On June 24, 2024, Applicant provided a response to the SOR and requested a hearing. (HE 2) On August 1, 2024, Department Counsel was ready to proceed.

On January 13, 2025, the case was assigned to another administrative judge. On June 12, 2025, the Defense Office of Hearings and Appeals (DOHA) issued a notice scheduling the hearing for June 27, 2025. (HE 4) The hearing was held as originally scheduled. In April 2026, the assigned administrative judge passed away. Applicant requested an additional hearing. On April 7, 2026, the case was assigned to me. On April 22, 2026, DOHA issued an amended notice scheduling the hearing on May 27, 2026. (HE 4A) The hearing was held as rescheduled.

Department Counsel offered three exhibits into evidence; Applicant offered five exhibits; there were no objections; and I admitted the proffered exhibits into evidence. (Transcript (Tr.) Tr1. 13, 15-16; Tr2. 10; GE 1-GE 3; Applicant Exhibit (AE) A-AE E) On June 8, 2026, DOHA received a transcript of the hearing. No post-hearing documents were received.

Some details were excluded to protect Applicant's right to privacy. Specific information is available in the cited exhibits and transcript.

Findings of Fact

In Applicant's SOR response, he admitted the SOR allegations in ¶¶ 1.a, 1.b, 1.c, and 2.a. (Tr1. 18-19; HE 2) He also provided mitigating information. (HE 2) His admissions are accepted as findings of fact. Additional findings follow.

Applicant is a 65-year-old employee of a Defense contractor who works in aircraft development. (Tr2. 6, 29-30) In 1979, he graduated from high school. (Tr1. 6; Tr2. 6) He attended the Naval Academy from 1979 to 1981. (Tr1. 7; Tr2. 8) He received an honorable discharge from the Navy. (Tr1. 7; Tr2. 8) In 1983, he received a bachelor of science degree in mechanical engineering. (Tr1. 7; Tr2. 6)

Immediately, after graduating from college, he became a Department of the Army civilian employee. (Tr2. 26) He worked for the Army as a civilian for 34 years. (Tr1. 8; Tr2. 26) He was a GS-15 when he left Army civilian employment. In 2001, he received a master of science degree in program management, and in 2008, he received a master of science degree in national security and resource strategy. (Tr1. 7-8; Tr2. 6-7) He served in Iraq and Afghanistan in a program to develop countermeasures for improvised explosive devices (IEDs). (Tr2. 27-29)

In 1985, Applicant married, and in 2009, he was divorced, and in 2011, he married, and in 2021, he was divorced. (Tr1. 37-38; Tr2. 8) His twin children were born in 1988, and his stepchildren were born in 2002 and 2005. (GE 1) In 2017, he began his

employment with a government contractor. (Tr2. 26) He has held a security clearance for 43 years and a top secret clearance for 35 years. (Tr2. 61) There is no evidence of security violations.

Alcohol Consumption and Criminal Conduct

The SOR allegations will be addressed in chronological order. SOR ¶ 1.c alleges that Applicant was arrested in about September 2004 and charged with driving under the influence of alcohol (DUI). He was convicted of DUI and received a driver's license suspension for three months.

In September of 2004, Applicant was at an out-of-state convention, and he consumed an excessive amount of alcohol. (Tr1. 42-43) The police stopped his vehicle because he drove the wrong way on a one-way street. (Tr1. 42-43) He admitted to drinking; failed a sobriety test; and had .15 and .17 percent breathalyzer test results. (Tr1. 42-43) In February of 2005, he was found guilty; his driver's license was suspended for three months not 18 months; he received 12 weeks of court-ordered alcohol counseling; and he received a fine. (Tr1. 43-44) During alcohol counseling, he was advised to decrease his level of alcohol consumption; however, he was not told to abstain from alcohol consumption. (Tr1. 45)

SOR ¶ 1.b alleges that Applicant was arrested in April 2007 and charged with DUI. He was convicted of DUI and received a driver's license suspension for two years.

In April of 2007, Applicant consumed an excessive amount of alcohol at a bar. (Tr1. 46) He drove his vehicle into a sign and slightly damaged the side of his vehicle. (Tr1. 46) The police stopped his vehicle and arrested him for DUI. (Tr1. 46) His breathalyzer result was .18 or .19 percent. (Tr1. 47)

Applicant said he had just separated from his first wife, and his father passed away in January of 2007. (Tr1. 47) As a result of these personal stressors in his life, he consumed an excessive amount of alcohol. (HE 2) In July of 2008, he pleaded guilty to DUI; his driver's license was suspended for 24 months; he received alcohol counseling from September of 2008 to February of 2009; and a fine. (Tr1. 47) As part of his alcohol counseling, he was advised to reduce his level of alcohol consumption; however, he was not advised to abstain from alcohol consumption. (Tr1. 48) In 2007, Applicant stopped drinking for about six months, and then he resumed "social drinking." (Tr1. 49)

SOR ¶ 1.a alleges that Applicant was arrested in about November 2020 and charged with DUI. In about June 2021, he pleaded guilty to DUI, was convicted, received a driver's license suspension for 18 months, and was placed on probation.

SOR ¶ 2.a cross alleges under the criminal conduct guideline the information in SOR ¶¶ 1.a, 1.b, and 1.c.

At his 2026 hearing, Applicant said he engaged in reckless behavior at the time of the DUIs in 2004 and 2007. (Tr2. 34) His marriage was ending; his father had just passed away; and he was separated from his spouse. (Tr2. 34) His breathalyzer results for the first two DUIs were .15 and .18 percent. (Tr2. 55)

In 2020, Applicant had about four drinks over a four-hour period at a gathering on the beach. (Tr1. 49) He pulled into a national park, made an illegal U-turn, and the police stopped his vehicle. (Tr1. 49; Tr2. 35) He failed a sobriety test, and he was arrested for DUI. (Tr1. 49) His breathalyzer result was .11 or .12 percent. (Tr1. 50; Tr2. 35)

In June of 2021, Applicant pleaded guilty to DUI. (Tr1. 50) He was ordered to complete 180 hours of community service; he received two years of probation; and his driver's license was revoked for two years. (Tr1. 50) In 2021, he stopped drinking for a time, and then he resumed social drinking. (Tr1. 54)

After his DUI in 2020, Applicant voluntarily underwent a comprehensive substance use disorder assessment at an addiction counseling entity. (Tr2. 32; AE B1) The evaluation used the American Society of Addiction and Medicine (ASAM) criteria and rated him at level one. (Tr2. 32; AE B1) The ASAM evaluation assesses "six dimensions by which [the social worker's] observations of risk ratings (0-4)." The ASAM evaluation determined that the following four criteria were relevant and for Applicant's evaluation: Acute Intoxication and/or Withdrawal Potential; Readiness to Change; Relapse, Continued Use, or Continued Problem; and Recovery/Living Environment. (Tr2. 33; AE B1) Applicant said:

Zero mean[s] no risk. The patient is fully functioning and stable. This is from the assessor's viewpoint. There are no symptoms where [the] patient demonstrates excellent coping skills to handle triggers. And risk factor one of a total of four is also low. And it indicates mild risk. Patient exhibits minor signs or symptoms but retains adequate coping mechanisms. They are mostly stable and are able to self-manage low level, self-low level support. (Tr2. 38)

Applicant scored one in each of the four areas. He summarized the results of the ASAM evaluation as follows:

I do not represent a current functional impairment. And I've been -- I would say I present negligible risk to national security. So what this did was, it basically said I recognize, and this is why I went there, I recognized the severity, I want to make change and then there was a recommendation. The recommendation was to go to outpatient treatment. (Tr2. 40)

On January 31, 2022, Applicant completed an outpatient alcohol and drug treatment program. (Tr1. 22; Tr2. 33; AE B2) This program entailed 26 sessions of group

and individual therapies with a counselor. (Tr2. 33) The letter of completion for his program states:

[Applicant] has successfully completed a total of twenty-six (26) [s]essions of the Alcohol and Drug Treatment Program. His urine test collected on April 8th and May 21st, 2021, were negative for alcohol and illegal drugs use. He was an attentive and active participant and contributed with good thoughts during sessions. It appears that he had gained knowledge on the consequences of alcohol and illicit drugs in his life. He has been discharged on May 24th, 2021; in compliance with our program guidelines. (AE B2)

On June 20, 2023, Applicant completed his court-ordered probation. (Tr1. 20; AE B3) His probation officer submitted a letter of support with no negative findings underscoring his adherence to all conditions and his responsible conduct. (Tr2. 35; AE B3) The court ordered him to maintain an alcohol-interlock device on his vehicle for four years starting when his driver's license was reinstated, and he will have that device on his vehicle until December of 2026. (Tr1. 23, 51; Tr2. 36, 49-50; AE B4)

In his March of 2024 response to DOHA interrogatories, Applicant said he drank alcohol about twice a week with two to three mixed drinks or wine each time. (Tr2. 55) In his prior hearing in 2025, he said he reduced his alcohol consumption since 2024, and consumed wine or mixed drinks on the weekends. (Tr1. 57) He limits his alcohol consumption. (Tr2. 36) He consumes alcohol during the week about once every two months, and on some weekends, he has a drink or two. (Tr2. 57) If he consumes alcohol away from home, he takes Ubers and rideshares. (Tr2. 36, 50-51) At his 2026 hearing, Applicant said, "I've changed my behavior. I am a total advocate for Uber and rideshare. I've reduced my consumption. I will never ever set foot in a car with even one beer. Whether I have [an] interlock on or not I'm just programmed." (Tr2. 55)

At Applicant's 2025 hearing, he said, he may have reported to work hung over in the past. (Tr1. 57) Applicant said, "I do not think I have an alcohol problem. I think I made some very unfortunate mistakes that I'm learning and growing from, especially this last one, four and a half years ago. I've changed my life significantly, especially through the volunteerism and my behavior." (Tr. 55)

As for his level of current alcohol consumption, Applicant said, "I barely drink now. I will have one or two drinks over the weekend, or occasionally" with a friend he visits away from his residence. (Tr2. 51) He has not had any arrests since the DUI arrest in 2020. (Tr2. 50)

Character Evidence

Applicant's supervisor at his current employment has known him for three years. (Tr2. 18) He described Applicant as trustworthy, reliable, honest, and loyal to the United States. (Tr2. 19-21) He has had dinner and drinks with Applicant about 12 times over the

last three years, and Applicant consumes one or two drinks. (Tr2. 20-21) He supported approval of Applicant's access to classified information. (Tr2. 23) Applicant received excellent performance evaluations. (Tr1. 32-33; Tr2. 44-46; AE D) He has a distinguished career as an Army civilian and a contractor, and he received multiple performance awards. (Tr1. 34-37; Tr2. 44-48; AE E)

Applicant is a member of an organization that is an "international forum for anything involving electronic warfare, radar, cyber." (Tr1. 25-27; Tr2. 44; AE C3) He was a local chapter president in this organization from 2015 to 2017, and from 2017 to 2023, he was on the international board of directors. (Tr2. 44) The organization's goals are related to Applicant's lifetime work in those areas.

In June of 2021, as a result of his DUI conviction, the court ordered Applicant to complete 180 hours of community service. (Tr1. 24; Tr2. 41) In 2021, he earned a national and state emergency medical technician (EMT) certification. (Tr2. 41; AE C1) He has been volunteering as an EMT at a local firehouse and then at a rescue squad. (Tr1. 24-25, 39-40; Tr2. 41; AE C1) He currently volunteers for about 700 to 900 hours a year. (Tr1. 25; Tr2. 57)

Policies

The U.S. Supreme Court has recognized the substantial discretion of the Executive Branch in regulating access to information pertaining to national security emphasizing, "no one has a 'right' to a security clearance." *Department of the Navy v. Egan*, 484 U.S. 518, 528 (1988). As Commander in Chief, the President has the authority to "control access to information bearing on national security and to determine whether an individual is sufficiently trustworthy" to have access to such information. *Id.* at 527. The President has authorized the Secretary of Defense or his designee to grant applicants eligibility for access to classified information "only upon a finding that it is clearly consistent with the national interest to do so." Exec. Or. 10865, *Safeguarding Classified Information within Industry* § 2 (Feb. 20, 1960), as amended.

Eligibility for a security clearance is predicated upon the applicant meeting the criteria contained in the adjudicative guidelines. These guidelines are not inflexible rules of law. Instead, recognizing the complexities of human behavior, these guidelines are applied in conjunction with an evaluation of the whole person. An administrative judge's overarching adjudicative goal is a fair, impartial, and commonsense decision. An administrative judge must consider all available, reliable information about the person, past and present, favorable and unfavorable.

The Government reposes a high degree of trust and confidence in people with access to classified information. This relationship transcends normal duty hours and endures throughout off-duty hours. Decisions include, by necessity, consideration of the possible risk the applicant may deliberately or inadvertently fail to safeguard classified information. Such decisions entail a certain degree of legally permissible extrapolation

about potential, rather than actual, risk of compromise of classified information. Clearance decisions must be “in terms of the national interest and shall in no sense be a determination as to the loyalty of the applicant concerned.” See Exec. Or. 10865 § 7. Thus, this decision should not be construed to suggest that it is based on any express or implied determination about applicant’s allegiance, loyalty, or patriotism. It is merely an indication the applicant has not met the strict guidelines the President, Secretary of Defense, and Director of National Intelligence have established for issuing a clearance.

Initially, the Government must establish, by substantial evidence, conditions in the personal or professional history of the applicant that may disqualify the applicant from being eligible for access to classified information. The Government has the burden of establishing controverted facts alleged in the SOR. See *Egan*, 484 U.S. at 531. “Substantial evidence” is “more than a scintilla but less than a preponderance.” See *v. Washington Metro. Area Transit Auth.*, 36 F.3d 375, 380 (4th Cir. 1994). The guidelines presume a nexus or rational connection between proven conduct under any of the criteria listed therein and an applicant’s security suitability. See ISCR Case No. 95-0611 at 2 (App. Bd. May 2, 1996).

Once the Government establishes a disqualifying condition by substantial evidence, the burden shifts to the applicant to rebut, explain, extenuate, or mitigate the facts. Directive ¶ E3.1.15. An applicant “has the ultimate burden of demonstrating that it is clearly consistent with the national interest to grant or continue his [or her] security clearance.” ISCR Case No. 01-20700 at 3 (App. Bd. Dec. 19, 2002). The burden of disproving a mitigating condition never shifts to the Government. See ISCR Case No. 02-31154 at 5 (App. Bd. Sep. 22, 2005). “[S]ecurity clearance determinations should err, if they must, on the side of denials.” *Egan*, 484 U.S. at 531; see AG ¶ 2(b).

Analysis

Alcohol Consumption and Criminal Conduct

AG ¶ 21 articulates the security concern for alcohol consumption, “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.”

AG ¶ 30 provides the security concern for criminal conduct, “Criminal activity creates doubt about a person’s judgment, reliability, and trustworthiness. By its very nature, it calls into question a person’s ability or willingness to comply with laws, rules, and regulations.”

AG ¶ 22 provides alcohol consumption conditions that could raise a security concern and may be disqualifying 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 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;

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

(e) the failure to follow treatment advice once diagnosed; and

(f) alcohol consumption, which is not in accordance with treatment recommendations, after a diagnosis of alcohol use disorder.

AG ¶ 31 provides criminal conduct conditions that could raise a security concern and may be disqualifying in this case:

(a) a pattern of minor offenses, any one of which on its own would be unlikely to affect a national security eligibility decision, but which in combination cast doubt on the individual's judgment, reliability, or trustworthiness; and

(b) evidence (including, but not limited to, a credible allegation, an admission, and matters of official record) of criminal conduct, regardless of whether the individual was formally charged, prosecuted, or convicted.

Disqualifying Conditions. The record establishes AG ¶¶ 22(a), 22(c), 31(a), and 31(b). AG ¶¶ 22(d), 22(e), and 22(f) are not established because there is no evidence of any diagnosis of alcohol use disorder, a failure to follow treatment advice once diagnosed, or alcohol consumption, which is not in accordance with treatment recommendations after a diagnosis of alcohol use disorder. Further details will be discussed in the mitigation analysis, *infra*.

AG ¶ 23 lists alcohol consumption mitigating conditions, which 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.

AG ¶ 32 lists criminal conduct mitigating conditions, which are potentially applicable:

(a) so much time has elapsed since the criminal behavior happened, or it happened under such unusual circumstances, that it is unlikely to recur and does not cast doubt on the individual's reliability, trustworthiness, or good judgment;

(b) the individual was pressured or coerced into committing the act and those pressures are no longer present in the person's life;

(c) no reliable evidence to support that the individual committed the offense; and

(d) there is evidence of successful rehabilitation; including, but not limited to, the passage of time without recurrence of criminal activity, restitution, compliance with the terms of parole or probation, job training or higher education, good employment record, or constructive community involvement.

The Appeal Board in ISCR Case No. 10-04641 at 4 (App. Bd. Sept. 24, 2013) explained Applicant's responsibility for proving the applicability of mitigating conditions as follows:

Once a concern arises regarding an applicant's security clearance eligibility, there is a strong presumption against the grant or maintenance of a security clearance. *See Dorfmont v. Brown*, 913 F.2d 1399, 1401 (9th Cir. 1990), *cert. denied*, 499 U.S. 905 (1991). After the Government presents evidence raising security concerns, the burden shifts to the applicant to rebut or mitigate those concerns. *See Directive ¶ E3.1.15*. The standard applicable in security clearance decisions is that articulated in *Egan, supra*. "Any doubt

concerning personnel being considered for access to classified information will be resolved in favor of the national security.” Directive, Enclosure 2 ¶ 2(b).

SOR ¶¶ 1.a, 1.b, 1.c, and 2.a allege, and the record establishes, that Applicant was arrested in about November 2020, April 2007, and September 2004, and subsequently charged and convicted of DUI. His breathalyzer results were all above .10, which constitutes binge alcohol consumption. His three DUI convictions are sufficient to establish a pattern of DUIs. He committed some underlying traffic offenses such as striking a sign and illegal U-turn while he was DUI.

Applicant provided compelling evidence “of successful rehabilitation; including, but not limited to, the passage of time without recurrence of criminal activity, . . . compliance with the terms of parole or probation, job training or higher education, good employment record, [and] constructive community involvement.” AG ¶ 32(d). His most recent DUI was in November of 2020, more than five years ago. He completed all required court-ordered counseling, community service, and successfully completed probation. There is no evidence of recurrence of criminal activity. His employment record is exceptional.

AG ¶¶ 23(a), 23(d), and 32(a) are established. Applicant has been consuming alcohol responsibly since his 2020 DUI. He has established “a clear and established pattern of modified consumption.” He promised to continue to limit his alcohol consumption to responsible levels. He does not drive after drinking, and his limited alcohol consumption after his DUI in 2020 justifies a conclusion that the DUIs happened “under such unique circumstances that it is unlikely to recur,” and it does not “cast doubt on the [his] reliability, trustworthiness, [and] good judgment.” Security concerns under Guidelines G and J are mitigated.

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), “[t]he ultimate determination” of whether to grant a security clearance “must be an overall commonsense judgment based upon careful consideration of the guidelines” and the whole-person concept. My comments under Guidelines G and J are incorporated in my whole-person analysis. Some of the factors in AG ¶ 2(d) were addressed under those guidelines but some warrant additional comment.

Applicant is a 65-year-old employee of a Defense contractor who works in aircraft development. He attended the Naval Academy from 1979 to 1981. He received an honorable discharge from the Navy. In 1983, he received a bachelor of science degree in mechanical engineering. Immediately, after graduating from college, he became a Department of the Army civilian employee. He worked for the Army as a civilian for 34 years. In 2001, he received a master of science degree in program management, and in 2008, he received a master of science degree in national security and resource strategy. He served in Iraq and Afghanistan in a program to develop countermeasures for IEDs. In 2017, he began his employment with a government contractor. He has held a security clearance for 43 years and a top secret clearance for 35 years. There is no evidence of security violations.

Applicant’s supervisor described Applicant as trustworthy, reliable, honest, and loyal to the United States. He received excellent performance evaluations. He has a distinguished career as an Army civilian and a contractor, and he received multiple performance awards. He is a member of an organization that is an “international forum for anything involving electronic warfare, radar, cyber.” (Tr1. 25-27; Tr2. 44; AE C3) He was a local chapter president in this organization from 2015 to 2017, and from 2017 to 2023, he was on the international board of directors. In 2021, Applicant earned a national and state EMT certification. He has been volunteering as an EMT at a local firehouse and then at a rescue squad. He currently volunteers for about 700 to 900 hours a year.

The disqualifying and mitigating information is discussed in the analysis sections, *supra*. The reasons for granting Applicant access to classified information are more persuasive than the reasons for revoking his access to classified information. Assuming the mitigation evidence under Guidelines G and J is insufficient to fully mitigate security concerns, the mitigating evidence under the whole-person concept is exceptional and independently warrants mitigation of security concerns.

It is well settled that once a concern arises regarding an applicant’s security clearance eligibility, there is a strong presumption against granting a security clearance. *See Dorfmont*, 913 F. 2d at 1401. “[A] favorable clearance decision means that the record discloses no basis for doubt about an applicant’s eligibility for access to classified information.” ISCR Case No. 18-02085 at 7 (App. Bd. Jan. 3, 2020) (citing ISCR Case No. 12-00270 at 3 (App. Bd. Jan. 17, 2014)).

I have carefully applied the law, as set forth in *Egan*, Exec. Or. 10865, the Directive, the AGs, and the Appeal Board’s jurisprudence to the facts and circumstances in the

context of the whole person. Applicant mitigated alcohol consumption and criminal conduct security concerns.

Applicant is warned that security officials can reassess his circumstances at any time. In future security clearance assessments, his entire history will be considered, including this decision. Future alcohol-related incidents or excessive alcohol consumption may demonstrate a more recent pattern and may result in revocation of his security clearance.

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 through 1.c:	For Applicant
Paragraph 2, Guideline J:	FOR APPLICANT
Subparagraph 2.a:	For Applicant

Conclusion

Considering all of the circumstances presented by the record in this case, it is clearly consistent with the interests of national security to grant Applicant eligibility for access to classified information. Eligibility for access to classified information is granted.

Mark Harvey
Administrative Judge