



**DEFENSE LEGAL SERVICES AGENCY  
DEFENSE OFFICE OF HEARINGS AND APPEALS**



In the matter of: )  
)  
) ISCR Case No. 25-00973  
)  
Applicant for Security Clearance )

**Appearances**

For Government: Nicholas T. Temple, Esq., Department Counsel  
For Applicant: John G. Horan, Esq.

05/22/2026

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**Decision**

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HALE, Charles C., Administrative Judge:

This case involves security concerns raised under Guideline F (Financial Considerations). Eligibility for access to classified information is denied.

**Statement of the Case**

Applicant submitted a security clearance application (SCA) on February 29, 2024. On October 9, 2025, the Department of Defense (DoD) sent her a Statement of Reasons (SOR) alleging security concerns under Guideline F. The DoD acted under Executive Order (Exec. Or.) 10865, Safeguarding Classified Information within Industry (February 20, 1960), as amended; DoD Directive 5220.6, Defense Industrial Personnel Security Clearance Review Program (January 2, 1992), as amended (Directive); and the adjudicative guidelines (AG) promulgated in Security Executive Agent Directive 4, National Security Adjudicative Guidelines (December 10, 2016).

Applicant answered the SOR and requested a hearing before an administrative judge. Department Counsel was ready to proceed on February 26, 2026, and the case was assigned to me on March 2, 2026. On March 24, 2026, the Defense Office of Hearings and Appeals (DOHA) notified Applicant that per her request for an expedited hearing was scheduled for April 2, 2026. I convened the hearing as scheduled. Government Exhibits (GE) 1 through 7 were admitted in evidence without objection.

Applicant testified and presented testimony from one witness. Applicant Exhibits (AE) A1 through A5 were admitted without objection. DOHA received the transcript (Tr.) on April 13, 2026. The record was held open until April 30, 2026. Applicant timely submitted two character letters, one from a retired law enforcement officer and the other from a minister, which were marked AE B and C respectively and admitted without objection.

### **Findings of Fact**

Applicant is a 57-year-old mother of two adult children. She served honorably the United States Army Reserve for six years and currently works as electrical design engineer for her sponsor. She earned her engineering degree in 1993 and holds a master's in business administration, which she earned in 2007. She worked for a major city from 1994 to 2000 and returned for a second time from 2016 to 2021 as a city engineer. In the intervening years she worked for a defense contractor as an engineer. She has also worked as a realtor. (GE 1; Tr. 32-35, 42, 65.)

During Applicant's thirty years in the workforce, she not only provided for her children but also provided support to her nieces and nephews. Her children's father was not financially responsible because he was unstable and could not maintain a job. She also raised his son from another relationship. She divorced him in June 2025, which was a three-year process. She now lives with her mom and helps her with the bills. At one point during the divorce process, she moved in with her daughter and assisted with bills, renovations, and the repairs of the HVAC system to her daughter's recently purchased home. (Tr. 37-43.)

The SOR alleges seventeen tax-related allegations dealing with failure to timely file and/or pay Federal and state income taxes (SOR ¶¶ 1.a-1.q). Applicant's alleged delinquent Federal tax debt is over \$92,000 (SOR ¶¶ 1.b, 1.f, 1.h, 1.j-1.o). Her alleged delinquent state tax debt is over \$26,000 (SOR ¶¶ 1.c-1.e, 1.i, 1.p-1.q). She failed to timely file, as required, Federal income tax returns for tax years 2016 and 2017 (SOR ¶ 1.g) and she failed to timely file, as required, state income tax returns for tax years 2007, 2008, 2009, 2014, 2016, 2017, and 2018 (SOR ¶ 1.a). She had previously held a security clearance in 2011, which had been suspended because of a delinquent credit card debt. She had disclosed the early alleged tax years, 2007-2009, and that she was on a state repayment plan, which was different from the ones addressed on the SOR. (Tr. 77-78, 80.) At the hearing she affirmed that to her knowledge all Federal and state returns had been filed. (Tr. 71; AE A1-A5.)

Applicant stated she had reached out to the respective agencies to address her Federal and state tax issues. She took off work to sit in their offices to establish what documents the agencies had. During this process she identified two preparers who she thought may have prepared tax returns for some of the years in question. (Tr. 43-44.) She stated the reason she did not file tax returns for the years in question was:

I feel like I didn't fail to file, I did not file because I trusted that they would be filed by others. I was notified many years after -- so, for instance, for 2009,

I was notified in 2016 or 2017 from the IRS. I received a letter that stated that my 2009 was not filed and I had 10 days to have someone do a return for me because they had prepared a return on my behalf. So, naturally, I reached out to somebody that was a tax preparer and said, hey, I need this tax return prepared because they don't know what deductions I might have. They just did a straightforward return and in the process of doing that, I was, like, and if you know if you can see in the system any other tax years that I have not -- that they have in the system that are not filed, can you get those prepared for me. (Tr. 45.)

Applicant and her husband filed married filing separately. (Tr. 78-79.) She testified she relied on her mother-in-law to prepare her taxes, stating:

I was engaged [to] my husband, my later husband. His mom had a -- she's a CPA. She had a tax preparation business, so I relied on her to help me get my taxes done. That extended into our marriage and one of the issues that came up was I was a head of household and then I became married filing separately. What she would always state was you all need to do something about this married filing separately because it's causing you to owe more than you probably should. I would ask her all the time, well did you get your son's information so that you could file. She was like, yes, I'm working on it. We'll get this done. I just never really challenged that it wasn't being done. I just -- I just trusted that it was going to be done. (Tr. 46.)

Applicant acknowledged that over a period of at least 15 years or so, she had failed to meet her state and Federal tax obligations, stating, "Yes, on and off through those 15 years." (Tr. 70.) She agreed it was her responsibility to make sure her taxes were filed. (Tr. 71.) She became aware of the problem when the IRS informed her that her 2009 tax return had not been submitted. She took the notice to another preparer and asked the preparer to see what years were missing. She thought this preparer did multiple returns for her. (Tr. 46-47.) She then relied on another preparer for other returns during the time she was working as realtor. She was generally aware that given her self-employment status her return would be more complicated since she needed to take business deductions. She stated she relied on the word of the preparer that the taxes were filed. She recalled receiving folders with the tax documents in them, but because she moved and she no longer has access to everything she had when she was living with her husband. She has contacted the tax preparer, and they are "digging to see" if they can find the years in question. (Tr. 47-48.) What she submitted with her Answer to the SOR was she could find. (Tr. 49; Answer.)

When asked whose obligation it was to file her Federal and state tax returns when filing married filing separately, she stated:

It was my obligation to get them filed. My tax preparer at that time was my husband's mother and she did tell us all the time, you all need to file married filing joint, she said, because I can save you all a whole lot of money if you

would file jointly. My ex-husband had a property management company, and his tenants would sue him for security deposits or his landlords might sue him for maintenance and stuff like that, it's kind of like a routine thing. It's nothing really that property management companies don't go through, but he felt that if he filed jointly with me and somebody sued him, then I would [be] paying a part of his responsibilities. We felt that temporarily, we agreed okay, we can do it that way because when he first started the business, he was having more issues than after he had had it for a while. After things were going much smoother, I was like okay, it's time to do the joint filings now. I used to bring that up all the time. (Tr. 79-80.)

Applicant admitted not filing her state tax returns in four of seven years alleged in SOR ¶ 1.a, 2007, 2009, 2016, and 2017. She denied other years on the basis they had been filed, and she submitted documents with her Answer to support her denial. She included her installment agreement with her state to address her state tax debt of over \$26,000 (SOR ¶¶ 1.c-1.e, 1.i, 1.p-1.q) with her Answer. She stated she was current on her payments under installment agreement. (Tr. 56-58; AE A4.) She estimated her tax debt with her state was now about \$8,000 down from \$12,000 and that after her November tax bill her state debt was "pretty much under control." (Tr. 54, 58; AE A4.)

Concerning Applicant's Federal tax debts, SOR ¶¶ 1.b, 1.f, 1.h, 1.j-1.o, Applicant in her Answer stated:

I ADMIT I have this debt. I'm fulfilling my obligation to pay this tax debt. The IRS has combined all the unpaid tax debt amounts into one payment plan which is currently being collected monthly in the amount of \$1000/mo. I have paid timely as per the payment agreement due dates. The Federal tax years included in this payment agreement are 2009, 2015, 2018, 2019, 2020, 2022, 2023. Tax years not included in this repayment agreement were refund years or already fully paid in full. I've attached a copy of the payment agreement. (Answer.)

and added for SOR ¶ 1.o that:

Additionally, in 2024 I paid \$10,000.00 towards all years included in the tax lien that was on my file and an additional \$7,800.00 to get below the tax debt limit to qualify for a payment agreement which I currently pay \$1,000.00 monthly.

At the hearing Applicant addressed her delinquent Federal tax debt, SOR ¶¶ 1.b, 1.f, 1.h, 1.j-1.o, stating:

Currently, with my tax obligations, it started off really high. I wasn't aware of the \$100,000, when [Department Counsel] said that, I was surprised. When I went into the IRS, they told me I was at about \$65,000 to \$66,000 dollars in debt, so I asked them is there a possibility for me to do a payment

arrangement. I said can I make a payment and then do a payment arrangement and she said your payment in order to do an installment plan would have to bring your debt below \$45,000 dollars. So, I made an initial payment, I think, of \$10,000 then I made another one of \$7,500 and then I made another payment and then they allowed me to do \$1,000 dollars a month. I'm currently at about \$34,000 in debt to the IRS. (Tr. 52-53.)

Applicant submitted an IRS Installment Agreement, Payment History and Payoff Calculator with her Answer. (AE A2; Tr. 55-56.) Her IRS correspondence was dated July 15, 2024, where she requested a direct debit installment agreement. This was the time she had reached out to the IRS about setting up that repayment plan. Prior to that she had been working with a tax advocate, which occurred before joining her sponsor. She estimated that she was working with the tax advocate around the end of 2023. Her reason for engaging a tax advocate was she wanted to travel, and her passport could not be renewed because of her Federal tax debt. She acknowledged this was "the wake-up call" to resolve her tax situation. (Tr. 74-76.)

Regarding the unfiled Federal income tax returns for tax years 2016 and 2017 (SOR ¶ 1.g), Applicant stated in her Answer:

I ADMIT I did not file Federal income tax returns for tax years 2016 and 2017, or that the tax return remains unfiled. I hired a tax preparation firm, [TPF], to file 2016-2020 taxes on my behalf. I paid them and assumed all tax years were prepared and completed. I have requested that the tax preparer provide proof of filing and receipt by the government agencies. I haven't received the requested information in full as of the time of this answer submission. (Answer.)

When asked again if she was sure these Federal tax returns for 2016 and 2017 had been filed, she stated, "these are the years that I have to verify with TPF... I'm not." (Tr. 100-101.)

Applicant was asked, if her problem was relying on tax preparers to file, what was she going to do to make sure that these failures would not happen again. She stated:

Well, I think the best thing to do is to [ask] if they e-file, I was told that once you e-file, you immediately receive a response back from the IRS and the state stating we've received your filing. No other tax preparer has ever informed me of that. I want that emailed to me as soon as they tell me they filed. (Tr. 63.)

Applicant offered an April 1, 2026 credit report. She offered it to show the balances on her credit cards were much lower than what had been reflected on the Government's credit reports and "that anything that was in the Statement of Reasons has been taken off, paid off." Her state had filed tax liens against her in 2014, 2015, and 2017 (SOR ¶¶ 1.c-1,e, 1.i), and the IRS filed a \$28,347 tax lien (SOR ¶ 1.o) against her as well in 2024.

She established a payment agreement with the state on November 10, 2025, with her first payment due on December 15, 2025. She obtained Certificate of Release of Federal Tax Lien on July 2, 2025, in the amount of \$23,649. While she is not a “fan” of auto pay, she put her debts on auto pay. She had not received any formal financial counseling but had received some advice on investing and how to have her financial matters in order before investing. (Answer at pdf 10, 11; Tr. 59-60, 98; GE 6; GE 7; AE A5.)

Applicant concluded her direct examination with:

I would just like to say that I’m not trying to sit here and present myself as this perfect person that doesn’t make mistakes. I may have overextended myself in the past trying to satisfy some obligations that I felt I had to my family that may have caused me to pay something a little late, but I’ve never tried to skirt my responsibilities financially. I know that I exercise good judgment, I’m very reliable, very responsible. I’ve never had anything but very favorable reviews and in my evaluations over my engineering career and I do very well in my real estate career. I think it’s because I’m a pretty solid person. I have good character. I get along. I have great customer service and I’m the type of coworker or team player that we come to work, we do our jobs and we get along very well. I don’t have any issues in the workplace or in my personal business. I know that I found myself in this situation, it feels somewhat honestly, quite abruptly that all of this kind of fell on me even though it’s been accumulating over the years. I don’t know what to really attribute my not knowing specifically other than the fact that other people told me that things were okay and I really didn’t have it on my radar. As soon as I did find out, even though it was reactionary, I did everything I felt I needed to do as far as reaching out to the professionals to help me get things in order, find out what needed to be done. I went into the IRS agency and set up agreements and, like I said, any opportunity I get to pay those things down quicker, I’m trying to do. I live with my mom. It’s not my intention to stay in my mom’s household. I actually feel like she’s at the age, my mom is 79, she just turned 79 a couple of weeks ago and I just see that I’ll probably be the person who will be taking care of her. My goal is to get my finances in order so that I can purchase a home. Every home I’ve considered has a place for her and I know that we have family that could definitely use her residence for themselves, so it’s just my goal to get my finances in order so I can take care of my mom and be there for my family. That’s all I have. (Tr. 67-69.)

In response to the question what prompted Applicant’s change given her “long period of inattention, neglect” toward her taxes she stated:

I think mainly because I was -- in those 15 years, I think my focus was mainly on providing for people that depended on me, providing for my dependents. Like I said, I had six children in my household and my husband and I, we really were just trying to like get established and in a way where we weren’t

dependent on a job all the time. We were trying to do streams of income so I was very supportive of his efforts to -- like he started a project management company. He had a [food product delivery] route and he flips houses, so I was very supportive of those things because we talked about the end game being us having a way to have passive income. We talked about this stuff. I think the difference now is I'm not married because I just know that my marriage wasn't horrible, but because of the financial disconnect, where I feel like I was taken advantage of, so I felt like I needed to break from that and take care of myself and that's what the difference is now. Now, it's me taking care of myself. My children are adults. My daughter is 30, my son is 34. They have children, they have families, they have their own homes. They take care of themselves. They have decent jobs. So, I don't have that feeling of if I don't do it, it won't get done. I know they'll take care of themselves. So, now I have to take care of myself. My grandmother died at 96 in 2022 and I always think if I live as long as her, I need to put a lot of things in place now so that I can live a good life, so that's all be heard, so that's why I'm here. (Tr. 72-74.)

Applicant presented testimony from a colleague, who was her manager under one of the contracts under which Applicant was originally hired. The witness described Applicant as a reliable and trusted employee who complied with company policies and demonstrated good judgment. She noted she had received positive feedback from their clients about Applicant. She stated that based on her observation as a supervisor, Applicant was compliant with company policies and regulations. (Tr. 24-30.) The character letters described her as "dependable, respectful, honest, and responsible" and that she "embodies high moral standards, honorable discretion, and impeccable judgment." (AE B; AE C.)

### **Policies**

"[N]o one has a 'right' to a security clearance." *Department of the Navy v. Egan*, 484 U.S. 518, 528 (1988). As Commander in Chief, the President has the authority to "control access to information bearing on national security and to determine whether an individual is sufficiently trustworthy to have access to such information." *Id.* at 527. The President has authorized the Secretary of Defense or his designee to grant applicants eligibility for access to classified information "only upon a finding that it is clearly consistent with the national interest to do so." Exec. Or. 10865 § 2.

Eligibility for a security clearance is predicated upon the applicant meeting the criteria contained in the adjudicative guidelines. These guidelines are not inflexible rules of law. Instead, recognizing the complexities of human behavior, an administrative judge applies these guidelines in conjunction with an evaluation of the whole person. An administrative judge's overarching adjudicative goal is a fair, impartial, and commonsense decision. An administrative judge must consider all available and reliable information about the person, past and present, favorable and unfavorable.

The Government reposes a high degree of trust and confidence in persons with access to classified information. This relationship transcends normal duty hours and endures throughout off-duty hours. Decisions include, by necessity, consideration of the possible risk that the applicant may deliberately or inadvertently fail to safeguard classified information. Such decisions entail a certain degree of legally permissible extrapolation about potential, rather than actual, risk of compromise of classified information.

Clearance decisions must be made “in terms of the national interest and shall in no sense be a determination as to the loyalty of the applicant concerned.” Exec. Or. 10865 § 7. Thus, a decision to deny a security clearance is merely an indication the applicant has not met the strict guidelines the President and the Secretary of Defense have established for issuing a clearance.

Initially, the Government must establish, by substantial evidence, conditions in the personal or professional history of the applicant that may disqualify the applicant from being eligible for access to classified information. The Government has the burden of establishing controverted facts alleged in the SOR. See *Egan*, 484 U.S. at 531. “Substantial evidence” is “more than a scintilla but less than a preponderance.” See *v. Washington Metro. Area Transit Auth.*, 36 F.3d 375, 380 (4th Cir. 1994). The guidelines presume a nexus or rational connection between proven conduct under any of the criteria listed therein and an applicant’s security suitability. See ISCR Case No. 15-01253 at 3 (App. Bd. Apr. 20, 2016).

Once the Government establishes a disqualifying condition by substantial evidence, the burden shifts to the applicant to rebut, explain, extenuate, or mitigate the facts. Directive ¶ E3.1.15. An applicant has the burden of proving a mitigating condition, and the burden of disproving it never shifts to the Government. See ISCR Case No. 02-31154 at 5 (App. Bd. Sep. 22, 2005).

An applicant “has the ultimate burden of demonstrating that it is clearly consistent with the national interest to grant or continue his security clearance.” ISCR Case No. 01-20700 at 3 (App. Bd. Dec. 19, 2002). “[S]ecurity clearance determinations should err, if they must, on the side of denials.” *Egan*, 484 U.S. at 531.

## **Analysis**

### **Guideline F, Financial Considerations**

The security concern under this guideline is set out in AG ¶ 18:

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. . . . An individual who is financially

overextended is at greater risk of having to engage in illegal or otherwise questionable acts to generate funds. . . .

This concern is broader than the possibility that a person might knowingly compromise classified information to raise money. It encompasses concerns about a person's self-control, judgment, and other qualities essential to protecting classified information. A person who is financially irresponsible may also be irresponsible, unconcerned, or negligent in handling and safeguarding classified information. See ISCR Case No. 11-05365 at 3 (App. Bd. May 1, 2012).

Applicant's admissions and other record evidence establish three disqualifying conditions under this guideline: AG ¶ 19(a) ("inability to satisfy debts"), AG ¶ 19(c) ("a history of not meeting financial obligations"), and AG ¶ 19 (f) ("failure to file or fraudulently filing annual Federal, state, or local income tax returns or failure to pay annual Federal, state, or local income tax as required").

The following mitigating conditions are potentially relevant:

AG ¶ 20(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;

AG ¶ 20(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;

AG ¶ 20(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;

AG ¶ 20(d): the individual initiated and is adhering to a good-faith effort to repay overdue creditors or otherwise resolve debts; and

AG ¶ 20 (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.

AG ¶ 20(a) and AG ¶ 20(b) are not established. Applicant's Federal and state tax debts are lengthy some were recently established when she filed her overdue tax returns. Applicant documented that she had recently filed certain state income tax returns but could not affirm she had filed her Federal tax returns for 2016 and 2017. Her behavior was recent, not infrequent, and she filed her Federal and state tax returns only after she

was denied renewal of her passport and her employment was placed in jeopardy, which casts doubt on her current reliability, trustworthiness, and judgment.

AG ¶ 20(c) is not applicable. Applicant received some financial advice investing but it was not counseling for the problem required to establish this mitigating factor.

AG ¶ 20(d) is applicable. Applicant is in a payment plan for her tax debts. She provided sufficient evidence she is adhering to a good-faith effort to repay the applicable tax authorities.

AG ¶ 20(g) is not fully established. Applicant has made arrangements with the appropriate tax authority to file or pay the amounts owed. Applicant has made additional voluntary payments recently towards her tax debts.

Failure to timely file Federal and state income tax returns suggests that an applicant has a problem with complying with well-established governmental rules and systems. Voluntary compliance with such rules and systems is essential for protecting classified information. See ISCR Case No. 01-05340 at 3 (App. Bd. Dec. 20, 2002). The Appeal Board has noted in the past a clearance adjudication is not directed at collecting debts. See, e.g., ISCR Case No. 07-08049 at 5 (App. Bd. Jul. 22, 2008). By the same token, neither is it directed toward inducing an applicant to file tax returns. Rather, it is a proceeding aimed at evaluating an applicant's judgment and reliability. *Id.* A person who fails repeatedly to fulfill his or her legal obligations does not demonstrate the high degree of good judgment and reliability required of those granted access to classified information. See, e.g., ISCR Case No. 14-01894 at 5 (App. Bd. Aug. 18, 2015). See *Cafeteria & Restaurant Workers Union Local 473 v. McElroy*, 284 F.2d 173, 183 (D.C. Cir. 1960), *aff'd*, 367 U.S. 886 (1961).

Applicant went through the security clearance process in 2011 and acknowledged that during that prior SCA process she had state tax debts then, which appear on the current SOR. Her excuse about tax preparers failing to file her return, which she acknowledged was not a joint return, demonstrates a lack of good judgment and reliability required of those granted access to classified information. Her wake-up call to address her taxes was the denial of her passport, which was compounded when she realized a denial of a security clearance could jeopardize her current position. See ISCR Case No. 17-03049 (App. Bd. May 15, 2018) citing ISCR Case No. 14-04437 at 3 (App. Bd. Apr. 15, 2016); ISCR Case No. 15-01031 at 4 (App. Bd. June 15, 2016) (citations omitted); ISCR Case No. 14-05476 at 5 (App. Bd. Mar. 25, 2016) (citing ISCR Case No. 01-05340 at 3 (App. Bd. Dec. 20, 2002)); ISCR Case No. 14-01894 at 4-5 (App. Bd. Aug. 18, 2015). In ISCR Case No. 15-01031 (App. Bd. June 15, 2016), the Appeal Board explained that in some situations, even if no taxes are owed when tax returns are not timely filed, a grant of access to classified information is inappropriate.

Applicant resolved her Federal tax lien in July 2025, and she established her state payment agreement in November 2025. In ISCR Case No. 15-06440 at 4 (App. Bd. Dec. 26, 2017) the Appeal Board reversed the grant of a security clearance, discussed how

AG ¶ 20(g) applied, and noted:

The timing of the resolution of financial problems is an important factor in evaluating an applicant's case for mitigation because an applicant who begins to resolve financial problems only after being placed on notice that his clearance was in jeopardy may lack the judgment and self-discipline to follow rules and regulations over time or when there is no immediate threat to his own interests...applicant's filing of his Federal income tax returns for 2009-2014 after submitting his SCA, undergoing his background interview, or receiving the SOR undercuts the weight such remedial action might otherwise merit. *Id.*

In this instance, Applicant filed her overdue Federal and state income tax returns and began resolving her tax debts when she realized her clearance was in jeopardy. Under all the circumstances, the financial considerations security concerns arising from Applicant's failures to timely file her Federal and state income tax returns and pay the taxes due are not mitigated.

### **Whole-Person Concept**

Under AG ¶ 2(c), the ultimate determination of whether to grant eligibility for a security clearance must be an overall commonsense judgment based upon careful consideration of the guidelines and the whole-person concept. In applying the whole-person concept, an administrative judge must evaluate an applicant's eligibility for a security clearance by considering the totality of the applicant's conduct and all relevant circumstances. An administrative judge should consider the nine adjudicative process factors listed at AG ¶ 2(d):

(1) the nature, extent, and seriousness of the conduct; (2) the circumstances surrounding the conduct, to include knowledgeable participation; (3) the frequency and recency of the conduct; (4) the individual's age and maturity at the time of the conduct; (5) the extent to which participation is voluntary; (6) the presence or absence of rehabilitation and other permanent behavioral changes; (7) the motivation for the conduct; (8) the potential for pressure, coercion, exploitation, or duress; and (9) the likelihood of continuation or recurrence.

I have incorporated my comments under Guideline F in my whole-person analysis and applied the adjudicative factors in AG ¶ 2(d). I considered the very favorable testimony from her colleague, which was supported by the character letters, as well as Applicant's candor in my whole person analysis. After weighing the disqualifying and mitigating conditions under Guideline F and evaluating all the evidence in the context of the whole person, I conclude Applicant has not mitigated the financial considerations security concerns.

This decision should not be construed as a determination that Applicant cannot or will not attain the state of reform necessary for award of a security clearance in the future. With more effort towards establishment of a track record of satisfying her tax debts, timely filings, and documenting her actions she may well be able to demonstrate persuasive evidence of her security clearance worthiness.

### **Formal Findings**

I make the following formal findings on the allegations in the SOR:

Paragraph 1, Guideline F (Financial Considerations): AGAINST APPLICANT

Subparagraphs 1.a-1.q:

Against Applicant

### **Conclusion**

I conclude that it is not clearly consistent with the national security interests of the United States to grant Applicant eligibility for access to classified information. Clearance is denied.

Charles C. Hale  
Administrative Judge