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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: September 26, 2023 ) Case No.: PSH-23-0145  
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Issued: December 21, 2023

**Administrative Judge Decision**

Steven L. Fine, Administrative Judge:

This Decision concerns the eligibility of XXXXXXXXXXXX (hereinafter referred to as “the Individual”) to hold an 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.”<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 granted.

**I. Background**

On January 20, 2023, the Individual signed a Questionnaire for National Security Positions (QNSP) and submitted it to a Local Security Office (LSO). Exhibit (Ex.) 3 at 1. The QNSP required the Individual report each of her employers for the previous ten-year period. Ex. 3 at 23. The QNSP asked the Individual if she had been “fired from a job” during the previous seven years. Ex. 3 at 30. The Individual responded to this question in the negative. Ex. 3 at 30. The QNSP also asked the Individual if she had “**EVER** been issued a passport (or identity card for travel) by a country other than the U.S.?” Ex. 3 at 18 (emphasis in original). The Individual answered in the negative. Ex. 3 at 13. The QNSP required that the Individual check a box to indicate whether she had any children. Ex. 3 at 32. The Individual did not check that box, although she did check boxes indicating that she has a mother, father, and a brother. Ex. 3 at 32. She also indicated that she never provided any financial support to any foreign national. Ex. 3 at 43. The Individual did, however, report that she has several family members and friends who live in a foreign country (Country A) and that several of her friends and family members who live in Country A are current

<sup>1</sup> 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.

or former civil servants employed by Country A.<sup>2</sup> Ex. 3 at 68–73. The Individual further reported that she had visited Country A from December 2020 to April 2021. Ex. 3 at 49. The Individual also reported that, in April of 2016, she pled guilty to misdemeanor falsification. Ex. 3 at 50. She indicated that this plea resulted from her receipt of a dividend from a state program after she submitted an application from which she had omitted information that disqualified her from receiving that dividend. Ex. 3 at 50. The Individual claimed that she was unaware that she had “done something wrong” or violating the law when submitting the application. Ex. 3 at 51. The Individual reported on the QNSP that she owed approximately \$80,000 in delinquent student loan debt. Ex. 3 at 55. The QNSP asked her to provide a reason for this past due debt. She responded by stating: “Had a lot going on but plan on repaying my loans.” Ex. 3 at 55.

The Office of Personnel Management (OPM) subsequently conducted a background investigation of the Individual. Ex. 3 at 1. An OPM investigator reviewed State Department records indicating that the Individual had visited Country A in 2020 and 2021. Ex. 3 at 66. The State Department’s records further indicated that the Individual had been issued a passport by Country A in September 2003 which expired in 2008. Ex. 3 at 66. The OPM investigator also conducted an Enhanced Subject Interview (ESI) of the Individual on February 27, 2023. Ex. 3 at 65. During the ESI, the Individual reported that she had surrendered her Country A passport when she renounced her Country A citizenship. Ex. 3 at 66. The Individual denied intentionally omitting her Country A passport from her QNSP. Ex. 3 at 66. During the ESI, the Individual revealed that she had two sisters (who were not identified in the QNSP) who were civil servants in Country A. Ex. 3 at 68. The Individual also admitted that she has two children, both of whom are currently residing in Country A, that she omitted from the QNSP. Ex. 3 at 69. The Individual claimed that her falsification conviction resulted from her failure to read her application form carefully. Ex. 3 at 69. She reported that she had to pay \$4,100 in restitution. Ex. 3 at 69. When the OPM Investigator questioned her about her outstanding student loans, she acknowledged that she had defaulted on approximately \$80,000 in student loan debt. Ex. 3 at 70. She explained her default by stating that she is a single mother who helped pay for her (now late) sister’s cancer medication, sending her about \$1,000 “every couple of months.” Ex. 3 at 70. She also stated that she is sending \$500 every couple of months to one of her sisters to help her care for their late brother’s children. Ex. 3 at 70. She also claimed that she sends \$1,500 to \$3,000 a year to two orphanages in Country A. Ex. 3 at 70. She could not recall the name of one of the orphanages. Ex. 3 at 70. She claimed that she did not see a question in the QNSP asking if she had financially supported any foreign nationals. Ex. 3 at 70. The Individual further claimed that she has been sending thousands of additional dollars to various other friends and family members in Country A. Ex. 3 at 71. The Individual also admitted to regularly corresponding and communicating with several people in Country A. Ex. 3 at 70–73. When the OPM Investigator asked the Individual why she sent money to Country A when she owed \$80,000 in delinquent student loans, the Individual responded by stating that she now viewed her actions as irresponsible. Ex. 3 at 73.

A source interviewed by the OPM Investigator indicated that the Individual had been fired from her job as a residential counselor in 2016. Ex. 3 at 79. The OPM Investigator further found that

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<sup>2</sup> The Individual had, however, answered some of the QNSP’s question concerning her foreign activities and affiliations inconsistently. For example, the Individual also indicated that she did not have “close and/or continuing contact with a foreign national within the last seven (7) years with whom [she], or [her] spouse, or legally recognized civil union/domestic partner, or cohabitant are bound by affection, influence, common interests, and/or obligation.” Ex. 3 at 43.

one of the Individual's former employer's reported that the Individual's social security number was different from the social security number she used when filing for unemployment benefits. Ex. 3 at 84–85. A credit report obtained by the OPM Investigator indicated that, as of January 28, 2023, the Individual had a total of \$95,653 in outstanding delinquent student debt. Ex. 3 at 92–97.

On May 24, 2023, the LSO issued a letter of interrogatory (LOI) to the Individual. Ex. 4 at 14. On May 31, 2023, the Individual responded to the LOI. In her response to the LOI, the Individual claimed that she was unaware of one of the social security numbers attributed to her. Ex. 4 at 1. The Individual claimed that her outstanding student loan debt resulted from finding herself in a “bad relationship letting me to loose [sic] everything I had put aside to cleared out this debt.” Ex. 4 at 1. She admitted that she “was sending money home.” Ex. 4 at 1. The LOI requested that the Individual complete a personal financial statement. Ex. 4 at 13. In response, the Individual submitted a personal financial statement that indicating her monthly expenses were \$2,440, while she had no monthly income. Ex. 4 at 13. The Individual also provided documentation that she had paid off a \$77 debt revealed during the course of the OPM investigation. Ex. 4 at 4, 6. In her responses to this LOI, the Individual had initially failed to respond to a question that asked: “Have you ever been terminated from employment as a residential counselor? If so, provide the dates of employment and the reason for the termination.” Ex. 4 at 8. On June 6, 2023, the LSO contacted the Individual and requested her response to this question. Ex. 4 at 9. The Individual subsequently responded to this question acknowledging that she had been employed as a counselor but “was let go by the employer in 2017.” Ex. 4 at 7. The Individual claimed that she had failed to report this termination on her QNSP because she had “repressed this memory.” Ex. 4 at 7.

After receiving and reviewing this information, the LSO began the present administrative review proceeding by issuing a Notification Letter to the Individual informing her 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 her request to the Office of Hearings and Appeals (OHA).<sup>3</sup> 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), I took testimony from the Individual and her friend. Transcript of Hearing, Case No. PSH-23-0145 (hereinafter cited as “Tr.”). The DOE Counsel submitted five exhibits marked as Exhibits 1 through 5. The Individual submitted the following seven exhibits, marked as Exhibits A through H:

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<sup>3</sup> In her request for a hearing, the Individual contended that her inability to repay her outstanding delinquent debts resulted from her financial exploitation by her ex-boyfriend, who abandoned her while she was expecting their child. Ex. 1 at 1. She further contended that this ex-boyfriend “manipulated situations to gain access to my financial resources and absconded with my entire savings.” Ex. 1 at 1. She also attributed her financial issues to her support of her children and other family members. Ex. 1 at 1. She further claimed that she did not intend to default and plans on repaying her debt. Ex. 1 at 1. She indicated that she had consolidated her student loans and had sought debt counseling. Ex. 1 at 4. She also indicated that she did not attempt to understate the extent of her student loan deficiencies when completing her QNSP. Ex. 1 at 4. She indicated that she failed to disclose nine foreign contacts and her Country A passport because she “was not aware of what level of details that was needed.” Ex. 1 at 5. She further claimed that she has never provided any employer with a false social security number. Ex. 1 at 7.

Exhibit A is a letter from the U.S. Department of Education dated October 10, 2023, indicating that the Individual had gained access to a program that would take her loans out of default and transfer them to a new loan servicer. Ex. A.

Exhibit B is a statement from the Individual explaining the circumstances surrounding each of the issues mentioned in the SSC. Ex. B. The Individual explained that she lost a significant amount of savings and belongings due to a personal relationship being exploited. Ex. B at 1. She also stated that she found solace in donating the little money she had after that to charity. Ex. B at 1. The statement went on to say that the Individual was taking steps to fix her personal financial issues. Ex. B at 2.

Exhibit C is a letter from a public service agency to Whom It May Concern dated October 14, 2023, showing that the Individual had been accepted into a rental assistance program that would help to reduce her monthly expenses. Ex. C.

Exhibit D is a letter from a prospective employer to the Individual, dated November 14, 2023, extending an offer of employment to the Individual. Ex. D.

Exhibit E is an additional statement from the Individual expanding on some of her testimony and providing more detail about her delinquent loans. Ex. E. She specifically noted that she had confirmed with the United States Department of Education that she did not have any loans other than the ones that DOE had previously discovered. Ex. E at 1.

Exhibits F and G are documents showing that the Individual was at one time enrolled in medical school. Ex. F; Ex. G.

Exhibit H is a document providing additional information about the status of the Individual's student loans. Ex. H.

## **II. The Summary of Security Concerns (SSC)**

Attached to the Notification Letter was an SSC, in which the LSO raises security concerns under Adjudicative Guidelines E (Personal Conduct) and F (Financial Considerations).

Under Adjudicative Guideline E, the LSO cites the false or misleading information that the Individual provided on her QNSP; her termination by an employer for repeated timecard inaccuracies; her use of a social security number that was not hers; and her falsification conviction. This information adequately justifies the LSO's invocation of Guideline E. Under Guideline E, "[c]onduct involving questionable judgment, 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 security concern is the "[d]eliberate omission, concealment, or falsification of relevant facts from any personnel security questionnaire, personal history statement, or similar form used to conduct investigations, determine employment qualifications, award benefits or status, determine national security eligibility or trustworthiness, or award fiduciary responsibilities," "deliberately providing false or misleading information; or concealing or

omitting information, concerning relevant facts to an ... investigator [or] security official . . . involved in making a recommendation relevant to a national security eligibility determination. . . .” and “credible adverse information in several adjudicative issue areas that . . . when considered as a whole, supports a whole-person assessment of questionable judgment, untrustworthiness, unreliability, lack of candor, unwillingness to comply with rules and regulations . . . .” Adjudicative Guidelines at ¶ 16(a), (b), and (c).

Under Adjudicative Guideline F, the LSO cites the Individual’s delinquent Federal debt and frivolous or irresponsible spending. Guideline F provides that an individual’s failure to live within one’s means, satisfy debts, and meet financial obligations “may indicate poor self-control, lack of judgment, or unwillingness to abide by rules and regulations, all of which can raise questions about an individual’s reliability, trustworthiness, and ability to protect classified or sensitive information.” Adjudicative Guidelines at ¶ 18. Guideline F specifically states that “an inability to satisfy debts,” an “unwillingness to satisfy debts,” “a history of not meeting financial obligations,” “[c]onsistent spending beyond one’s means or frivolous or irresponsible spending, . . . excessive indebtedness, significant negative cash flow, a history of late payments or of non-payment, or other negative financial indicators” can raise disqualifying security concerns under Guideline F. Adjudicative Guidelines at ¶ 19(a), (b), (c), and (e). Accordingly, the LSO’s security concerns under Guideline F are 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 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 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 to permit the introduction of a very broad range of evidence at personnel security hearings. Even appropriate hearsay evidence may be admitted. 10 C.F.R. § 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

At the hearing, the Individual testified on her own behalf. Tr. at 5. The Individual testified that in 2008, 2009, and 2013 through 2015, she took out student loans. Tr. at 7. The loans that she took out in 2008 and 2009 were for premed courses she took as a prerequisite for medical school and

the beginning of medical school. Tr. at 7–8. The Individual testified that while she was attending medical school, she entrusted her boyfriend with her debit card, who then embezzled all of her money. Tr. at 8. The Individual testified that the boyfriend stole over \$100,000 from her, and after she learned he had taken the money in 2012, she never saw him again. Tr. at 39. She claimed that when she moved to the United States from Country A, she had looked for someone to help to guide her financially and the boyfriend convinced her to give him her debit card, so that he could help her build a credit report. Tr. at 40. When the Individual realized he had taken her money, the boyfriend left the United States and never returned to the United States. Tr. at 45. She stated that she did not bring up being scammed to the OPM Investigator because “it was something [she] didn’t want to bring [ ] up.” Tr. at 36–37. Because of the financial difficulties this loss of funds caused, the Individual was unable to complete the rotations required for her to graduate from medical school. Tr. at 17. Regarding the balance of her loans, the Individual admitted that she had failed to find the “most accurate information to give it to the [I]nvestigator.” Tr. at 18. The Individual also testified that the loans that she took out between 2013 and 2015 were for an MBA program that she was ultimately unable to complete. Tr. at 20–21.

Regarding her spending, the Individual testified that she used charitable giving as a form of solace when she was unhappy with her life. Tr. at 31–32. A few years prior to the hearing, her friends convinced her to attend some financial counseling because they were concerned that she was giving all of her earnings to charity. Tr. at 59. After this counseling, the Individual stopped donating to foreign charities, but still sent money to members of her family until 2022. Tr. at 60.

The Individual testified that she had omitted from her QNSP from her QNSP the position that she was terminated from in 2017 because of a lapse in memory. Tr. at 65. At the time she was working in the position that she was terminated from, she was working two jobs at once and did not consider the job from which she was terminated to be a “main part of her career.” Tr. at 66. When asked why she omitted several of her foreign national contacts from her QNSP, the Individual testified that she did not realize how significant her QNSP was when she was filling it out and was not properly diligent about it. Tr. at 67. When asked why one of her former employers used a different social security number for her than the one she had used to collect unemployment, the Individual claimed that she had never used any social security number than the one she had been assigned. Tr. at 72. She said that she believed the employer must have entered the wrong number during her employee intake. Tr. at 72. She claimed that she contacted her former employer to try to understand what happened, but the relevant employee was on vacation and never returned her call. Tr. at 73. The Individual claimed that she called the former employer “a couple of times,” but they still never provided her the relevant information. Tr. at 73. Since 2022, she has stopped sending money to foreign family members. She explained to them that she needs to focus on taking care of her own bills right now. Tr. at 60–61.

The Individual’s friend testified on her behalf. Tr. at 90. The friend first met the Individual when the Individual was dating the friend’s brother “a long time ago.” Tr. at 95. The friend’s brother is the man who took the Individual’s money while they were in a relationship. Tr. at 102–03. While the Individual was dating the friend’s brother around 2010 to 2012, the Individual and the friend talked on the phone every “once in a while.” Tr. at 97. They also met in person “a couple of times” during this time period. Tr. at 98. The friend further testified that she knew her brother “didn’t treat [the Individual] very well,” and the Individual “was left penniless and she didn’t have any money because [her brother] was not too nice to [the Individual] financially.” Tr. at 102–03. She

explained that the Individual told her that her brother “took money from [the Individual].” Tr at 103. The friend says she asked her brother about it once, “but he didn’t want to discuss it, didn’t want to talk about it” so she “left it alone.” Tr. at 104.

**V. Analysis**

**A. Guideline E**

The Adjudicative Guidelines set forth seven factors that may mitigate security concerns under Guideline E. The Adjudicative Guidelines provide that an individual may mitigate security concerns under Guideline E if:

- (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.

The Individual did not make any attempts to correct her omissions from the QNSP until she was confronted with them in her LOI and ESI. Moreover, I found the Individual’s explanations for her

omissions to be difficult to believe. Therefore, she has not shown that the mitigating factor set forth at ¶ 17(a) is present in the instant case. Adjudicative Guidelines at ¶ 17(a).

There is no indication that the Individual's omissions, falsification, termination of employment, or use of an unauthorized social security number resulted from the advice of legal counsel or another professional who was responsible for advising the Individual about the security process. Accordingly, she has not shown that the mitigating factor set forth at ¶ 17(b) is present in the instant case. Adjudicative Guidelines at ¶ 17(b).

In her QNSP, the Individual omitted her children, several close friends and family members who are foreign nationals, significant financial support provided to foreign nationals, a foreign passport, and a job from which she had been terminated. Several of these omissions had the effect of concealing her extensive connections to Country A and to individuals serving in that country's government. Collectively, I cannot consider these omissions to be minor or infrequent. Further, all of the omissions occurred within the last year and cast doubt on the Individual's present good judgment, trustworthiness, and reliability. Therefore, she has not shown that the mitigating factor set forth at ¶ 17(c) is present in the instant case. Adjudicative Guidelines at ¶ 17(c).

There is no allegation that the Individual's omissions, falsification, termination of employment, or use of an unauthorized social security number have been remedied by counseling or other steps taken to remedy the behavior. Therefore, mitigating factor (d) is not applicable. Adjudicative Guidelines at ¶ 17(d).

There is no assertion that the Individual's omissions, falsification, termination of employment, or use of an unauthorized social security number made her vulnerable to exploitation, manipulation, or duress. Therefore, mitigating factor (e) does not apply. Adjudicative Guidelines at ¶ 17(e).

The Individual presented no convincing evidence indicating that the information about the Individual's omissions falsification, termination of employment, or use of an unauthorized social security number were unsubstantiated or unreliable, so mitigating factor (f) does not apply. Adjudicative Guidelines at ¶ 17(f).

As to mitigating factor (g), there has been no allegation that the Individual was associated with individuals who were involved in criminal activities, so the mitigating factor does not apply here. Adjudicative Guidelines at ¶ 17(g).

For these reasons, I conclude that the Individual has not resolved the Guideline E security concerns raised by omissions in her QNSP, her termination for repeated timecard inaccuracies, her use of a social security number that was not hers, and her falsification conviction.

## **B. Guideline F**

The Adjudicative Guidelines set forth seven factors that may mitigate security concerns under Guideline F. The Adjudicative Guidelines provide that an individual may mitigate security concerns under Guideline F if:



- (a) The behavior happened so long ago, was so infrequent, or occurred under such circumstances that it is unlikely to recur and does not cast doubt on the individual's current reliability, trustworthiness, or good judgment;
- (b) The conditions that resulted in the financial problem were largely beyond the person's control (*e.g.*, loss of employment, a business downturn, unexpected medical emergency, a death, divorce or separation, clear victimization by predatory lending practices, or identity theft), and the individual acted responsibly under the circumstances;
- (c) The individual has received or is receiving financial counseling for the problem from a legitimate and credible source, such as a non-profit credit counseling service, and there are clear indications that the problem is being resolved or is under control;
- (d) The individual initiated and is adhering to a good-faith effort to repay overdue creditors or otherwise resolve debts;
- (e) The individual has a reasonable basis to dispute the legitimacy of the past-due debt which is the cause of the problem and provides documented proof to substantiate the basis of the dispute or provides evidence of actions to resolve the issue;
- (f) The affluence resulted from a legal source of income; and
- (g) The individual has made arrangements with the appropriate tax authority to file or pay the amount owed and is in compliance with those arrangements.

Adjudicative Guidelines at ¶ 20.

The Individual provided documentation to show that she has begun the process of consolidating and negotiating a payment plan to address her delinquent student loan debt. However, she has not shown that she has been able to adhere to a repayment plan. Accordingly, I cannot find that these concerns are resolved under mitigating factor (a). Adjudicative Guidelines at ¶ 20(a).

While the Individual may have experienced some economic setbacks beyond her control, including periods of unemployment and possibly the embezzlement of her savings. It cannot be said that she acted responsibly under the circumstances. For example, at the same time that she owed tens of thousands of dollars in student loan debt, she claims to have been sending thousands of dollars to charitable organizations. Therefore, she has not shown that the mitigating factors set forth at ¶ 20(b) are present in the instant case. Adjudicative Guidelines at ¶ 20(b).

The Individual indicated in her testimony that she had in the past received financial counselling, but she provided no documentary evidence of this counseling, and based on her personal financial statement, I cannot say that there are clear indications that the problems alleged in the SSC are being resolved. Accordingly, she has not shown that the mitigating factor set forth at ¶ 20(c) is present in the instant case. Adjudicative Guidelines at ¶ 20(c).

While the individual has initiated an effort to repay her overdue student loans, there is no evidence in the record indicating that she has been adhering to a repayment plan. Adjudicative Guidelines at ¶ 20(d).

There is no allegation that the Individual is disputing her debts, has exhibited unexplained affluence, or has any financial issues related to her taxes. Accordingly, mitigating factors (e), (f), and (g) do not apply here. Adjudicative Guidelines at ¶ 20(e), (f), (g).

For these reasons, I find that the Individual has not resolved the security concerns raised under Guideline F.

## **VI. Conclusion**

For the reasons set forth above, I conclude that the LSO properly invoked Guidelines E and F of the Adjudicative Guidelines. After considering all the evidence, both favorable and unfavorable, in a commonsense manner, I find that the Individual has not fully mitigated the security concerns raised under either Guideline. Accordingly, the Individual has not demonstrated that granting her security clearance would not endanger the common defense and security and would be clearly consistent with the national interest. Therefore, the Individual's security clearance should not be granted. This Decision may be appealed in accordance with the procedures set forth at 10 C.F.R. § 710.28.

Steven L. Fine  
Administrative Judge  
Office of Hearings and Appeals