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United States Department of Energy
Office of Hearings and Appeals

In the Matter of: Personnel Security Hearing	)		
	)		
Filing Date: May 18, 2026	)	Case No.:	PSH-26-0123
	)		
	)		

Issued: October 22, 2026

Administrative Judge Decision

Noorassa A. Rahimzadeh, 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 or Eligibility to Hold a Sensitive Position."[1] 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 be restored.

I. Background

As part of the access authorization process, the Individual submitted a Questionnaire for National Security Positions (QNSP) in March 2025. Exhibit (Ex.) 7. In the QNSP, the Individual disclosed that from January 2016 to July 2022, she would use marijuana recreationally, and at most, once per week. *Id.* at 74. She estimated that she used marijuana twenty-five times. *Id.* She stated that she has no intention of using the substance in the future, as she does "not like the high or what it does to [her] body." *Id.* She also disclosed that from May 2022 to June 2022, she ingested psychedelic mushrooms on two separate occasions. *Id.* at 75. The Individual indicated that on one occasion she consumed psychedelic mushrooms, she ate the "wrong salad" while attending a party. *Id.*

In late January 2026, at which time the Individual was a security clearance holder, the Individual self-reported an "accidental ingestion" of marijuana. Ex. 5 at 24–25. She called her immediate supervisor to inform her that she had consumed a cookie earlier that day, after which, her friend (Friend 1) informed her that the cookie had been made with cannabis butter. *Id.* at 27. After

[1] 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.

disclosing this information to her supervisor, the Individual was directed to undergo a drug test the same day. *Id.* at 25. The drug test was positive for marijuana metabolite. *Id.*

The Individual completed and submitted a Letter of Interrogatory (LOI) at the behest of the Local Security Office (LSO) in March 2026. Ex. 6. The Individual explained that the morning of the incident, she went to Friend 1's home to work on her doctoral dissertation. *Id.* at 29. Seeing Friend 1 was commonplace at the time, as she would see her between two to three times per week. *Id.* On the day of the incident, upon arriving at Friend 1's home, her friend offered to bake her some cookies. *Id.* at 31. Once the cookies were made and placed in the oven, the Individual was provided with instructions on what to do once the timer sounded, and Friend 1 went upstairs to work. *Id.* It was later in the day, after she had already consumed four of the cookies, that Friend 1 revealed to her that the cookies had been made using cannabis butter. *Id.* Upon learning this information, the Individual immediately called her supervisor. *Id.* She was also instructed by her employer to go to a local facility to submit to drug testing. *Id.* She indicated in the LOI that had she known the cookies had contained cannabis butter, she would have refused the cookies. *Id.* The Individual also stated in the LOI that she saw Friend 1 use an illicit substance in her presence only once, and that occurred in August 2025. *Id.* at 29.

She also stated in the LOI that the January 2026 incident has resulted in unwelcome stress and acknowledged that the incident negatively impacted her work performance. *Id.* at 32. She remains aware that marijuana use is against federal law and is reason to revoke her access authorization. *Id.* at 33. She stated her intention to never use illicit substances in the future. *Id.* at 34.

The LSO began the present administrative review proceeding by issuing a letter (Notification Letter) to the Individual in which it notified her that it possessed reliable information that created a substantial doubt regarding her eligibility for access authorization. In a Summary of Security Concerns (SSC) attached to the Notification Letter, the LSO explained that the derogatory information raised security concerns under Guideline H (Drug Involvement and Substance Misuse) and Guideline E (Personal Conduct) of the Adjudicative Guidelines and prohibited her from holding a security clearance pursuant to the Bond Amendment, 50 U.S.C. § 3343(b). Ex. 1. The Notification Letter informed the Individual that she was entitled to a hearing before an Administrative Judge to resolve the substantial doubt regarding her eligibility to hold 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 Administrative Judge in this matter. At the hearing I convened pursuant to 10 C.F.R. § 710.25(d), (e), and (g), the Individual testified on her own behalf and presented the testimony of Friend 1 and another friend (Friend 2), her father, and the supervisor she called on the day of the incident. *See* Transcript of Hearing, OHA Case No. PSH-26-0123 (hereinafter cited as "Tr.") The Individual submitted six exhibits marked as A through F. The DOE Counsel submitted nine exhibits marked as Exhibits 1 through 9.

II. Notification Letter

Bond Amendment

Under the Bond Amendment, "the head of a Federal agency may not grant or renew a security clearance for a covered person who is an unlawful user of a controlled substance or an addict[.]" 50 U.S.C. § 3343(b). "Controlled substance" is defined with reference to 21 U.S.C. § 802(6), which defines it to include Schedule I substances under the Controlled Substances Act, such as marijuana. 21 U.S.C. § 812. The LSO alleged that in late January 2026, the Individual tested positive for marijuana metabolite. Ex. 1 at 5. Further, the LSO alleged that prior to the Individual's drug test, she admitted to consuming cookies that continued a marijuana product while she held a security clearance. *Id.* The LSO's invocation of the Bond Amendment was justified.

Guideline H

Under Guideline H of the Adjudicative Guidelines, the illegal use of controlled substances "can raise questions about an individual's reliability and trustworthiness, both because such behavior may lead to physical or psychological impairment and because it raises questions about a person's ability or willingness to comply with law, rules, and regulations." Adjudicative Guidelines at ¶ 24. Conditions that could raise a security concern under Guideline H include "any substance misuse[,]" "testing positive for an illegal drug[,]" and "any illegal drug use while granted access to classified information or holding a sensitive position." *Id.* at ¶ 25(a)–(b), (f). Under Guideline H, the LSO alleged that in late January 2026, the Individual consumed cookies containing a marijuana product and tested positive for marijuana metabolite while holding a security clearance. Ex. 1 at 6. the LSO also alleged that the Individual admitted that she used "marijuana once a week from January 2016 to July 2022." *Id.* Finally, the LSO alleged that the Individual used psychedelic mushrooms two times between May 2022 and June 2022. *Id.* The LSO's invocation of Guideline H is justified.

Guideline E

Under Guideline E, "[c]onduct involving questionable judgement, lack of candor, dishonesty, or unwillingness to comply with rules and regulations can raise questions about an individual's reliability, trustworthiness, and ability to protect classified or sensitive information." Adjudicative Guidelines at ¶ 15. Among those conditions set forth in the Adjudicative Guidelines that could raise a disqualifying concern is "association with persons involved in criminal activity." *Id.* at ¶ 16(g). Under Guideline E, the LSO alleged that the Individual admitted that the cookies containing marijuana were prepared by a friend, that drug use occurred in her presence by a friend in August 2025, after she received her access authorization, and that in May 2022, she consumed psychedelic mushrooms by consuming the "wrong salad" at a party. Ex. 1 at 5. The LSO's invocation of Guideline E is justified.

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 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 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.

IV. Findings of Fact and Hearing Testimony

With respect to the January 2026 incident, the Individual testified that she went to Friend 1's home, because it was a quiet space to do some academic work. Tr. at 80. The morning she visited, she was feeling somewhat overwhelmed by her current academic endeavors. *Id.* at 13, 81, 101. Accordingly, to cheer the Individual up, Friend 1 offered to make cookies.[2] *Id.* at 13, 81. She provided the Individual with instructions on what to do when the timer sounded and went to work. *Id.* at 81. Sometime later, after eating four cookies, the Individual alerted Friend 1 to the fact that she felt that something was wrong. *Id.* at 13, 25, 81. The friend testified that it was at this moment that she realized that she had inadvertently used cannabis butter to make the cookies. *Id.* at 13. The Individual told Friend 1 that she believed she was "high," and the friend noted that the butter was "weak" as an intoxicant, so she felt it was reasonable that the Individual could not smell any marijuana as the cookies were baking.[3] *Id.* at 25–26. The Individual credibly testified that she did not know that the cookies contained "cannabis product." *Id.* at 81–82. She stated that had she known, she would not have eaten the cookies. *Id.*

Immediately upon learning that cannabis butter had been used to make the cookies, the Individual called her supervisor to disclose what had happened, as this is what she was trained to do by her employer, a DOE contractor.[4] *Id.* at 13, 82–83. The Individual's supervisor missed the Individual's

[2] When the Individual was asked whether she discussed with Friend 1 the possibility that cookies containing cannabis butter could calm her, the Individual stated, "[a]bsolutely not." Tr. at 102.

[3] Friend 1 suggested that although the butter was weak, it could have had an intoxicating effect on the Individual, because the Individual does not use drugs. Tr. at 25. The Individual denied smelling any marijuana in the cookies as they were baking. *Id.* at 102. The Individual indicated that she realized she may have been high when she found herself unable to properly track the passage of time. *Id.* at 115. Her inability to track time is the sort of symptom of a marijuana high that the Individual does not like experiencing. *Id.* at 115–16.

[4] The Individual's supervisor testified that the Individual did exactly what she asked of her, which is to alert her immediately to a reportable matter. Tr. at 47. She also testified that the Individual has always "treat[ed] [her access authorization] . . . with the seriousness it deserves[.]" *Id.* at 45. The Individual also told her supervisor that before she

first call. *Id.* at 36–37. When she returned the Individual's call, and learned what had happened, she began the process of trying to figure out what to do pursuant to applicable protocol. *Id.* at 13, 38, 47. The Individual's supervisor testified that the Individual was distraught and crying on the phone. *Id.* at 37. The Individual's supervisor was asked to tell the Individual to go to a local facility to submit to a drug test. *Id.* at 14, 38–39. As the Individual was under the influence,[5] she asked Friend 1to drive her to the facility, so that she could take the drug test. *Id.* at 14, 38–39.

Friend 1 testified at the hearing that the Individual was completely unaware that she had consumed cookies made with cannabis butter. *Id.* at 14. She further insisted that the use of cannabis butter in making the cookies was an innocent mistake on her part, as she has two tubs of butter in her fridge, one that she infuses with marijuana and another that does not contain any illicit substances. *Id.* at 14, 23–24. She explained that she was "frazzled" when she made the cookies. *Id.* at 24.

At the time of the January 2026 incident, the Individual and Friend 1 lived in the same state, a state in which the use of marijuana is legal under state law. Ex. 6 at 29. They first met in 2022, and before the January 2026 incident, the Individual grew close enough to this friend to consider her a "mother figure." *Id.*; Tr. at 15–16. The Individual noted that the only time she saw Friend 1 use marijuana was on a camping trip in August 2025.[6] Ex. 6 at 29; Tr. at 27–28. The Individual also stated that since she became employed with a DOE contractor in January 2024, Friend 1 was made aware of the prohibition on drug use, and importantly, following the January 2026 incident, she explained to Friend 1 the impact her actions had. Ex. 6 at 29–30. Friend 1 testified that after the incident, the Individual decided that they would "not communicate and no longer see each other[.]" Tr. at 16. The Individual testified that she "ended that relationship." *Id.* at 87–88. Friend 1 who made the cookies testified that prior to the incident, she did not see the Individual consume any illicit substances. *Id.* at 17. In fact, she noted that the Individual "stated early in [their] relationship that she did not like the smell of cannabis[.]" *Id.* at 17, 22.

The Individual explained that since the incident, she was subject to two random drug tests. *Id.* at 84, 109–10. The Individual submitted a copy of the January 2026 drug test, which was positive. Ex. F at 1–7. She also submitted two more urine tests from February 2026 and August 2026, both of which were negative.[7] *Id.* at 7–12.

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contemplated seeking employment with the DOE contractor, she used marijuana and psychedelic mushrooms. *Id.* at 48.

[5] The Individaul explained that after she ate the cookies, she "was high all day" and that she submitted to the drug test while "high." Tr. at 87.

[6] Friend 1 testified that they go camping while cleaning hiking trails. Tr. at 28. She confirmed that the Individual did not partake in any drug use. *Id.* at 28–29.

[7] The positive threshold for the marijuana metabolite was 50 ng/mL. Ex. F at 8, 10. The test results did not provide information regarding the detection window.

With respect to her past use, the Individual indicated that she last used marijuana in July 2022.[8] *Id.* at 85. The Individual actively endeavors to avoid social situations that could lead to drug use. Ex. 6 at 29. When she finds herself around individuals who are using illicit substances, she will leave. *Id.* She stated that since becoming employed with the DOE contractor, she no longer associates with the individuals who provided the illicit substances. Tr. at 90. She testified that she moved to a different state in the summer of 2026, earlier than previously planned, in part for the purpose of physically distancing herself from those individuals. Tr. at 89–90; Ex. 6 at 29. *Id.* Since moving, the Individual testified, if she meets anyone who she learns uses illegal drugs, she will immediately end her relationship with them. Tr. at 90–91. In her testimony, the Individual indicated that between 2016 and 2022, she was not using marijuana once per week, as alleged in the SSC. *Id.* at 94. Rather, she had indicated in her LOI "that there was a period of time where [she] was using cannabis, at most, once per week." *Id.* She further clarified by stating that she used marijuana "at most, [twenty-five] times in [her] life." *Id.* The Individual stated that she stopped using marijuana because she did not like the way that it made her feel. Ex. 6 at 29; Tr. at 85. Further, since taking employment with the DOE contractor, she has an understanding and is aware of the trust that has been placed in her. Ex. 6 at 29. She also explained that she worked hard "to get to the position" in which she is, and she does not want to "throw that away to do marijuana." Tr. at 86.

With respect her first use of psychedelic mushrooms, the Individual indicated that she was at a dinner party with some friends, and there were two salad bowls placed out for guests. Tr. at 91. One was labeled "with mushrooms" and the other was labeled "without mushrooms." *Id.* The Individual knew that at least one guest had dietary restrictions and assumed that the label was meant to alert individuals with dietary restrictions. *Id.* Later, someone at the party told her that the salad contained psychoactive mushrooms, and she stopped eating the salad. *Id.* at 91–92. The Individual admitted that the second time she used psychoactive mushrooms, she used them knowingly. *Id.* at 92. Both uses occurred in 2022. *Id.* at 93. She has no intention of using psychoactive mushrooms in the future and has not used them since 2022. *Id.* She understands that her employment with the DOE contractor is contingent upon, among other things, her abstinence from illicit substances. *Id.*

Friend 2, who is a mental health professional licensed in the state in which the Individual lived prior to summer 2026, testified that although she sees the Individual in a social capacity, she has never seen the Individual use illicit substances but knows that the Individual has used substances before. Tr. at 51–53, 56. Furthermore, the Individual has been "very clear that she has no interest in drugs." *Id.* at 53. The Individual has also made it clear that she has no intention of using illicit substances in the future, as she is "working for the government." *Id.* She confirmed that based on her understanding, the Individual has cut ties with Friend 1. *Id.* at 54. She explained that it was difficult for the Individual to cut those ties, as they were close friends, but that her decision to cut ties evidences her dedication. *Id.* at 55–56. After the January 2026 incident, the Individual told Friend 2 that in order for them to remain friends, the friend could not participate in any illicit substance use, even if it was legal in her state of residence. *Id.* at 89. Friend 2 agreed to abide by the Individual's request. *Id.* at 89–90, 116–17.

[8] The Individual testified that she had never purchased the illicit substances that she disclosed that she had used. Tr. at 91.

The Individual's father testified that the Individual has been prescribed medication that does not "mix well" with substances.[9] *Id.* at 62. He did, however, admit that he was unaware of the Individual's prior use of illegal drugs until he reviewed the information contained in the SSC. *Id.* at 70.

V. Analysis

Bond Amendment

DOE's guidance for application of the Bond Amendment provides as follows:

a. An unlawful user of a controlled substance is any person who uses a controlled substance and has lost the power of self-control with reference to the use of the controlled substance or who is a current user of the controlled substance in a manner other than as prescribed by a licensed physician. Such use is not limited to the use of drugs on a particular day, or within a matter of days or weeks before, but rather that the unlawful use occurred recently enough to indicate that the individual is actively engaged in such conduct.

b. An addict of a controlled substance is as defined in 21 U.S.C. § 802(1), which is any individual who habitually uses any narcotic drug so as to endanger the public morals, health, safety, or welfare; or is so far addicted to the use of narcotic drugs as to have lost the power of self-control with reference to his or her addiction.

DOE O 472.2A, Appendix C: Adjudicative Considerations Related to Statutory Requirements, at Page C-1 (June 10, 2022).

The Individual and Friend 1 credibly testified that the Individual consumed cannabis butter via cookies that were prepared by the Friend 1. The record does not support the conclusion that the Individual willingly or purposely consumed the cookies made with cannabis butter to become intoxicated. The Individual's testimony regarding this assertion is supported by the fact that she quickly and reflexively called her supervisor to report the incident. She was so committed to telling the truth that she did so while she was still under the influence. Her commitment to refraining from drug use also resulted in the discontinuation of a friendship that meant a great deal to her. She described Friend 1 as a sort of mother figure in her life. However, the cookie incident crossed a boundary and as Friend 1 was responsible for her inadvertent drug use, she reaffirmed her commitment to staying away from illicit substances by discontinuing contact with her now former friend. Testimony from Friend 2 corroborated the assertion that the Individual discontinued all association with Friend 1. Further, with respect to the Individual's prior drug use, which was disclosed in the QNSP, I find credible the Individual's testimony, which was supported by the testimony of Friend 1 and Friend 2, that the last time the Individual consumed marijuana or psychedelic mushrooms willingly or knowingly was in 2022, a little over four years ago. Further, the Individual submitted to two subsequent drug urine tests, which were negative. For the

[9] The Individual testified that her medical provider told her that mixing marijuana, or other substances, with her medication may result in "adverse side effects." Tr. at 85–86, 114; *see* Ex. E.

foregoing reasons, I conclude that the Individual is not an unlawful user of a controlled substance, the Individual has not "lost the power of self-control" with respect to drug use, and the LSO does not allege that the Individual is a habitual user of narcotic drugs. Accordingly, I find that the Individual is not prohibited from holding a security clearance pursuant to the Bond Amendment. 50 U.S.C. § 3343(b).

Guideline H

Conditions that could mitigate Guideline H include:

(a) The behavior happened so long ago, was so infrequent, or happened under such circumstances that it is unlikely to recur or does not cast doubt on the individual's current reliability, trustworthiness, or good judgment;

(b) The individual acknowledges his or her drug involvement and substance misuse, provides evidence of actions taken to overcome this problem, and has established a pattern of abstinence, including but not limited to:

(1) Disassociation from drug-using associates or contacts;
(2) Changing or avoiding the environment where drugs were used; and
(3) Providing a signed statement of intent to abstain from all drug involvement and substance misuse, acknowledging that any future involvement or misuse is grounds for revocation of national security eligibility;

(c) Abuse of prescription drugs was after a severe or prolonged illness during which these drugs were prescribed, and abuse has since ended; and

(d) Satisfactory completion of a prescribed drug treatment program, including but not limited to, rehabilitation and aftercare requirements, without recurrence of abuse, and a favorable prognosis by a duly qualified medical professional.

Adjudicative Guidelines at ¶ 26(a)–(d).

With respect to the cookie incident that took place in January 2026, I conclude that the incident took place under such unusual circumstances that it is unlikely to recur and does not cast doubt on the Individual's reliability, trustworthiness, or good judgment. The record reflects that the Individual visited a friend who had knowledge of the Individual's dislike of marijuana and her inability to consume such products due to the fact that she possessed an access authorization and works for a DOE contractor. The Individual and Friend 2 credibly testified that, to the detriment and dissolution of their friendship, the friend used cannabis butter to make cookies for the Individual. Although this effort was meant to cheer up the Individual, who was overwhelmed by her academic endeavors, it actually caused the Individual greater stress, as the Individual soon realized that she was under the influence of marijuana following the consumption of the cookies. When her suspicions were confirmed by her friend, she did what she was trained to do and called her supervisor. She was sent to provide a drug sample, despite reporting the use. She did not

endeavor to keep this matter to herself in the hopes that no one would find out. This one fact strongly suggests that the Individual's use was truly against her knowledge. Further, she acted responsibly and appropriately under the circumstances by reporting the unintentional intoxication. With respect to the Individual's prior drug use, pursuant to 10 C.F.R. § 710.7(c), I must consider, among other things, the "frequency and recency of the conduct." While the Individual admitted in her QNSP that she used marijuana approximately twenty-fives times, she also claimed that she ended her use in 2022, a little over four years prior to the hearing. This claim was supported by the testimony of her two friends. Her use of psychedelic mushrooms was far less frequent and limited to only two uses in 2022. The drug tests in the record also provide some evidence that the Individual has not consumed illicit substances during the time period since she unknowingly consumed cookies that were made with cannabis butter. Further, the Individual credibly testified that she not only stopped using illicit substances in 2022, but she has an even greater incentive not to use substances than just disliking how it makes her feel, because she is employed with the DOE contractor and holds a security clearance. She credibly testified using illicit substances would not be worth the negative impact on her career. Accordingly, I find the intentional use of illicit substances that last occurred in 2022 happened so long ago that it is unlikely to recur or does not cast doubt on the individual's current reliability, trustworthiness, or good judgment. Therefore, I find that the Individual has mitigated the stated concerns pursuant to mitigating factor (a).
Although the Individual has acknowledged her prior drug use and presented evidence that she no longer associates with drug-using individuals, I do not have a signed statement in the record that contains the information requested in ¶ 26(b)(3). Therefore, I cannot conclude that this mitigating factor has been met.

There was no allegation of the improper use of prescription drugs, and there is no evidence that the Individual sought treatment for drug use. Mitigating factors (c) and (d) are not applicable.

For the aforementioned reasons, the Individual has resolved the security concerns raised by the LSO under Guideline H.

Guideline E

The Adjudicative Guidelines provide that conditions that could mitigate security concerns under Guideline E include:

(a) The individual made prompt, good-faith efforts to correct the omission, concealment, or falsification before being confronted with the facts;

(b) The refusal or failure to cooperate, omission, or concealment was caused or significantly contributed to by advice of legal counsel or of a person with professional responsibilities for advising or instructing the individual specifically concerning security processes. Upon being made aware of the requirement to cooperate or provide the information, the individual cooperated fully and truthfully;

(c) The offense is so minor, or so much time has passed, or the behavior is so infrequent, or it happened under such unique circumstances that it is unlikely to

recur and does not cast doubt on the individual's reliability, trustworthiness, or good judgment;

(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 contributed to untrustworthy, unreliable, or other inappropriate behavior, and such behavior is unlikely to recur;

(e) The individual has taken positive steps to reduce or eliminate vulnerability to exploitation, manipulation, or duress;

(f) The information was unsubstantiated or from a source of questionable reliability; and

(g) Association with persons involved in criminal activities was unwitting, has ceased, or occurs under circumstances that do not cast doubt upon the individual's reliability, trustworthiness, judgment, or willingness to comply with rules and regulations.

Adjudicative Guidelines at ¶ 17.

While the record does indicate that the Individual would socialize with acquaintances and friends who would use illicit substances, the record also indicates that these associations were either discontinued when the Individual took employment with the DOE contractor, or after the Individual was offered the cookies made with cannabis butter. Until the summer of 2026, the Individual lived in a state where marijuana use was legalized under state law. She, however, understood that it was still banned under federal law, meaning that as a clearance holder, she should not associate with people who did partake. She reported behaving in an appropriate manner when she found herself around people using illicit substances. She would leave. This assertion was corroborated by the testimony of Friend 1. This friend testified that when she went camping with the Individual to clean up hiking trails, she partook in marijuana use, but that the Individual refused. Further, the Individual had told Friend 1 that the Individual could not be around illicit substances and that the Individual did not like the smell of marijuana. Although it is troubling that the Individual continued to associate with Friend 1 after she saw Friend 1 partake in marijuana use on a camping trip, I am assured that the Individual has since taken the right steps to disassociate from drug-using associates. Importantly, once Friend 1 mistakenly gave the Individual a cookie containing cannabis butter, the Individual cut off contact with her, despite their previously close relationship. It does not appear from the record that the Individual will allow such an influence again. In fact, Friend 2 testified that the Individual gave her an ultimatum of sorts: she either stops consuming marijuana, or they end their friendship. Moreover, since moving to a different state in the summer of 2026, the Individual has committed to not make any new associations with drug users. I am, therefore, persuaded that the Individual has appropriately disassociated from associates who would use substances and will not associate with such individuals in the future. *Id.* at ¶ 17(g).

The SSC did not allege any omission or failure to correct an omission or falsification prior to being confronted. Mitigating factors (a) and (b) are not applicable. There is no evidence in the record

that the Individual is receiving counseling. Mitigating factor (d) is not applicable. The SSC did not allege any vulnerability, exploitation, manipulation, or duress. Mitigating factor (e) is not applicable. The Individual did not allege that the information presented in the SSC was unsubstantiated or from a source of questionable reliability. Mitigating factor (f) is not applicable.

For the aforementioned reasons, the Individual has resolved the security concerns raised by the LSO under Guideline E.

VI. Conclusion

For the reasons set forth above, I conclude that the LSO properly invoked the Bond Amendment and Guidelines E and H of the Adjudicative Guidelines. After considering all the evidence, both 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 brought forth sufficient evidence to establish that the Bond Amendment does not prohibit the Individual from holding a security clearance, and further, she has brought forth sufficient evidence to resolve the Guideline H and E concerns set forth in the SSC. Accordingly, the Individual has demonstrated that restoring her security clearance would not endanger the common defense and security and would be clearly consistent with the national interest. Therefore, I find that the Individual's access authorization should be restored. This Decision may be appealed in accordance with the procedures set forth at 10 C.F.R. § 710.28.

Noorassa A. Rahimzadeh
Administrative Judge
Office of Hearings and Appeals