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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: January 13, 2026) Case No.: PSH-26-0041
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Issued: March 27, 2026

Administrative Judge Decision

James P. Thompson III, Administrative Judge:

This Decision concerns the eligibility of XXXXXXXXXXXXXXXX (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 should not be granted access authorization.

I. BACKGROUND

On January 9, 2024, the Individual completed and signed a Questionnaire for National Security Positions (QNSP) in connection with seeking access authorization. Exhibit (Ex.) 4 at 68.² Therein, the Individual disclosed that she filed for Chapter 7 bankruptcy and had debts discharged in 2018, that she subsequently fell into delinquency on numerous debts on which she estimated that she owed a cumulative \$7,598, that she had a vehicle repossessed in January 2020, and that she failed to file Federal and state personal income tax returns or pay Federal and state personal income taxes as required for tax years 2021 and 2022. *Id.* at 58–65. The Individual also disclosed having been fired by several employers, including one by which she was employed from February to April 2022 (Employer A) and a second by which she was employed from October 2022 to January 2023 (Employer B). *Id.* at 37–38, 40–41. The Individual indicated that she was unsure why she was terminated by Employer A but that she “believe[d]” it was due to “lack of work.” *Id.* at 41. The

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.

² The local security office (LSO) submitted its exhibits in two PDF notebooks. This Decision cites to the pages in the LSO’s exhibit notebooks in the order in which they appear in each notebook regardless of their internal pagination.

Individual stated that she was terminated by Employer B as a result of “multiple errors due to lack of training.” *Id.* at 38.

A credit report obtained in January 2024 as part of a background investigation into the Individual’s eligibility for access authorization showed that the Individual had ten accounts placed for collections on which she cumulatively owed over \$10,000. *Id.* at 165–67. Employer A was contacted as part of the investigation, and a representative of Employer A indicated that the Individual’s employment was terminated as a result of the Individual having “attendance issues.” *Id.* at 91. Employer B was also contacted and a representative indicated that the Individual was fired for, among other things, playing games and texting on her phone during work hours, making significant errors on assigned tasks despite training, and time and attendance issues. *Id.* at 96–97. During a March 2024 interview with an investigator, the Individual denied having engaged in the actions cited by Employer A and Employer B for her termination. *Id.* at 73–75.

In August 2024, the LSO issued the Individual a letter of interrogatory (LOI) concerning her employment history and financial circumstances. Ex. 6. In a series of responses from August 2024 to January 2025, the Individual represented that she “never had any issues” with Employer A, that the reasons provided by Employer B for her termination were inaccurate, that she had filed all required tax returns, and that she was making progress towards resolving her delinquent debts. Ex. 7 at 5, 8, 90. However, the Individual did not pay the Federal and state personal income taxes she owed. *Id.* at 90. Additionally, the LSO obtained an updated credit report for the Individual on October 8, 2025, which showed that she had not resolved her delinquent debts and that additional debts had fallen into delinquency during the course of the adjudication of her eligibility for access authorization. Ex. 5 at 181–84.

The LSO issued the Individual a Notification Letter advising her that it possessed reliable information that created substantial doubt regarding her eligibility for access authorization. Ex. 1 at 2–4. In a Summary of Security Concerns (SSC) attached to the letter, the LSO explained that the derogatory information raised security concerns under Guidelines E and F of the Adjudicative Guidelines. Ex. 2 at 6–11.

The Individual exercised her right to request an administrative review hearing pursuant to 10 C.F.R. Part 710. Ex. 3. The Director of the Office of Hearings and Appeals (OHA) appointed me as the Administrative Judge in this matter, and I conducted an administrative hearing. The LSO submitted eight exhibits (Exs. 1–8). The Individual submitted seven exhibits (Exs. A–G)³. The Individual testified on her own behalf. Hearing Transcript, OHA Case No. PSH-26-0041 (Tr.) at 3, 9. The LSO did not call any witnesses to testify.

II. THE NOTIFICATION LETTER AND THE ASSOCIATED SECURITY CONCERNS

The LSO cited Guideline E (Personal Conduct) of the Adjudicative Guidelines as one basis for its substantial doubt regarding the Individual’s eligibility for access authorization. Ex. 2 at 9–11. “Conduct 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. Of special interest is any failure to cooperate

³ The Individual’s exhibits have been lettered by replacing the provided numbers with their corresponding letter.

or provide truthful and candid answers during national security investigative or adjudicative processes.” Adjudicative Guidelines at ¶ 15. The SSC cited the Individual having made representations on the QNSP, to an investigator, and in response to the LOI concerning the circumstances of the termination of her employment by Employer A and Employer B which were inconsistent with the explanations provided by Employer A and Employer B during the background investigation. Ex. 2 at 9–11. The LSO’s allegations that the Individual deliberately omitted, concealed, or falsified information on the QNSP and deliberately provided false or misleading information concerning relevant facts to an investigator and security officials justify its invocation of Guideline E. Adjudicative Guidelines at ¶ 16(a)–(b).

The LSO cited Guideline F (Financial Considerations) of the Adjudicative Guidelines as the other basis for its substantial doubt regarding the Individual’s eligibility for access authorization. Ex. 2 at 6–9. “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. The SSC cited the Individual having filed for Chapter 7 bankruptcy in 2018, the repossession of her vehicle in 2020, nine financial accounts the Individual had not resolved as of the October 2025 credit report, and the Individual’s failure to timely file personal income tax returns or pay personal income taxes for the 2021 and 2022 tax years. Ex. 2 at 6–9. The LSO’s allegations that the Individual demonstrated an inability or unwillingness to satisfy debts, a history of not meeting financial obligations, and failed to file Federal personal income tax returns or pay Federal personal income taxes as required justify its invocation of Guideline F. Adjudicative Guidelines at ¶ 19(a)–(c), (f).

III. REGULATORY STANDARDS

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

An 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). An individual is afforded a full opportunity to present evidence supporting his or her 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

A. Individual's Chapter 7 Bankruptcy and Subsequent Financial Delinquencies

In March 2018, the Individual and her then husband filed for Chapter 7 bankruptcy in anticipation of a divorce. Ex. 5 at 181; *see also* Tr. at 22 (Individual testifying that she and her ex-husband “just wanted to get rid of the debts and have a clean start to everything”). The Individual’s debts were discharged through the bankruptcy proceeding, and she exited the bankruptcy in July 2018. Ex. 5 at 181; Ex. 4 at 76 (Individual stating to an investigator that approximately \$15,000 in debts were discharged). The Individual’s divorce was finalized in February 2019. Ex. G.

In 2020, a vehicle the Individual had purchased was repossessed by the lender after the Individual failed to make payments as agreed. Ex. 4 at 63; Ex. 5 at 185. The vehicle was auctioned and the proceeds of the sale were sufficient to satisfy the unpaid balance owed by the Individual. Ex. 4 at 58; Ex. 5 at 185.

In October 2021, the Individual was fired from her job. Ex. 4 at 41–42; *see id.* (Individual representing that she was “[f]ired due to being unable to verify [her] time sheet because of lack of internet”). The Individual was unemployed for approximately four months until she was hired by Employer A in February 2022. *Id.* at 40. Employer A terminated the Individual’s employment approximately two months later. *Id.* at 41. The Individual regained employment in May 2022 but was terminated in July 2022 after calling out sick from work. *Id.* at 39. The Individual was hired by Employer B in October 2022 and fired in January 2023. *Id.* at 37–38.

Following her exit from Chapter 7 bankruptcy in July 2018 up to her submission of the QNSP, the Individual had ten consumer debts referred to collections. *Id.* at 165–67; *see also id.* at 77–79 (Individual telling an investigator that the debts referred to collections included, among other things, payday loans, credit card accounts, and utility bills). As of January 2024, when the Individual submitted the QNSP, she owed a cumulative \$12,198 on the aforementioned debts referred to collections. *Id.* at 165–67. In an interview with an investigator and her response to the LOI, the Individual indicated that she was challenging one of the debts referred to collections but acknowledged that she owed the others and attributed her inability to meet her financial obligations to her unstable employment.⁴ *Id.* at 77–79; Ex. 7 at 6–8.

In her August 2024 response to the LOI, the Individual represented that she had a “verbal agreement” to make \$20 monthly payments for one debt “on a month to month basis,” and that she was pursuing settlement arrangements with her other creditors. Ex. 7 at 10–11. A personal financial statement provided by the Individual in response to the LOI indicated that she had monthly net income of \$2,299.04 and that she would use this surplus to pay down her outstanding debts. Ex. 8 at 98. However, as of an October 8, 2025, credit report obtained by the LSO, the Individual had resolved only two of her debts on which she owed a cumulative \$1,519. *Compare* Ex. 4 at 165–67 *with* Ex. 5 at 182–84. The October 2025 credit report showed that two additional debts owed by

⁴ The Individual represented to the investigator that she was disputing a \$4,578 debt to a landlord because, according to her, the landlord had sought to charge her for renovations to the unit after she moved out. Ex. 4 at 77–78. However, in her response to the LOI the Individual admitted that the debt was actually for unpaid rent and that a judgment had been entered against her in the amount of \$4,979 for the unpaid rent and late fees. Ex. 7 at 6.

the Individual had been referred to collections since her January 2024 submission of the QNSP, several collections accounts had been charged off by the Individual's creditors, and the cumulative balance of the Individual's delinquent debts was \$11,028. Ex. 5 at 182–84.

As of the hearing date, the Individual claimed that she was continuing to pay \$20 monthly to satisfy the debt for which a judgment was issued against her but provided no documentation to support having done so. Tr. at 17, 49. She further claimed that she had entered into a payment plan with creditors for utility debts but had not made any payments towards those debts as of the hearing. *Id.* at 18–19. The Individual testified that she intended to pay off her delinquent debts but had been unable to do so due to underemployment and expenses, such as new tires for her vehicle. *Id.* at 20, 24. According to the Individual, she paid any money remaining each month after meeting her current obligations to her father, with whom she was residing, for room and board. *Id.* at 44.

B. Individual's Non-Compliance with Tax Obligations

The Individual did not timely file Federal or state personal income tax returns for the 2021 and 2022 tax years. Ex. 4 at 59–60 (indicating that she “forgot about taxes” after her divorce from her ex-husband); Tr. at 10 (indicating that her ex-husband prepared the couple's tax returns during their marriage). The Individual filed the outstanding tax returns at some point in 2024; however, she did not pay the Federal or state personal income taxes she owed. Tr. at 14; Ex. 7 at 8, 10 (indicating that the Individual owed \$1,570 in unpaid state personal income taxes as of her August 2024 response to the LOI); Ex. 7 at 62 (containing a notice from the IRS that the Individual owed \$1,840.36 in personal income taxes for the 2021 tax year).

In March 2025, the IRS applied the Individual's tax refund for the 2024 tax year to her unpaid tax balance for the 2021 tax year, reducing it to \$597.36. Ex. C. The Individual did not resolve her unpaid taxes over the subsequent year and as of the date of the hearing she owed the remaining balance for her 2021 Federal personal income taxes as well as \$2,869 in state personal income taxes. Tr. at 13–14. The Individual testified at the hearing that she planned to use refunds from the 2025 tax year towards the unpaid taxes.⁵ *Id.* at 14.

C. The QNSP, Background Investigation, and Subsequent Development of the Individual's Employment History

The Individual completed the QNSP on January 9, 2024, and, as part of doing so, certified that her statements therein were “true, complete, and correct to the best of [her] knowledge and belief and [were] made in good faith.” Ex. 4 at 68. In the section of the QNSP concerning her employment history, she represented that she did not know why she was fired by Employer A but that she

⁵ The Individual claimed at the hearing that her Federal tax refund for 2025 would be large enough to fully pay her unpaid Federal personal income taxes for the 2021 tax year. Tr. at 14; *see also* Ex. A (Individual's Federal personal income tax return for the 2025 tax year in which she calculated her refund at \$1,563). In her Federal personal income tax return for 2021, the Individual calculated that she was entitled to a \$268 refund. Ex. 7 at 38. However, the IRS apparently determined that the Individual miscalculated because she was assessed unpaid taxes in the amount of \$1,840.36. *Id.* at 62. Considering the Individual's previous miscalculation of her tax liability, I do not find her calculation of her 2025 Federal personal income taxes sufficiently reliable to determine that she is due a refund sufficiently large to pay her unpaid Federal personal income taxes.

“believe[d]” it was due to “lack of work” and that she had been fired by Employer B due to “lack of training and multiple errors due to lack of training.” *Id.* at 38, 41.

In response to outreach as part of the investigation of the Individual’s eligibility for access authorization, a manager with Employer A submitted a statement indicating that the Individual “called in sick or with other issues almost 1/2 the time she was here” and that the Individual was terminated because “[h]er personality didn’t mesh well with other co-workers and due to attendance issues” *Id.* at 91. In an interview with an investigator, her response to the LOI, and her hearing testimony, the Individual represented that she lacked sufficient work with Employer A and denied knowledge of the reason for her termination. *Id.* at 75; Ex. 7 at 5; Tr. at 38–39.

During the investigation, a manager provided a list of reasons for which the Individual was terminated from her employment with Employer B. Ex. 4 at 96–97. The list provided by the manager included the Individual being “[m]ore than 15 minutes late to work on a continual basis” even after having been warned and written up, doing her nails in the workspace while other employees were working on tasks, making frequent production errors that resulted in delays to Employer B’s operations and the purchase of additional materials, and playing games and watching videos on personal and company electronic devices for hours at a time. *Id.*; *see also id.* at 98–102 (text messages documenting the Individual notifying a manager that she was unable to come to work for various reasons on numerous occasions, the Individual being warned that further tardiness would result in her termination, and the Individual failing to produce products as directed). The manager speculated that the Individual had misrepresented her knowledge and abilities during an interview with Employer B and stated that the Individual’s time and attendance and performance had not improved after counseling and training. *Id.* at 96–97.

In her interview with an investigator and her response to the LOI, the Individual characterized her termination from Employer B as due to errors she made on the job which she attributed to a lack of training on how to use Employer B’s equipment. *Id.* at 74; Ex. 7 at 5. The Individual claimed that she had occasionally been late to work due to inclement weather but denied having been “excessively tardy.” Ex. 4 at 74. She also acknowledged having watched online videos at work but represented that they were instructional videos she was encouraged to watch to learn how to use Employer B’s equipment. *Id.* at 73; Ex. 7 at 5. She also acknowledged having done her nails at work but characterized this as an isolated event. Ex. 4 at 74. The Individual reiterated these claims at the hearing, although she admitted to having logged into a video streaming service on one occasion “to see the new movies and stuff [that had] come out” Tr. at 27–36.

V. ANALYSIS

A. Guideline E

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 Individual denied that she was untruthful about the circumstances of her separations from Employer A and Employer B on the QNSP, in an interview with an investigator, and in response to the LOI, I find otherwise. First, I note that from 2021 to 2023, the Individual was fired by four employers as a result of concerns related to her time and attendance. I find it extremely improbable that this pattern would have occurred if not as a result of the Individual's behavior, or that representatives of both Employer A and Employer B would have falsely cited to the Individual's attendance as a basis for her termination when contacted in connection with the investigation. Moreover, Employer B provided contemporaneous text messages showing that, contrary to the Individual's claim to have been tardy only due to inclement weather, she cited numerous excuses for repeatedly failing to report to work on time. Further, Employer B reported counseling the Individual on numerous occasions and one of the text messages submitted by Employer B explicitly warned the Individual that further tardiness would be grounds for termination. Accordingly, I conclude that the Individual was fired by both Employer A and Employer B for misconduct, she was aware of these bases for her termination, and she intentionally sought to minimize these concerns in the QNSP, in her interview with the investigator, and in response to the LOI.

Turning to the first mitigating condition, the Individual was confronted by the investigator with information from Employer A and Employer B related to the circumstances of her terminations. Accordingly, the first mitigating condition is inapplicable. *Id.* at ¶ 17(a).

The second mitigating condition is irrelevant because the Individual did not allege that she relied on the advice of counsel or another representative in completing the QNSP or responding to questions from the investigator or LSO. *Id.* at ¶ 17(b).

The concerns presented by the Individual's misrepresentations are not grave, particularly since she disclosed that she was fired by both Employer A and Employer B on the QNSP. However, what would otherwise have been relatively minor concerns are magnified by the Individual repeatedly seeking to misrepresent the circumstances of her terminations even after having been confronted with the facts and persisting in her dubious claims even in her hearing testimony. *See* 10 C.F.R. § 710.7(c) (requiring consideration of, among other things, the "frequency and recency of the conduct" and "the likelihood of continuation or recurrence"). Considering the Individual's ongoing denial of the reasons for her terminations from Employer A and Employer B, and the routine circumstances under which she did so, I find that the third mitigating condition is inapplicable. Adjudicative Guidelines at ¶ 17(c).

The fourth mitigating condition is inapplicable because the Individual has neither acknowledged her untruthful statements nor claimed to have pursued counseling related to the behavior. *Id.* at ¶ 17(d).

The fifth mitigating condition is irrelevant to the facts of this case because the LSO did not allege that the Individual engaged in conduct that placed her at special risk of exploitation, manipulation, or duress. *Id.* at ¶ 17(e).

The sixth mitigating condition is inapplicable because Employer B's claims regarding the basis for the Individual's termination were partially corroborated by text messages and, for the reasons set forth above, I find Employer A's and Employer B's explanations for the Individual's terminations more credible than the Individual's claims. *Id.* at ¶ 17(f).

The final mitigating condition is irrelevant because the LSO did not allege that the Individual associated with persons engaged in criminal conduct. *Id.* at ¶ 17(g).

For the aforementioned reasons, I find that none of the mitigating conditions are applicable to the facts of this case. Accordingly, the Individual has not resolved the security concerns asserted by the LSO under Guideline E.

B. Guideline F

Conditions that could mitigate security concerns under Guideline F include:

- (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.

Id. at ¶ 20.

The Individual's financial irresponsibility has occurred on an ongoing basis for many years. The Individual fell into financial delinquency relatively quickly after exiting Chapter 7 bankruptcy and her financial situation has not improved in any meaningful respect since that time. The majority of the financial delinquencies identified at the time the Individual submitted the QNSP remain unresolved, two additional debts were referred to collections since that time, and I have no reason to believe that the Individual will avoid falling into delinquency on additional debts in the future. The first mitigating condition is therefore inapplicable. *Id.* at ¶ 20(a).

While the Individual attributes some of her financial delinquencies to employment instability, her own behavior is the cause of her employment difficulties. As noted above, the Individual's time and attendance issues have repeatedly resulted in her losing her job. Thus, while her financial situation is likely somewhat attributable to her employment history, the conditions that led to her difficulties were not outside of her control. Accordingly, the second mitigating condition is inapplicable. *Id.* at ¶ 20(b).

The third mitigating condition is inapplicable because the Individual did not claim to have pursued financial counseling from a reputable source and her financial difficulties are neither resolved nor under control. *Id.* at ¶ 20(c).

While the Individual claims to have made some efforts to repay debts, she has provided no evidence to corroborate these claims and by her own admission has not made any payments towards other debts. Considering the Individual's lengthy history of not meeting her financial obligations, her testimony alone is far too little evidence to demonstrate the applicability of the fourth mitigating condition. *Id.* at ¶ 20(d).

The Individual has brought forward no evidence related to disputing the legitimacy of her debts and has admitted that most of the debts resulted from her falling behind on payments. The fifth mitigating condition is therefore inapplicable. *Id.* at ¶ 20(e).

The sixth mitigating condition is irrelevant to the facts of this case because the LSO did not allege that the Individual demonstrated unexplained affluence. *Id.* at ¶ 20(f).

The final mitigating condition is not satisfied because the Individual admits that she has not paid all Federal and state personal income taxes that she owes and has not made any arrangements to do so. While she intends to use the proceeds of future tax refunds to meet her past due obligations, this is far too speculative of a basis upon which to conclude that she has resolved the security concerns related to her unpaid taxes considering her many years of having failed to pay and her history of miscalculating her tax obligations. *Id.* at ¶ 20(g).

For the aforementioned reasons, I find that none of the mitigating conditions under Guideline F are applicable to the facts of this case. Accordingly, the Individual has not resolved the security concerns asserted by the LSO under Guideline F.

VI. CONCLUSION

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

James P. Thompson III
Administrative Judge
Office of Hearings and Appeals