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**United States Department of Energy  
Office of Hearings and Appeals**

In the Matter of: Personnel Security Hearing	)	
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Filing Date: June 4, 2024	)	Case No.: PSH-24-0137
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Issued: October 30, 2024

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**Administrative Judge Decision**

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Matthew Rotman, Administrative Judge:

This Decision concerns the eligibility of XXXXXXXXXXXX (the Individual) to hold an access authorization under the United States Department of Energy's (DOE) regulations, set forth at 10 C.F.R. Part 710, "Procedures for Determining Eligibility for Access to Classified Matter and Special Nuclear Material."<sup>1</sup> As discussed below, after carefully considering the record before me in light of the relevant regulations and the *National Security Adjudicative Guidelines for Determining Eligibility for Access to Classified Information or Eligibility to Hold a Sensitive Position* (June 8, 2017) (Adjudicative Guidelines), I conclude that the Individual's access authorization should not be restored.

**I. BACKGROUND**

On the evening of January 1, 2024, the Individual was arrested and charged with Driving While Intoxicated (DWI). Exhibit (Ex.) 10 at 81 (FBI Rap Back Notification).<sup>2</sup> The Individual promptly reported this incident to the DOE Local Security Office (LSO). Ex. 6 (Personnel Security Information Reporting Form). On February 6, 2024, the Individual responded to the LSO's Letter of Interrogatory (LOI) inquiring about the incident and his history of alcohol consumption. Ex. 7 (Letter of Interrogatory).

The Individual informed the LSO that, on the day of the DWI, he had consumed "approximately 10 to 15 beers and 2 shots of liquor" over the course of 7.5 hours, while "working around the farm" with his father. Ex. 7 at 28. He then went to a bar, where he drank one more beer and two more shots of liquor. *Id.*; Ex. 6 at 24. While driving home in his truck, he became tired and decided to

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<sup>1</sup> The regulations define access authorization as "an administrative determination that an individual is eligible for access to classified matter or is eligible for access to, or control over, special nuclear material." 10 C.F.R. § 710.5(a). This Decision will refer to such authorization as access authorization or security clearance.

<sup>2</sup> The exhibits submitted by DOE were Bates numbered in the upper right corner of each page. This Decision will refer to the Bates numbering when citing to exhibits submitted by DOE.

pull off the road into a field, where he fell asleep. Ex. 7 at 28; Ex. 6 at 24. Someone knocked on the window, but the Individual did not wake up, so that person called the police. Ex. 7 at 28; Ex. 6 at 24. The police arrived and woke him up. Ex. 7 at 28; Ex. 6 at 24. The officer performed a field sobriety test, but the Individual refused to take a breathalyzer test. Ex. 7 at 28; Ex. 6 at 24. There was an open beer inside his truck. Ex. 6 at 24. The Individual was arrested. *Id.*; Ex. 7 at 28.

In the LOI, the Individual was also asked about a prior DWI arrest that occurred on June 15, 2015. Ex. 7 at 29; *see also* Ex. 10 at 79 (FBI Rap Back Notification revealing the June 15, 2015, arrest for DWI). He indicated that he was driving some friends home after a night of drinking, when he was pulled over and arrested for DWI. Ex. 7 at 29. Prior to the arrest, he had consumed “less than 6 beers over the course of 8 hours” and, in his opinion, “was not intoxicated.” *Id.* at 30, 34. As a result of his arrest, he was put on supervised probation and required to pay a fine and complete community service. *Id.*; *see also* Ex. 10 at 81 (indicating the Individual completed his probation in November 2017).

According to the Individual, ever since he and his wife got married in 2020, she had periodically expressed concern about his level of alcohol consumption. Ex. 7 at 34–35. In February 2023, when his daughter was born, the Individual made the decision to reduce his alcohol consumption. *Id.* at 32. Since then, most of his alcohol consumption occurred on the weekends. *Id.* He consumed “between 6 and 10 beers in an evening” if with friends, and “less than 6 beers” if at home with his wife. *Id.* On weeknights, he would “occasionally have a beer or two in the evening after work throughout the week.” *Id.* The last time he consumed alcohol was on the day of the January 1, 2024, DWI arrest. *Id.* He decided to quit drinking after the DWI arrest, so as to “never put [his] family in a position where they cannot rely on [him] to make responsible decisions that do not impact them negatively.” *Id.* at 35; *see also* Ex. 6 (indicating immediately after the arrest, “I am making the decision to quit drinking entirely as this has caused my family an extreme amount of stress and grief and I am not willing to put them in this position ever again”).

On March 6, 2024, the Individual was evaluated by a DOE-consultant psychologist (DOE Psychologist). Ex. 8 (Report of Psychological Assessment). The evaluation consisted of a 60-minute clinical interview and a review of the Individual’s Personnel Security File. *Id.* at 43. During the clinical interview, the Individual reported that prior to reducing his alcohol consumption in February 2023, “[h]e would have a few 12-ounce Busch Light beers nightly and then he would consume six to 12 beers on Friday and Saturday night.” *Id.* at 44. After his wife became pregnant in late 2022, his alcohol consumption “decreased to one beer a night during the week and six to 10 beers on weekends.” *Id.* He confirmed that he had consumed no alcohol since his January 1, 2024, arrest, and he reported having had no urges to drink.<sup>3</sup> *Id.* Since abstaining from alcohol, he indicated, he had not had any conflicts with his wife, as alcohol had been the main issue of unresolved conflict between them. *Id.*

Based on his assessment, the DOE Psychologist concluded that the Individual habitually or binge consumed alcohol to the point of impaired judgment. *Id.* at 46. The DOE Psychologist did not find

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<sup>3</sup> In connection with the psychological evaluation, the Individual submitted to a blood test for phosphatidylethanol (PEth), a “biomarker which is found in human blood following alcohol consumption.” Ex. 8 at 46. The Individual’s PEth test result was negative. *Id.*

adequate evidence of rehabilitation or reformation. *Id.* In order to demonstrate rehabilitation or reformation, he indicated, the Individual would need to “not consume alcohol again.” *Id.* He would further need to complete the following:

He should participate in a substance abuse treatment program from a licensed provider knowledgeable in this area of practice. He should attend sessions weekly for a period of sixteen weeks. He should then attend maintenance/relapse prevention group therapy sessions at least twice a month for three months and then monthly for the remainder of a one year. He should attend support group meetings such as Alcoholics Anonymous or Smart Recovery and should have a sponsor and work the steps of that program.

*Id.*

On May 2, 2024, the LSO issued the Individual a letter in which it notified him that it possessed reliable information that created substantial doubt regarding his eligibility to hold a security clearance. Ex. 1 at 6. In a Summary of Security Concerns (SSC) attached to the letter, the LSO explained that the derogatory information raised security concerns under Guideline G (Alcohol Consumption) and Guideline J (Criminal Conduct) of the Adjudicative Guidelines. *Id.* at 5.

The Individual exercised his right to request an administrative review hearing pursuant to 10 C.F.R. Part 710. Ex. 2 at 10. The Director of the Office of Hearings and Appeals (OHA) appointed me as the Administrative Judge in this matter, and I subsequently conducted an administrative hearing. The LSO submitted ten exhibits (Ex. 1–10). The Individual submitted two exhibits (Ex. A–B). At the hearing, the Individual testified on his own behalf and offered the testimony of his wife, his supervisor, his Alcoholics Anonymous (AA) sponsor, and his counselor. Hearing Transcript, OHA Case No. PSH-24-0137 (Tr.) at 12, 19, 76, 96, 117. The LSO offered the testimony of the DOE Psychologist. *Id.* at 145.

## **II. THE NOTIFICATION LETTER AND THE ASSOCIATED SECURITY CONCERNS**

The LSO cited Guideline G as the first basis for its determination that the Individual was ineligible for access authorization. Ex. 1 at 5. “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.” Adjudicative Guidelines at ¶ 21. According to the LSO, the factors that gave rise to the Guideline G concerns were the Individual’s June 2015 and January 2024 DWI arrests and the opinion of the DOE Psychologist that the Individual “drinks habitually and binge consumes alcohol on a regular basis, and there is no evidence of rehabilitation or reformation.” Ex. 1 at 5. These allegations justify the LSO’s invocation of Guideline G. *See* Adjudicative Guidelines at ¶ 22(a), (c).

The LSO cited Guideline J as the second basis for its determination that the Individual was ineligible for access authorization. Ex. 1 at 5. “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.” Adjudicative Guidelines at ¶ 30. According to the LSO, the factors that gave rise to the Guideline J concerns were the Individual’s

June 2015 and January 2024 DWI arrests. These allegations justify the LSO's invocation of Guideline J. *See* Adjudicative Guidelines at ¶ 31(b).

### III. REGULATORY STANDARDS

A DOE administrative review proceeding under Part 710 requires me, as the Administrative Judge, to issue a Decision that reflects my comprehensive, common-sense judgment, made after consideration of all of the relevant evidence, favorable and unfavorable, as to whether the granting or continuation of a person's access authorization will not endanger the common defense and security and is clearly consistent with the national interest. 10 C.F.R. § 710.7(a). The regulatory standard implies that there is a presumption against granting or restoring a security clearance. *See Dep't of Navy v. Egan*, 484 U.S. 518, 531 (1988) ("clearly consistent with the national interest" standard for granting security clearances indicates "that security determinations should err, if they must, on the side of denials"); *Dorfmont v. Brown*, 913 F.2d 1399, 1403 (9th Cir. 1990) (strong presumption against the issuance of a security clearance).

The individual must come forward at the hearing with evidence to convince the DOE that granting or restoring access authorization "will not endanger the common defense and security and will be clearly consistent with the national interest." 10 C.F.R. § 710.27(d). The individual is afforded a full opportunity to present evidence supporting his eligibility for an access authorization. The Part 710 regulations are drafted so as to permit the introduction of a very broad range of evidence at personnel security hearings. Even appropriate hearsay evidence may be admitted. *Id.* § 710.26(h). Hence, an individual is afforded the utmost latitude in the presentation of evidence to mitigate the security concerns at issue.

### IV. HEARING TESTIMONY

The Individual's supervisor testified that he has known the Individual for two years. Tr. at 13. The Individual told his supervisor about the 2024 DWI arrest, but the supervisor has no concerns regarding the Individual's use of alcohol. *Id.* at 13–14, 16–17. Nor does the supervisor have any concerns about the Individual's honesty, reliability, or trustworthiness. *Id.* at 15–16.

The Individual testified regarding the June 2015 DWI arrest that he was young at the time and that drinking and driving is "what kids do in a small town." *Id.* at 26. The friends in the car with him "were not a good influence on my life," he testified, and he hasn't seen them since the 2015 arrest. *Id.* With regard to the January 2024 DWI arrest, the Individual acknowledged that he had been driving while intoxicated. *Id.* at 23–24 (describing the circumstances leading up to the arrest consistent with his initial report to the LSO). The Individual was sentenced in May 2024 to two years of supervised imposition of sentence, unsupervised probation, 40 hours of community service, and participation in the Substance Awareness Traffic Offender Program (SATOP) and a Victim Impact Panel. *Id.* at 47. The Individual represented that he completed the SATOP and Victim Impact Panel in June and July 2024. *Id.* at 48–49.

The Individual testified that he had "slowed down" his alcohol consumption multiple times since he initially began drinking as a teenager. *Id.* at 43. The first time was after his 2015 DWI, but his level of consumption went back up a couple years later. *Id.* at 43, 66. It decreased again sometime

after he got married in 2020, and even further after his daughter was born in 2023. *Id.* at 43. Nonetheless, he would still consume six to ten beers approximately two weekends per month with friends, and if he had a long day at work, “a couple beers” at home during the week. *Id.* at 24–25, 68. He admitted that he drove while intoxicated approximately “a couple times a month.” *Id.* at 24. His wife expressed concern regarding his level of consumption and his proclivity to spend more time with his friends than his family. *Id.* at 42–43. After the January 2024 DWI, the Individual made a commitment to himself, his wife, and other family members that he would never drink alcohol again. *Id.* at 25. His last consumption of alcohol, he asserted, was on the day of the DWI arrest. *Id.*

Since early May 2024, the Individual has been attending AA meetings online, approximately twice per week. *Id.* at 29–30, 35–37; Ex. A (handwritten log documenting the dates of the Individual’s AA attendance, sponsor meetings, and counseling sessions). His experience in AA has helped him to realize it was his “negative attitude” that led to his alcohol consumption, and he has been striving to improve his mindset through prayer and gratitude. Tr. at 29. He testified that he has been working on the 12 Steps with his AA sponsor and is currently on Step Four. *Id.* at 30; 58. He secured an AA sponsor in July 2024, and since that time, has talked to his sponsor once or twice a week. *Id.* at 30–31, 37; Ex. A. These discussions have given him “a lot of insight into [his] emotional wellbeing” and helped him to better manage stress and “stay in a much more positive mindset.” Tr. at 31.

In May 2024, the Individual also began attending weekly one-on-one counseling sessions, which have helped him to stabilize his emotions and manage his stress. *Id.* at 29, 31, 38–39; Ex. A. The majority of his counseling is focused on the “root cause of [his] problems,” which is not alcohol use but rather the underlying negative mindset that led him to drink. Tr. at 53–54. He and his counselor spoke “a little bit” about the effects of alcohol on the brain, and they “briefly” discussed the stages of addiction, although the Individual could not remember most of them when asked at the hearing. *Id.* at 54, 61. He believes his counseling meets the DOE Psychologist’s recommendation that he participate in a substance abuse treatment program. *Id.* at 51. He did not provide a copy of the DOE Psychologist’s report to his counselor. *Id.* at 52–53.

According to the Individual, ever since he committed to remain abstinent in January 2024, he has not had any cravings for alcohol. *Id.* at 55. His friends and family are supportive of his abstinence. *Id.* at 26–27, 33, 55–56. He feels more committed to abstinence now than ever, he testified, because he has a young daughter, and he wants to be present for her and his wife. *Id.* at 46. In the nine months since he stopped consuming alcohol, his relationship with his wife has been “more open and honest,” and they started their own cattle business together, which was a long-time aspiration of theirs. *Id.* 33–34, 60. The Individual’s future plans with regard to alcohol are “to abstain, no drinking.” *Id.* at 64.

The Individual’s wife testified that she met the Individual nine years ago, shortly before they started dating. *Id.* at 96. Before his January 2024 DWI, she testified, the Individual would occasionally drink a couple beers during the week, and would drink “a little bit more” every couple weekends. *Id.* at 99. They would have arguments, periodically, about his drinking, and “[h]e would do pretty good for a couple of weeks, two to three weeks, and then maybe have a falling out.” *Id.* at 108. To her knowledge, the Individual has never driven drunk while she was in the car. *Id.* When

the Individual was arrested in January, she told him she would not tolerate his drinking any more, and “[a]t that point he knew how important it was to me and how important it would be to our little baby” that he stop drinking. *Id.* at 109. Ever since the Individual committed to abstinence in January, she testified, their marital relationship has improved, the Individual’s bond with his daughter has strengthened, and the Individual has demonstrated greater ambition and positive thinking. *Id.* at 100, 102. The Individual has made “everybody” aware that he doesn’t drink, and he has never acted like it was difficult to refrain from drinking. *Id.* With regard to the future, he has told her “no more drinking.” *Id.* at 106.

The Individual’s AA sponsor testified that he first met the Individual at an AA meeting in July 2024, not long before the Individual asked him to be his sponsor. *Id.* at 76. According to the sponsor, the Individual has been “very involved” in AA, attending meetings at least two time per week, and has been “very, very serious” about his participation and his work on the 12 Steps. *Id.* at 78–79, 89–91, 93. The Individual reaches out to him once or twice every week. *Id.* at 78, 80. He described the Individual as “insightful,” “diligent,” and “extremely thorough.” *Id.* at 81–83. Regarding the future, the sponsor testified that the Individual’s plans are to continue participation in AA, to continue working the 12 Steps, and to stay sober on a “day-to-day basis.” *Id.* at 84.

The Individual’s counselor testified that he provides counseling to all different types of clients, including “people that struggle with alcoholism.” *Id.* at 119. Drug and alcohol counseling is not, however, his specialty, and he is not licensed to provide substance abuse treatment. *Id.* at 126; *see also* Ex. B (counselor’s curriculum vitae). He confirmed that the Individual had not shown him a copy of the DOE Psychologist’s report. *Tr.* at 119–20. He understood the Individual’s prior pattern of drinking to be “[s]ocial drinking, a lot of young, adolescent drinking, partying.” *Id.* at 120. The counselor did not believe, based on the Individual’s self-reported alcohol use, that the Individual required a referral for substance abuse treatment. *Id.* at 128, 132–33. He testified that he has met with the Individual on a weekly basis since May 2024 and provides him with cognitive behavioral therapy. *Id.* at 122. He described the Individual as having grown and matured significantly during the last few months of counseling, and he opined that the Individual’s chance of relapse is “very low.” *Id.* at 124–25. The Individual has a strong support system in place, which includes his AA group and sponsor, and the counselor sees “no reason that he would return to drinking. He just has too much [ ] of a future now. And he doesn’t want to [ ] screw up his future.” *Id.* at 125, 142.

The DOE Psychologist testified regarding the elements of substance abuse treatment and how they differ from traditional counseling. *Id.* at 146–47. Namely, substance abuse treatment involves understanding the cycle of addiction, following a written treatment plan with goals that are periodically assessed and modified as needed, undergoing regular alcohol testing, and achieving relapse prevention through evidence-based treatments, which could include cognitive behavioral therapy. *Id.* at 147, 154. The DOE Psychologist was encouraged by the Individual’s nine months of sobriety<sup>4</sup> and believes the Individual has “done exceptionally well” in AA and has “gained some very positive skill and tools” through his work with the counselor. *Id.* at 150–51, 153. Nonetheless, it is his assessment that the Individual’s history of alcohol consumption prior to January 2024 – including the Individual’s regular habit of drinking and driving – made him susceptible to “harms

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<sup>4</sup> The DOE Psychologist stated in his testimony that the Individual had been abstinent for “ten” months, but in fact it had only been nine months since January 1, 2024, at the time of the hearing.

associated with high risk alcohol consumption,” indicating a need for more specialized substance abuse treatment than what he has received from the counselor.<sup>5</sup> *Id.* at 152. According to the DOE Psychologist, the Individual’s prognosis is “fairly good” because he has made a commitment to sobriety. *Id.* at 156. But just as nine years elapsed between the Individual’s two DWIs, the DOE Psychologist opined, he may not have the necessary tools to prevent another relapse in the future. *Id.*

## V. ANALYSIS

### A. Guideline G

Conditions that may mitigate security concerns under Guideline G include:

- (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 maladaptive alcohol use, provides evidence of actions taken to overcome this problem, and has demonstrated a clear and established pattern of modified alcohol 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.

Adjudicative Guidelines at ¶ 23. The evidence put forward by the Individual does not satisfy any of these mitigating conditions.

With regard to factor (a), the Individual’s pattern of excessive alcohol consumption extends back to at least 2015, when he received his first DWI, and continued up until at least January 1, 2024, just nine months before the hearing.<sup>6</sup> Even when the Individual reduced his consumption in early 2023, he was still consuming up to ten beers every other weekend and driving while intoxicated

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<sup>5</sup> There was some suggestion in the DOE Psychologist’s testimony that his recommendation that the Individual complete a substance abuse treatment program – despite not being diagnosed with a substance use disorder – was driven, in part, by the fact that the Individual is a security clearance holder, which is a type of “specialty position.” *Id.* at 147–48, 155. I do not give any weight to recommendations of the DOE Psychologist that are based on considerations such as the level of judgment and reliability required of a clearance holder, which fall outside his area of expertise in the field of clinical psychology. *See* Ex. 9 (DOE Psychologist’s curriculum vitae). Nonetheless, because I was persuaded by the DOE Psychologist’s opinion that the Individual’s history of alcohol use placed him at an elevated risk of relapse, and that substance abuse treatment could mitigate this risk, I do not discount this recommendation.

<sup>6</sup> Although both the Individual and his wife testified that he had not consumed alcohol since January 1, 2024, and the one negative PEth test dated March 6, 2024, provides some partial corroboration of this claim, absent some additional corroborating evidence or testimony from a more objective source, I am unable to accept his claimed sobriety date with certainty.

twice per month. His history of DWI arrests spans almost a decade, the most recent occurring less than a year prior to the hearing. In light of this history, I cannot find the Individual's alcohol use occurred so long ago, so infrequently, or under such unusual circumstances that it is unlikely to recur or does not cast doubt on his current reliability, trustworthiness, or judgment.

With regard to factor (b), I do not doubt the Individual's genuine commitment to abstinence for the betterment of himself and his family. He takes his AA participation quite seriously, impressing his sponsor with his insight and diligence, and by all accounts has made significant strides toward self-improvement through counseling, prayer, and readjustment of his outlook and priorities. At the same time, until he was arrested for a second DWI in January 2024, the Individual had resisted making any lasting and substantial changes to his alcohol consumption for several years, despite it being a source of conflict with his wife and despite it interfering with his parental responsibilities. The DOE Psychologist recommended that, to demonstrate rehabilitation from his habitual and binge consumption of alcohol, the Individual should enroll in a substance abuse treatment program followed by aftercare for a period of one year. As of the hearing, although the Individual had abstained from alcohol use for nine months, the DOE Psychologist was not satisfied that the Individual had undergone the length and level of treatment required to most effectively prevent a relapse. Although the Individual's counselor opined otherwise, I am unable to afford the counselor's opinion the same level of weight, since he admittedly lacks education and experience in substance abuse treatment. As such, I cannot find the Individual has demonstrated a clear and established pattern of abstinence in accordance with treatment recommendations.

With regard to factors (c) and (d), although the Individual is making laudable progress in counseling, this counseling does not meet the level of rigor recommended by the DOE Psychologist. Moreover, as noted above, the Individual has not demonstrated a clear and established pattern of abstinence in accordance with treatment recommendations. Accordingly, I cannot find that the Individual has resolved the LSO's Guideline G concerns based on any of the applicable mitigating factors.

## **B. Guideline J**

Conditions that may mitigate security concerns under Guideline J include:

- (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.

Adjudicative Guidelines at ¶ 32. The evidence put forward by the Individual does not satisfy any of these mitigating conditions.



With regard to factor (a), because the Individual's criminal conduct is tied inextricably to his excessive alcohol consumption, I rely upon the same circumstances that prevented me from finding the Guideline G concerns mitigated under factor (a). The Individual's pattern of drunk driving was too frequent and too recent for me to find that it does not cast doubt on the Individual's current reliability, trustworthiness, and good judgment.

Factors (b) and (c) do not apply to the circumstances of this case, as there is no evidence the Individual was pressured or coerced into driving while intoxicated, and there is uncontroverted evidence that the Individual committed the offenses.

With regard to factor (d), I am unable to find evidence of successful rehabilitation from criminal behavior. The last criminal act occurred just nine months prior to the hearing, giving the Individual insufficient time to demonstrate it is unlikely to recur. Moreover, the Individual's probation began in May 2024, less than five months before the hearing, which is too short a period for me to adequately judge his compliance. Most importantly, as discussed *supra*, the Individual has not yet demonstrated rehabilitation from his long history of habitual and binge consumption of alcohol. As such, although I am encouraged by his AA participation, his progress in counseling, and the recent shift in his attitude and outlook, I am unable to conclude with confidence that he will not return to his problematic pattern of drinking, as he did after his prior DWI, and resume his criminal behavior.

## **VI. CONCLUSION**

In the above analysis, I found that there was sufficient derogatory information in the possession of DOE to raise security concerns under Guidelines G and J of the Adjudicative Guidelines. After considering all the relevant information, favorable and unfavorable, in a comprehensive, common-sense manner, including weighing all the testimony and other evidence presented at the hearing, I find that the Individual has not brought forth sufficient evidence to resolve the Guideline G or Guideline J security concerns set forth in the Summary of Security Concerns. Accordingly, I have determined that the Individual's access authorization should not be restored. This Decision may be appealed in accordance with the procedures set forth at 10 C.F.R. § 710.28.

Matthew Rotman  
Administrative Judge  
Office of Hearings and Appeals