

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

In the Matter of: Personnel Security Hearing)
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Filing Date: July 9, 2025)
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Case No.: PSH-25-0166

Issued: February 5, 2026

Administrative Judge Decision

Kristin L. Martin, Administrative Judge:

This Decision concerns the eligibility of XXXXXXXXXXXXXXXX (hereinafter referred to as “the Individual”) for access authorization under the Department of Energy’s (DOE) regulations set forth at 10 C.F.R. Part 710, entitled, “Procedures for Determining Eligibility for Access to Classified Matter and Special Nuclear Material or Eligibility to Hold a Sensitive Position.”¹ For the reasons set forth below, I conclude that the Individual’s security clearance should be restored.

I. BACKGROUND

The Individual is employed by a DOE Contractor in a position which requires him to hold a security clearance. Derogatory information was discovered regarding the Individual’s alcohol consumption and criminal conduct. The Local Security Office (LSO) began the present administrative review proceeding by issuing a Notification Letter to the Individual informing him that he was entitled to a hearing before an Administrative Judge in order to resolve the substantial doubt regarding his eligibility to continue holding a security clearance. *See* 10 C.F.R. § 710.21.

The Individual requested a hearing and the LSO forwarded the Individual’s request to the Office of Hearings and Appeals (OHA). The Director of OHA appointed me as the Administrative Judge in this matter. At the hearing I convened pursuant to 10 C.F.R. § 710.25(d), (e), and (g), the Individual presented the testimony of three witnesses, in addition to his own. The LSO presented the testimony of the DOE psychologist who had evaluated the Individual. *See* Transcript of Hearing, OHA Case No. PSH-25-0166 (hereinafter cited as “Tr.”). The LSO submitted fourteen exhibits, marked as Exhibits 1 through 14 (hereinafter cited as “Ex.”). The Individual submitted seven exhibits, marked as Exhibits A through G.

¹ Under the regulations, “[a]ccess authorization’ means 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). Such authorization will also be referred to in this Decision as a security clearance.

II. THE NOTIFICATION LETTER AND THE ASSOCIATED SECURITY CONCERNS

As indicated above, the Notification Letter informed the Individual that information in the possession of the DOE created a substantial doubt concerning his eligibility for a security clearance. That information pertains to Guidelines G and J of the *National Security Adjudicative Guidelines for Determining Eligibility for Access to Classified Information or Eligibility to Hold a Sensitive Position*, effective June 8, 2017 (Adjudicative Guidelines). These guidelines are not inflexible rules of law. Instead, recognizing the complexities of human behavior, these guidelines are applied in conjunction with the factors listed in the adjudicative process. 10 C.F.R. § 710.7.

Guideline G states that “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. Conditions that could raise a security concern include:

- (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;
- (b) Alcohol-related incidents at work, such as reporting for work or duty in an intoxicated or impaired condition, drinking on the job, or jeopardizing the welfare and safety of others, regardless of whether the individual is 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;
- (f) Alcohol consumption, which is not in accordance with treatment recommendations, after a diagnosis of alcohol use disorder; and
- (g) Failure to follow any court order regarding alcohol education, evaluation, treatment, or abstinence.

Id. at ¶ 22.

Guideline J states that “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. Conditions that could raise a security concern and may be disqualifying include:

- (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;
- (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;
- (c) Individual is currently on parole or probation;
- (d) Violation or revocation of parole or probation, or failure to complete a court-mandated rehabilitation program; and
- (e) Discharge or dismissal from the Armed Forces for reasons less than "Honorable."

Id. at ¶ 31.

The LSO alleges the following:

- On November 7, 2024, the Individual was arrested and charged with Aggravated Driving Under the Influence of Intoxicating Liquor or any drug (1st Offense-Refusal) (DUI) and Operation of a Vehicle on Approach of Emergency Vehicle. The associated criminal complaint stated that the Individual was driving 50 mph in a 35-mph zone and failed to immediately stop when police initiated lights and sirens. In January 2025 responses to a letter of interrogatory (LOI) from the LSO, the Individual admitted to having consumed a twelve-ounce beer prior to his arrest, but the charging document stated that the Individual claimed not to have consumed alcohol and refused to submit to a field sobriety test or breathalyzer test. (Guidelines G, J)
- One week after his DUI, the Individual submitted to a Phosphatidylethanol² (PEth) test, which yielded a positive result of 156 ng/mL. The result indicated that the Individual "consumed amounts [sic] of alcohol over the last 28 to 30 days from the date of the PEth test." (Guideline G)³
- In February 2025, a DOE-consultant Psychologist (the Psychologist) evaluated the Individual and concluded that he met sufficient *Diagnostic and Statistical Manual of Mental Disorders–Fifth Edition, Text Revision* (DSM-5-TR) criteria for a diagnosis of

² "PEth is a metabolite of ethyl alcohol and can only be made when consumed ethyl alcohol reacts with a compound in the Red Blood Cell (RBC) membrane." Ex. 13 at 208. "PEth builds up in the RBC membrane with repeated drinking episodes . . . [and] can still be detected in blood for about 28 days after alcohol consumption has ceased." *Id.*

³ The fact that the PEth test cited by the LSO was positive does not raise a security concern, in and of itself, under Guideline G. Thus, I only consider the results of the PEth test as part of the overall alcohol history that informed the Psychologist's diagnosis of the Individual with UAD.

Unspecified Alcohol-Related Disorder (UAD) without adequate evidence of rehabilitation or reformation. (Guideline G)

Ex. 1 at 5.⁴

The LSO's allegations that the Individual was charged with DUI, an alcohol-related offense, and was diagnosed with UAD justify the LSO's Guideline G security concerns under concerning conditions (a) and (d). The Guideline J concerns are justified under concerning condition (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 entire process is a conscientious scrutiny of a number of variables known as the "whole person concept." Adjudicative Guidelines at ¶ 2(a). The protection of the national security is the paramount consideration. The regulatory standard implies that there is a presumption against granting or restoring a security clearance. *See Department 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.

The discussion below reflects my application of these factors to the testimony and exhibits presented by both sides in this case.

IV. FINDINGS OF FACT

The Individual was driving home from a friend's house on the night of November 7, 2024, the night he was arrested for DUI and Operation of a Vehicle on Approach of Emergency Vehicle. Ex. 10 at 76. The criminal complaint filed against the Individual stated that the officer turned on his emergency lights to pull the Individual over after he measured the Individual's speed at 50 mph in a 35-mph zone. Ex. 7 at 33. The complaint stated that the Individual turned down a county road and drove about halfway down the road before stopping in front of a house. *Id.* The complaint stated that the Individual was called out of the car and detained, at which point the officer noticed

⁴ DOE exhibit page numbers will be cited using the Bates stamp in the top right corner of the documents.

the Individual displaying “droopy,” bloodshot eyes and slurred speech. *Id.* The Individual was read his Miranda rights and the officer asked him to submit to a field sobriety test and, later, a breathalyzer test. *Id.* at 34. The Individual refused all testing, even after being told that a refusal to test would result in the suspension of his driver’s license. *Id.* The Individual was arrested and charged with DUI and Operation of a Vehicle on Approach of Emergency Vehicle. *Id.* at 33. The Individual complied with his terms of release, and, on June 9, 2025, the DUI charges were dismissed after the Individual completed a diversionary program. Ex. 8 at 38; Ex. C.

After his arrest, the Individual was placed in a Fitness for Duty (FFD) monitoring program by his employer, in which he was advised to abstain from alcohol, attend a six-week alcohol education class through his employer’s Employee Assistance Program (EAP), and attend Self-Management and Recovery Training (SMART) Recovery support group meetings. Ex. 10 at 77; Ex. E. The Individual attended SMART Recovery meetings on November 25, 2024, and December 2, 2024. Ex. 8 at 39. In his January 2025 LOI response, the Individual wrote that after attending these two meetings, he knew “did not need to continue attending.” *Id.* at 42. He completed the six-week EAP class on January 30, 2025. Ex. E. He voluntarily participated in monthly PEth testing through his employer. Ex. 10 at 77. He submitted the results of fifteen PEth tests, taken monthly from November 2024 through January 2026. Ex. A. The November 2024 test was positive for PEth, as expected, indicating that he had consumed alcohol in the preceding month. *Id.* The remaining fourteen tests returned a negative result. *Id.*

In February 2025, the Individual met with the Psychologist for an evaluation. Ex. 10 at 76. She issued a report based on the evaluation at the end of that month. *Id.* In her report, the Psychologist wrote that the Individual reported drinking mostly on the weekends, especially during football games when he would consume up to four beers over the course of the day. *Id.* at 78. She noted that the Individual wrote in his LOI response that he would need to consume five twelve-ounce beers in two hours to become intoxicated. *Id.* She reported that the Individual said to her “I’m not saying for sure I won’t drink again. I’m deciding . . . it’s so normalized, everybody drinks,” and “I do want to mention that I don’t think I have a problem with alcohol, no problem abstaining and I may just continue to abstain.” *Id.* She noted that the PEth test the Individual took as part of his evaluation returned a negative result. *Id.* at 79. The Psychologist opined that the Individual met the diagnostic criterion for UAD:

This category applies to presentations in which symptoms characteristic of an alcohol-related disorder that cause clinically significant distress or impairment in social, occupational, or other important areas of functioning predominate but do not meet the full criteria for any specific alcohol-related disorder or any of the disorders in the substance-related and addictive disorders diagnostic class.

Id. at 81–82. The Psychologist also opined that the Individual had not shown evidence of rehabilitation from UAD as of his evaluation. *Id.* at 81. She recommended, for him to show rehabilitation, that in addition to the alcohol education course through his EAP, which he had already completed, the Individual should attend SMART Recovery meetings regularly for six months, attend Alcoholics Anonymous meetings twice weekly for six month and work the steps with a sponsor or attend a weekly group and individual session through a substance use program for six months; and submit six months of monthly negative PEth tests. *Id.* For him to show

reformation, she recommended that he submit twelve months of negative PETH tests and evidence of life changes supporting abstinence or moderate alcohol consumption. *Id.*

At the hearing, the Individual's EAP counselor testified that the Individual had completed her alcohol education course as well as her weekly recovery maintenance group. Tr. at 11. The counselor testified that the Individual was eligible to continue attending the maintenance group for as long as he wanted to. *Id.* at 14. She testified that from the way the Individual spoke in the groups, he appeared to enjoy sobriety. *Id.* She testified that he openly shared challenges and triggers he experienced. *Id.* at 11. She testified that the Individual's primary challenge was that he was very close with his extended family, and they had a tendency to normalize frequent alcohol consumption. *Id.* at 16, 20–21. She testified that the Individual was practicing "refusal skills" to help him abstain when he was with his family. *Id.* at 17–18. She described the Individual as honest and "upfront." *Id.* at 12. She testified that the Individual had genuinely engaged in the material and approached his changes intentionally after contemplation. *Id.* at 13. She testified that she had seen a shift in the Individual and that the Individual had "really noticed the benefit of sobriety in his life." *Id.* at 14. He had shared in the maintenance group that he intended to abstain from alcohol indefinitely. *Id.* at 16. He had also acknowledged many times in the group that his alcohol consumption had been problematic. *Id.* at 19.

The Individual's father testified that he typically saw his son daily and that he had not seen him consume alcohol in over a year. Tr. at 25–26. He testified that he supported the Individual's sobriety and believed that the Individual intended to remain abstinent from alcohol indefinitely. *Id.* at 30. He stated that the Individual cannot control whether others are drinking around him but emphasized that the family was very close, that he supported his son's decision to abstain, and that the Individual could reach out to any of his family members for support. *Id.* at 28–29, 31. He also testified that many members of the family do not drink alcohol. *Id.* at 37.

The Individual's colleague had known the Individual for about six years, and they saw each other most days. Tr. at 43. He considered the Individual a close friend, though they had not socialized outside of work for about a year and a half before the hearing. *Id.* The colleague had never seen the Individual report to work under the influence of alcohol or have any attendance issues related to alcohol use. *Id.* He was aware of the Individual's DUI and noted that the Individual "kind of ran from the cops a little bit." *Id.* at 44–45. He testified that, since the DUI, the Individual had been attending recovery group meetings. *Id.* He described the Individual as more cautious and responsible since abstaining from alcohol. *Id.* at 46. He testified that the Individual took more care in thinking about his actions in advance. *Id.* He believed the Individual intended to abstain from alcohol indefinitely. *Id.* He testified that becoming a new father motivated the Individual to remain sober. *Id.* at 51.

The Individual testified that he had attended SMART Recovery classes online from April through December 2025. Tr. at 56. *See also* Ex. B (verifications of meeting attendance about once a week). He testified that he learned discipline, self-control, and how to forgive himself. Tr. at 57. He also learned about resources he could access in the future for help remaining sober. *Id.* He noted that the program did not have an end, but was "a journey that you stay on." *Id.* at 57, 85–86. The Individual testified that he had completed the EAP alcohol education course and was attending the maintenance group. *Id.* at 55–56, 65. He intended to abstain indefinitely. *Id.* at 60.

In SMART Recovery, the Individual had learned about avoiding triggers and realized that there was no “black and white” solution. Tr. at 84–85. His primary trigger was social situations, having been raised in a culture where alcohol consumption was normalized, and he spent most of his free time with his family, some of whom consumed alcohol. *Id.* at 58, 61–62, 68–69. He testified that there are some times when avoiding triggers is the better idea, but often times he preferred to face them head on, adding “I can’t avoid my problems.” *Id.* He testified that he was “taking it day-by-day,” and that the recovery meetings helped him discern which strategy was best in a given situation. *Id.* at 85. The Individual had learned refusal skills and was comfortable asserting himself when necessary. *Id.* at 70. He testified that people no longer offer him alcohol because they know he does not drink. *Id.* at 71. He also testified that he does not tolerate people pressuring him to drink and will leave a situation where he feels someone is trying to convince him to drink. *Id.* at 85, 88–89. He explained UAD, in his case, as meaning that he could have a problem with alcohol even if he was not addicted to it. *Id.* at 63. He was able to talk to his wife if he was struggling with sobriety and had a robust network of people who supported his abstinence. *Id.* at 75, 85. His relapse prevention plan included leaving situations where there was pressure to drink and using smokeless tobacco or a nicotine vape pen when in social situations. *Id.* at 88–89. His plan if he were to relapse was to admit to his wife, close family, and EAP counselor that he had consumed alcohol and request their help getting “back on track.” *Id.* at 89. He testified that having said out loud to other people that he intended to abstain from alcohol had helped him remain committed because he felt accountable for his sobriety. *Id.* at 89–90.

The Individual testified that while some members of his family still consumed alcohol around him, they understood that he no longer drinks, and they supported him in that decision. Tr. at 58–59. He testified that many of his friends have reduced or stopped their alcohol intake as well. *Id.* at 86–87. The Individual was twenty-six years old when he was arrested for DUI. *Id.* at 82. He stated that he used to view his life in terms of getting money and going to fun events, but now he views himself as a family man with a career; it was important to him to be a stable person and provide for his family. *Id.* at 81–83. The Individual testified that at the time of the DUI, he was immature and “didn’t take things as seriously as [he] should have” because “[he] had never really been in trouble before.” *Id.* at 80. He now understood the weight of his obligations and that even small actions can have consequences. *Id.* at 81. He looked back on memories of concerts, sporting events, and travel fondly, but had accepted that he had moved on to a new phase of his life with more responsibility and a slower pace. *Id.* at 83–84. He testified that he did not miss his previous lifestyle. *Id.* at 84.

The Individual testified that he was not intoxicated on the night of his DUI, having consumed one beer prior to driving. Tr. at 75. He testified that he was speeding because he was anxious that his water lines at home had frozen. *Id.* at 76. He testified that he did not stop when the officer turned on his emergency lights because he was scared and panicked for a moment because he worried that testing positive for any amount of alcohol on his breath might be a problem. *Id.* at 75–76. The Individual testified that he had always been a generally law-abiding citizen and that he was committed to following laws, rules, and regulations. *Id.* at 78–81. He testified that he had received a few speeding tickets in the past, but he now better controlled his speed when driving. *Id.* at 63, 75–76, 78–79. His friends had told him that he “[drove] like a grandma.” *Id.* at 75. The Individual testified that his court case was dismissed after the court learned about his recovery activities,

which, when considered alongside his length of sobriety since his DUI, were sufficient for him to qualify as having completed a diversion program. *Id.* at 65.

The Psychologist opined that the Individual was rehabilitated and gave him a good prognosis. Tr. at 93–94. She believed the Individual had matured significantly since his DUI. *Id.* at 97. She testified that the Individual’s weekly SMART Recovery attendance was sufficient to satisfy her recommendation and that the Individual had attended for longer than the recommended time period. *Id.* at 94. She praised the Individual’s understanding of UAD and acknowledgement that he had a problem with alcohol regardless of whether he had any dependency issues with it. *Id.* at 95. She noted that the Individual was committed to lifelong abstinence and understood that he would need to continue practicing recovery for the rest of his life. *Id.* at 96. She also noted the Individual’s and his witnesses’ testimony about the Individual’s refusal skills. *Id.* The Psychologist opined that the Individual’s willingness to speak honestly about his life and his changes could be “very, very beneficial to other people [in recovery].” *Id.* at 97.

V. ANALYSIS

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 places a high degree of trust and confidence in individuals to whom it grants access authorization. Decisions include, by necessity, consideration of the possible risk that the applicant may deliberately or inadvertently fail to protect or safeguard classified information. Such decisions entail a certain degree of legally permissible extrapolation as to potential, rather than actual, risk of compromise of classified information.

The issue before me is whether the Individual, at the time of the hearing, presents an unacceptable risk to national security and the common defense. I must consider all the evidence, both favorable and unfavorable, in a commonsense manner. “Any doubt concerning personnel being considered for access for national security eligibility will be resolved in favor of the national security.” Adjudicative Guidelines at ¶ 2(b). In reaching this decision, I have drawn only those conclusions that are reasonable, logical, and based on the evidence contained in the record. Because of the strong presumption against granting or restoring security clearances, I must deny access authorization if I am not convinced that the LSO’s security concerns have been mitigated such that restoring the Individual’s clearance is not an unacceptable risk to national security.

A. Guideline G

Conditions that may mitigate Guideline G concerns 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 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; or
- (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. Mitigating condition (b) applies.

The Individual has engaged with his diagnosis and treatment thoughtfully and intentionally and has gained good insight into his alcohol problem and his sobriety. He understands the nature of his issue is different from addiction, so whether his alcohol consumption rose to the level of alcoholism is not relevant to whether he needs help. The Individual completed the Psychologist's treatment recommendations and then continued attending recovery support groups including SMART Recovery and a recovery maintenance group through his EAP. Through his testimony, the Individual demonstrated an understanding of his triggers, strategies to work through those triggers, and a plan to maintain long-term sobriety. He also provided documentary evidence of abstinence through fourteen monthly PEth tests. The Psychologist opined that the Individual was rehabilitated and had a good prognosis. Based on the above, I find that the Individual has acknowledged that he had an alcohol problem, has taken many steps—including completing the Psychologist's recommendations—to overcome his alcohol problem, and has demonstrated a clear and established pattern of abstinence. Accordingly, I find that the Individual has mitigated the Guideline G security concerns.

B. Guideline J

Conditions that could mitigate Guideline J security concerns 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. Mitigating condition (a) applies.

The Individual's criminal activity was inextricably intertwined with his alcohol use. He does not have any criminal history other than the DUI incident. By remaining abstinent from alcohol, he has ensured that he will not drive after consuming alcohol and that he will not be worried about a DUI if pulled over. The Individual is committed to remaining abstinent from alcohol and is taking ongoing steps to maintain his sobriety. He also testified that he has learned to control his speed when driving and repeatedly testified about having a responsibility to support his family, which, he noted, he cannot do if he is not following the law and maintaining his security clearance. He has matured significantly, both through the process of growing up and through the alcohol treatment activities he undertook. Based on the above, I find that the Individual's DUI occurred under circumstances that, so long as he remains sober, are unlikely to recur. I also find that the Individual has demonstrated that he understands his obligation to follow laws, rules, and regulation such that his DUI does not currently raise doubt about his judgment, reliability, or trustworthiness. Accordingly, I find that the Individual has resolved the Guideline J security concerns.

VI. CONCLUSION

Upon consideration of the entire record in this case, I find that there was evidence that raised concerns regarding the Individual's eligibility for access authorization under Guidelines G and J of the Adjudicative Guidelines. I further find that the Individual has succeeded in fully resolving those concerns. Therefore, I conclude that restoring DOE access authorization to the Individual "will not endanger the common defense and security and is clearly consistent with the national interest." 10 C.F.R. § 710.7(a). Accordingly, I find that the DOE should restore access authorization to the Individual.

This Decision may be appealed in accordance with the procedures set forth at 10 C.F.R. § 710.28.

Kristin L. Martin
Administrative Judge
Office of Hearings and Appeals