



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



In the matter of: )  
)  
) ISCR Case No. 09-07329  
)  
)  
Applicant for Security Clearance )

**Appearances**

For Government: William T. O'Neal, Esquire, Department Counsel  
For Applicant: Gary L. Rigney, Esquire

July 25, 2011

**Decision**

---

CREAN, Thomas M., Administrative Judge:

Based on a review of the pleadings, exhibits, and testimony, eligibility for access to classified information is denied.

**Statement of the Case**

On September 21, 2007, Applicant submitted an Electronic Questionnaire for Investigations Processing (e-QIP) to update a security clearance for her position with a defense contractor. Applicant was granted continued access to classified information and has had access for over 16 years. On April 7, 2009, Applicant's employer submitted an adverse information report concerning Applicant's conduct. After reviewing the results of an ensuing background investigation, adjudicators for the Defense Office of Hearings and Appeals (DOHA) issued to Applicant interrogatories to clarify or augment potentially disqualifying information. After reviewing the results of the background investigations and Applicant's response to the interrogatories, DOHA could not make the preliminary affirmative finding required to continue a security clearance. On December 17, 2010, DOHA issued a Statement of Reasons (SOR) to Applicant

detailing security concerns for alcohol consumption under Guideline G and personal conduct under Guideline E. These actions were taken under Executive Order 10865, *Safeguarding Classified Information within Industry* (February 20, 1960), as amended; Department of Defense Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (January 2, 1992), as amended (Directive); and the adjudicative guidelines (AG) effective in the Department of Defense on September 1, 2006.

Applicant answered the SOR on January 18, 2011. She admitted eight of nine allegations of alcohol consumption under Guideline G, and denied the two allegations of personal conduct under Guideline E. She requested a hearing before an administrative judge. Department Counsel was prepared to proceed on February 2, 2011. The case was assigned to me on February 23, 2011. DOHA issued a Notice of Hearing on March 18, 2011, for a hearing on April 5, 2011. I convened the hearing as scheduled. The Government offered six exhibits, which were marked and admitted into the record without objections as Government exhibits (Gov. Ex.) 1 through 6. Applicant and four witnesses testified on her behalf. She offered one exhibits which I marked and admitted into the record without objection as Applicant exhibit (App. Ex.) A. DOHA received the transcript of the hearing (Tr.) on April 22, 2011.

### **Findings of Fact**

After a thorough review of the pleadings, transcript, and exhibits, I make the following essential findings of fact. Applicant admitted eight of nine allegations under alcohol consumption, and denied the two allegations under personal conduct. Her admissions are included in my findings of fact.

Applicant is a 39-year-old college graduate who has worked for a defense contractor for approximately two years as a procurement specialist. Prior to this employment, she worked for other defense contractors. While working for these defense contractors, she received raises and bonuses. She has been a widow since 2003, when her husband died. She has no children. (Tr. 16-19, 32-33; Gov. Ex. 1, e-QIP, dated September 21, 2007)

The Government alleges that Applicant consumed alcohol, at times to excess and to the point of intoxication, to include daily from 1988 until at least October 2010. (SOR 1.a) Applicant admitted to infrequent use of alcohol from 1988 until the present and denies that her consumption was daily. (Answer to SOR, dated January 18, 2011) The Government alleges, and Applicant admits in her response to the SOR, that she consumed an excessive amount of alcohol at a company sponsored off-site meeting in March 2008. (SOR 1.b), However, at the hearing, Applicant admits to drinking alcohol at the off-site meeting but denies she consumed an excessive amount of alcohol. She stated that she confused her answer in response to the SOR to this allegation with her response to the December 2008 incident. (Tr. 39-40, 58-59) The Government alleges that Applicant removed part of her clothing and exposed herself at a company party in December 2008 after consuming alcohol. (SOR 1.c) Applicant admits that she behaved

inappropriately at the party after consuming alcohol (Answer to SOR, dated January 18, 2011) The Government alleges that Applicant arrived late for work smelling of alcohol on her breath on January 22, 2009. (SOR 1.d) Applicant admits that she reported approximately 30 minutes late for work and was informed she smelled of alcohol. She acknowledges that she consumed a small bottle of wine the previous evening. The Government alleges and Applicant admits she received a performance improvement plan due to the above incidents in January 2009 and was required to successfully complete a substance abuse program. (SOR 1.e)

The Government alleges but Applicant denies that she reported late to work smelling of alcohol on several occasions in January and February 2009 (SOR 1.f) The Government alleges and Applicant admits she was diagnosed with alcohol abuse and received treatment from January 30, 2009 until March 3, 2009. (SOR 1.g) The Government alleges and Applicant admits that she was diagnosed with alcohol abuse and received treatment from March 16, 2009, until March 18, 2009. She discontinued this treatment when she changed employers. (SOR 1.h) The Government alleges that Applicant continued to consume alcohol after the diagnoses of alcohol abuse. (SOR 1.i) Applicant admits that she continues to infrequently use alcohol, but has not abused alcohol since December 2008. (Answer to SOR, dated January 18, 2011) Her employer reported these activities to the appropriate security officials as required. (Gov. Ex. 6, Report, dated April 7, 2009)

When interviewed by a security investigator in May 2009, Applicant said she drinks about two glasses of wine two or three times a week. She becomes intoxicated after two glasses of wine and is intoxicated about once a month. (Gov. Ex. 2, Investigation Report, dated January 14, 2010; Gov. Ex. 3, Answers to Interrogatories, dated October 19, 2010) In her response to the SOR, Applicant notes that her alcohol consumption now is infrequent, usually two glasses of wine on an average of two or three times a week with friends. She infrequently drinks hard liquor drinks. (Tr. 31-32) She admits the inappropriate conduct in December 2008 but asserts that it was an isolated incident. She has no history of alcohol addiction or uncontrolled consumption of alcohol. She has demonstrated a low tolerance for hard liquor so she will limit her future consumption to limited quantities of wine. (Answer to SOR, dated January 18, 2011)

As to the personal conduct allegations, the Government alleges and Applicant denies that the above alleged conduct was a security concern. (SOR 2.a) The Government alleges, but Applicant denies, that she failed to report her involuntary alcohol treatment in March 2009 as required by her Facility Security Officer (FSO). (SOR 2.b)

Applicant testified that she attended a company sponsored off-site meeting in March 2008. She drank about three glasses of wine with her supervisors and co-workers at the hotel bar the night before, and she had some more wine with the same group at dinner the following evening. No comments were made to her at the event about her consumption of alcohol. After the off-site meeting, she was awarded a \$250 bonus and permitted to enroll in the company stock option plan. Her performance rating

for the period was also good, and there was no misconduct mentioned in the evaluation. The first negative indication she received concerning the March 2008 incident was in a January 23, 2009, letter from her company's human resources director. She was told that other employees at the off-site noticed her excessive consumption of alcohol at the off-site meeting. Applicant did not challenge this comment or ask for specifics from the human resources director because she was afraid that she would lose her job if she challenged the comments. (Tr. 19-23, 39-41, 61-62)

Applicant admitted she drank at least four hard liquor drinks at the December 2008 Christmas party and behaved inappropriately, removing some of her clothes and showing the party attendees an inappropriate part of her body. Her consumption of alcohol contributed to the conduct, and she was embarrassed and humiliated. She admits to being intoxicated which led to her having no inhibitions. (Tr. 41-42, 62-63)

Applicant's senior supervisor reported that at a time of stressful work in the beginning of the months of January and February 2009, Applicant could not concentrate, was late for work, and was not able to complete her work completely or timely. Applicant was disrespectful to her immediate supervisor, and her breath and clothes smelled of alcohol. On Thursday, January 22, 2009, Applicant's supervisor noticed the smell of alcohol coming from her. After Applicant and the supervisor met with some clients, the supervisor counseled Applicant concerning coming to work late and smelling of alcohol. Applicant does not remember smelling of alcohol at work, and she does not know where the supervisor got the impression of the alcohol smell. She was about 30 minutes late that morning because she got up late and was tired. Time sheets from her employer show she worked 7 and 1/2 hours that day. (App. Ex. A, Timesheet, January 30, 2009) She does admit that she consumed four martinis and two beers with friends the previous night. This was the first complaint she received about smelling of alcohol at work. On January 26, 2009, she was counseled again by her immediate and senior supervisors and was placed on a performance improvement plan concerning alcohol consumption. As part of this plan, Applicant was to attend and successfully complete a substance abuse program. (Tr. 24-26, 40-45, 63-65; Gov. Ex. 6, Performance Improvement Plan and attached memorandum, dated January 23, 2009)

On January 30, 2009, as required by her employer, Applicant saw a licensed clinical social worker substance abuse counselor at a behavioral treatment facility. On the initial intake form, Applicant stated she drank alcohol to deal with tension and physical stress, and has had blackouts, but not in over 20 years. The counselor's evaluation was alcohol abuse, and he recommended she attend an outpatient substance abuse program as well as Alcoholics Anonymous (AA). Applicant does not remember the counselor informing her of his diagnosis of alcohol abuse or even that she should attend AA. She does not remember the counselor telling her not to drink alcohol but he did tell her to minimize her consumption of alcohol. He referred her to an outpatient substance abuse facility. (Tr. 45-53, 65-67; Gov. Ex. 5, Report, dated January 30, 2009)

Applicant started the outpatient program as a condition of her employment on March 16, 2009. The doctor's admitting diagnosis was alcohol abuse. While in the program, Applicant's participation was good and she participated in the treatment program and attended three AA meetings. On March 18, 2009, Applicant voluntarily withdrew from the program after three days because she had new employment and further treatment was not a condition of her new employment. When she terminated this treatment, she was advised not to consume alcohol. (Tr. 53-55, 67-68; Gov. Ex. 4, Clinical Discharge Summary, dated March 20, 2009)

Applicant's alcohol consumption in any given month from 2008 until 2010 was about three or four bottles of wine a month. She did not drink hard liquor but would also drink some beer during the month. She drinks alcohol with neighbors and friends and there is not a consistent pattern to her alcohol consumption. She does not go to bars or clubs to drink and does not drink alone. She does not feel she has a problem with alcohol since she can go without drinking. She does not drink in the morning or during the day but mainly at night with friends. Since the December 2008 incident, her consumption of alcohol has decreased. (Tr. 31-36, 59-61, 67-68)

Applicant was aware of and signed her employer's policy requiring her to report any adverse information concerning her eligibility for access to classified information. The FSO sent her e-mails telling her that she needed to report the alcohol-related treatment she received. Applicant believed all required reporting had been accomplished since the human resources manager told her that she submitted the performance improvement plan to the FSO. She believed the FSO was fully aware of her treatment because the human resources manager discussed Applicant's treatment requirements with the FSO. She did not ask anyone in the company, including her supervisor and the FSO, the nature of her reporting requirement. It was her understanding that the FSO knew she was going for treatment since the treatment was handled through the company. When she was reminded by the FSO of the obligation to report the treatment, she did not report it. Applicant did not report her alcohol-related treatment to the FSO when she was directed because she did not know what to do. She does not believe she was given a clear indication of her responsibility to report the treatment. (Tr. 35-36, 54-58, 67-72)

The FSO for Applicant's present employer testified that she has known Applicant for two to three years and sees her at work daily. She has never smelled alcohol on Applicant nor has Applicant ever appeared to be under the influence or hung over from alcohol consumption. The FSO has not seen any conduct from Applicant that would negatively affect her eligibility for access to classified information. (Tr. 78-86)

A fellow employee testified that she works with Applicant daily. She has never seen any evidence of alcohol abuse from Applicant. She has attended company parties with Applicant and has never seen her abuse alcohol at these functions. She mainly sees her drink wine and an occasional beer. Her conduct at the December 2008 party was not Applicant's normal behavior pattern. (Tr. 85-95)

The director of business development for Applicant's employer testified that he sees her daily since they work in the same group. Applicant is very dependable. He has never seen her display an alcohol problem either at work or in a social setting. He has seen her have one or two drinks of alcohol but not to the point of excess. (Tr. 95-101)

One of Applicant's neighbors testified that she sees Applicant at neighborhood women's functions. She has only seen Applicant drink wine at these functions. She has only seen her drink too much at a New Year's party five or six years ago when she was grieving her husband's death. She classified Applicant's drinking habits as moderate. Applicant is respected and accepted by her neighbors. (Tr. 101-108)

In her response to interrogatories, Applicant included letters of recommendation from former and current coworkers. They attest that Applicant always displayed a positive professional attitude and work ethic. She never presented any reasons to believe she was under the influence of alcohol. Some attended social events with Applicant and she always acted in a reasonable manner and never presented any reason to suspect she abused alcohol. (Gov. Ex. 3, Response to Interrogatories, dated October 19, 2010)

### **Policies**

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

These guidelines are not inflexible rules of law. Instead, recognizing the complexities of human behavior, the guidelines are applied 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(c), the entire process is a conscientious scrutiny 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 that "[a]ny doubt concerning personnel being considered for access to classified information will be resolved in favor of 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.

Under Directive ¶ E3.1.14, the Government must 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 applicant or proven by Department Counsel. . . ." The

applicant has the ultimate burden of persuasion for 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 the applicant may deliberately or inadvertently fail to protect or protect classified information. Such decisions entail a certain degree of legally permissible extrapolation about potential, rather than actual, risk of compromise of classified information.

## **Analysis**

### **Alcohol Consumption**

Applicant admitted the eight allegations concerning alcohol consumption, including allegations that she has been diagnosed for alcohol abuse. Excessive alcohol consumption is a security concern because it 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 ¶ 21)

The information in an adverse incident report from Applicant's former employer, Applicant's admissions of excess alcohol consumption, and Applicant's diagnosis of alcohol abuse are sufficient for the Government to raise Alcohol Consumption Disqualifying Conditions (AC DC) AG ¶ 22(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 whether the individual is diagnosed as an alcohol abuser or alcohol dependent); AG ¶ 22(b) (alcohol-related incidents at work, such as reporting for work or duty in an intoxicated or impaired condition, or drinking on the job, regardless of whether the individual is diagnosed as an alcohol abuser or alcohol dependent); AG ¶ 22(c) (habitual or binge consumption of alcohol to the point of impaired judgment, regardless of whether the individual is diagnosed as an alcohol abuser or alcohol dependent); AG ¶ 22(d) (diagnosis by a duly qualified medical professional (e.g. physician, clinical psychologist, or psychiatrist) of alcohol abuse or alcohol dependence), and AG ¶ 22(e) (evaluation of alcohol abuse or alcohol dependence by a licensed clinical social worker who is a staff member of a recognized alcohol treatment program).

Applicant was involved in an alcohol-related incident at work in March 2008 when her co-workers noticed she drank alcohol to excess. She was involved in an alcohol-related incident at work in January 2009 when she arrived for work late after drinking alcohol the previous evening, smelled of alcohol, and could not concentrate or perform her work functions properly. She was involved in an alcohol-related incident away from work, but incidental to her work, at a company party in December 2008 because of

binge drinking of alcohol. Based on these incidents, she was referred to a substance abuse facility and diagnosed by a licensed clinical social worker for alcohol abuse. She was referred from this facility to an outpatient program and was diagnosed by a staff psychologist for alcohol abuse.

Applicant continues to consume alcohol. She admits to drinking a few glasses of wine a few nights each week, resulting in drinking three or four bottles of wine a month. While she continues to drink of alcohol after diagnosis of alcohol, she never completed an alcohol rehabilitation program. The disqualifying condition at AC DC AG ¶ 22(f) (relapse after diagnosis of alcohol abuse or dependence and completion of an alcohol rehabilitation program) is not raised. There is no information that Applicant was ever convicted of alcohol-related issues so AC DC AG ¶ 22(g) (failure to follow any court order regarding alcohol education, evaluation, treatment, or abstinence) is not raised.

I considered Alcohol Consumption Mitigating Condition (AC MC) AG ¶ 23(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 good judgment). It does not apply. While there is no "bright line" rule for determining when conduct is recent or sufficient time has passed since the incidents, a determination whether past conduct affects an individual's present reliability and trustworthiness must be based on a careful evaluation of the totality of the evidence. If the evidence shows a significant period of time has passed without evidence of an alcohol issue, there must be an evaluation whether that period of time demonstrates changed circumstances or conduct sufficient to indicate a finding of reform or rehabilitation. The last reported alcohol-related incident for Applicant was in January 2009. She was referred to a substance abuse counselor and referred to a substance abuse outpatient program. She attended little of the outpatient program and withdrew after finding a new job. She was diagnosed at both facilities as an alcohol abuser. Applicant has not changed her life circumstances. She continues to drink alcohol, usually wine, a few times a week. She is not an active participant in any alcohol prevention programs and aftercare. The evidence does not show a change of circumstances indicating Applicant has reformed, or has been rehabilitated, or is no longer an alcohol abuser. It is likely her previous alcohol consumption problems will recur. Her present circumstances and lifestyle show that her past conduct still reflects adversely on her current reliability, trustworthiness, and good judgment.

I also considered AC MC AG ¶ 23(b) (the individual acknowledges his or her alcoholism or issues of alcohol abuse, provides evidence of action taken to overcome this problem, and has established a pattern of abstinence (if alcohol dependent) or responsible use (if an alcohol abuser)). The mitigating condition does not apply. Applicant does not acknowledge that she has an alcohol-related problem and she continues to consume alcohol, although at a moderate rate. She does not attend any alcohol prevention programs. She has not established a clear pattern of responsible consumption of alcohol after a diagnosis of alcohol abuse. In total, Applicant has not presented sufficient information to meet her burden to establish that her past alcohol use is under control and her present alcohol consumption does not reflect now on her



reliability, trustworthiness, and good judgment. Applicant has not mitigated security concerns for alcohol consumption.

Applicant withdrew from the alcohol-related outpatient program in March 2009. She presented no information that she is now attending an alcohol prevention program. Therefore, AC MC AG ¶ 22(c) (the individual is a current employee who is participating in a counseling or treatment program, has no history of previous treatment and relapse, and is making satisfactory progress) does not apply. Additionally, AC MC AG ¶ 22(d) (the individual has successfully completed inpatient or outpatient counseling or rehabilitation along with any required aftercare, has demonstrated a clear and established pattern of modified consumption or abstinence in accordance with treatment recommendations, such as participation in meetings of Alcoholics Anonymous or a similar organization and has received a favorable prognosis by a duly qualified medical professional or a licensed clinical social worker who is a staff member of a recognized alcohol treatment program) is not applicable.

### **Guideline E, Personal Conduct**

A security concern is raised because conduct involving questionable judgment, untrustworthiness, unreliability, or unwillingness to comply with rules and regulations can raise questions about an individual's reliability, trustworthiness, and ability to protect classified information. (AG ¶ 15) Personal conduct is always a security concern because it asks the central question does the person's past conduct justify confidence the person can be entrusted to properly safeguard classified information.

Applicant was involved in alcohol-related incidents at work. This fact raises Personal Conduct Disqualifying Condition (PC DC) AG ¶ 16(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 person may not properly safeguard protected information. This includes but is not limited to consideration of: (2) disruptive, violent, or other inappropriate behavior in the workplace. (3) a pattern of dishonesty or rule violations); and PC DC AG ¶ 16(e) (personal conduct, or concealment of information about one's conduct, that creates a vulnerability to exploitation, manipulation, or duress, such as (1) engaging in activities which, if known, may affect the person's personal, professional, or community standing, .). While her alcohol-related conduct at work is covered under Guideline G (Alcohol consumption), it is also inappropriate behavior in the workplace.

I have considered Personal Conduct Mitigating Condition (PC MC) AG ¶ 17(d) (The individual has acknowledged the behavior and obtained counseling to change the behavior or taken other positive steps to alleviate the stressors, circumstances, or factors that caused untrustworthy, unreliable, or other inappropriate behavior, and such behavior is unlikely to recur). This mitigating condition does not apply. As noted under

the analysis of alcohol consumption, Applicant has not presented sufficient information to demonstrate a changed circumstance concerning her alcohol consumption. She continues to consume alcohol at the rate of at least a bottle of wine a week. She continues to consume some other types of alcohol. She does not participate in any alcohol prevention program even after a diagnosis of alcohol abuse

Applicant did not report her alcohol-related outpatient treatment to her FSO as required by her company's policy. Her supervisors directed her, as a condition of employment, to attend an alcohol prevention program. Applicant did as directed and was referred by the counselor for evaluation in an outpatient program. Applicant initially attended the outpatient program but withdrew after three days. Applicant did not inform her FSO of the referral to the outpatient program. She thought the company knew of the referral since her company-sponsored health program paid for the treatment, her supervisor and the human resources officer knew of the referral, and the human resources director discussed her circumstances with the FSO. Applicant was specifically told by the supervisor and FSO that she had to report her attendance at the program in accordance with company policy. Even after being so advised, Applicant did not report as directed. This put her in direct violation of the company policy, and could possibly conceal the information from company officials. The attendance at an alcohol treatment facility and a diagnosis of alcohol abuse could affect her personal and professional standing as required by AG ¶ 16(e). Her deliberate failure to follow the known company policy and attempt to conceal the information reflects adversely on her judgment, reliability, candor, and ability to follow rules and regulations. These factors indicate she may not properly protect classified information. Personal conduct security concerns are not mitigated.

### **Whole-Person Analysis**

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

- (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 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 surrounding this case. I considered that Applicant is a good employee and is considered by her co-workers as trustworthy and reliable. I considered the testimony of her present co-workers who have not seen any indications of alcohol-related problems. I also considered that Applicant successfully held a security clearance for over 16 years. Applicant had alcohol-related problems both at work and outside of work in March 2008, December 2008, and January 2009. She was directed to attend an alcohol prevention program by her employer. She started the program and was diagnosed with alcohol abuse. She left the program after a few sessions because she changed jobs. Applicant continues to consume alcohol amounting to about a bottle of wine a week and maybe some beer and an occasional hard liquor drink. There have been no reported alcohol-related issues since January 2009. However, Applicant has not taken sufficient steps to deal with her alcohol-related problems and the diagnosis of alcohol abuse. She did not complete the alcohol prevention program and continues to consume alcohol at a moderate rate per week. She has not established that she is wiser and more focused about alcohol consumption. She still maintains alcohol consumption in a social setting lifestyle that caused her alcohol-related problems in 2008 and 2009. There is no indication that her alcohol consumption is under control. It may be moderated but not under control. She does not now participate in any alcohol-related recovery and aftercare programs. She currently consumes alcohol and there is no indication that she is exercising good self control. She did not report her involuntary alcohol-related treatment to her FSO after being told to do so. Her continued alcohol consumption and her failure to report her alcohol treatment are indications that she may not properly safeguard classified information. The record evidence leaves me with questions and doubts about Applicant's eligibility and suitability for a security clearance. For all these reasons, I conclude Applicant has not mitigated the alcohol consumption 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:	AGAINST APPLICANT
Subparagraphs 1.a - 1.i:	Against Applicant
Paragraph 2, Guideline E:	AGAINST APPLICANT
Subparagraphs 2.a and 2.b:	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 eligibility for a security clearance. Eligibility for access to classified information is denied.

---

THOMAS M. CREAN  
Administrative Judge