



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



In the matter of:)
)
) ISCR Case No. 24-00245
)
Applicant for Security Clearance)

Appearances

For Government: Cassie L. Ford, Department Counsel

For Applicant: Sean Rogers, Esq.

08/27/2025

Decision

BLAZEWICK, Robert B., Chief Administrative Judge:

Applicant mitigated the personal conduct (Guideline E) and drug involvement and substance misuse (Guideline H) security concerns. Eligibility for access to classified information is granted.

Statement of the Case

Applicant submitted a security clearance application (SF-86) on October 1, 2021. On July 8, 2024, the Department of Defense (DOD) issued a Statement of Reasons (SOR) to Applicant detailing security concerns under Guideline E (personal conduct) and Guideline J (Criminal Conduct). DOD issued the SOR under Executive Order (Exec. Or.) 10865, *Safeguarding Classified Information within Industry* (February 20, 1960), as amended; DOD Directive 5220.6, *Defense Industrial Personnel Security Clearance Review Program* (January 2, 1992), as amended (Directive); and the Security Executive Agent Directive 4, *National Security Adjudicative Guidelines* (AG), effective June 8, 2017.

On July 17, 2024, Applicant, through counsel, requested a sixty (60) day extension to reply to the SOR. Applicant answered the SOR on October 7, 2024, (Answer), admitting the allegation in SOR ¶¶ 1.d, and denying the remaining allegations. He provided amplifying information, with eleven exhibits (Applicant Exhibits (AE) A – L), regarding his

responses to the allegations. He requested a hearing before an administrative judge from the Defense Office of Hearings and Appeals (DOHA). Applicant filed a supplementary answer (Addendum) to the SOR with the DoD on October 25, 2024. The DoD acknowledged receipt, but neither the supplement nor its exhibits (Applicant Addendum Exhibits (AAE) A – C) were included with the Answer.

The case was assigned to another administrative judge on May 19, 2025, and reassigned to me on August 11, 2025. On July 1, 2025, DOHA issued a notice scheduling the hearing for August 11, 2025. Prior to the hearing, the Government provided six exhibits (GE 1 - 6). Applicant provided four exhibits in addition to the eleven attached to the Answer (AE M – P). Because the Addendum was not included with the Answer, I allowed the Government to opportunity to review, and object, to AAE A – C. The hearing convened as scheduled. GE 1 – 6, AE M – P, and AAE A – C were admitted into evidence without objection.

After the hearing concluded, I notified Department Counsel and Applicant's counsel on August 14, 2025, that I intended to issue a summary decision. (HE II) There was no objection.

Applicant is 30 years old. He graduated high school but also has significant tech certifications. He has been married since July 2022 and has no children. He has held a clearance since January 2017. He is currently employed by a contractor working with the Department of State overseas. Applicant is very highly regarded by current and former co-workers.

The SOR alleged four allegations under Guideline H, all related to Applicant's use, and resulting positive urinalysis, for marijuana/THC. The urinalysis was taken as part of the local German police's process of a traffic accident in which Applicant was involved in May 2021. Under Guideline E, the SOR cross-alleged the allegations under Guideline H and added two additional allegations that Applicant failed to disclose the positive marijuana/THC test as being part of the reason his employment ended and that he had been arrested charged with offenses stemming from the May 2021 car accident.

Based on the record as a whole, I conclude Department Counsel presented sufficient evidence to establish the allegations in the SOR. I also conclude that Applicant presented sufficient evidence to explain, extenuate, or mitigate the facts that he admitted or were proven by the evidence presented by the Department Counsel. I conclude that the security concerns alleged under Guidelines H and E are mitigated under the Adjudicative Guidelines (AG) ¶¶ 26(a) and (b) and AG ¶¶ 17(c) and (f). I conclude that Applicant has met his burden of showing that it is clearly consistent with the national security interests of the United States to continue his eligibility for access to classified information. Clearance is granted.

Robert B. Blazewick
Chief Administrative Judge