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

In the Matter of: Personnel Security Hearing )  
Filing Date: July 9, 2025 ) Case No.: PSH-25-0167  
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Issued: December 31, 2025

## Administrative Judge Decision

Noorassa A. Rahimzadeh, Administrative Judge:

This Decision concerns the eligibility of XXXXXXXXXXXXXXX (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."<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

As part of the access authorization application process, the Individual signed and submitted a Questionnaire for National Security Positions (QNSP) in August 2024. Exhibit (Ex.) 10.<sup>2</sup> In the QNSP, the Individual indicated that from about October 2023 to January 2024, he was not able to make payments on “numerous cards and accounts[,]” as he “was simply trying to live above [his] means[.]” *Id.* at 110. He explained that he desired “things in [his] life,” causing him to “resort[] to gambling” to “hit it big.” *Id.* His gambling endeavors were unsuccessful, causing him to fall further into debt as he “continued to try” to “hit it big.” *Id.* The Individual explained that he had learned from these past mistakes and had deleted all his gambling accounts. *Id.* Furthermore, he was saving money to resolve all his outstanding debts within six to twelve months, anticipating a full resolution around June 2025. *Id.* The Individual also provided in his QNSP that he had a personal car repossessed in September 2020. *Id.* at 111–12. He also indicated that three lines of credit, on which he owed a total of approximately \$7,300, went into charge off status in approximately

<sup>1</sup> 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.

<sup>2</sup> The exhibits submitted by DOE were Bates numbered in the upper right corner of each page. This Decision will refer to the Bates numbering when citing to exhibits submitted by DOE.

January 2024. *Id.* at 113–15. The Individual explained that he was not able to make payments due to a period of unemployment, that he was working to satisfy the outstanding debt in the next six months, and that he initially became delinquent because he was “[l]iving above [his] means” and using credit cards “for occasional gambling.” *Id.*

The Individual subsequently underwent an Enhanced Subject Interview (ESI), which was conducted by an investigator in October 2024. Ex. 12 at 187. The Individual was confronted with a number of credit card accounts that had been placed in charge off status. *Id.* at 188. Specifically, one account had a balance of \$1,512 and another had a balance of \$1,493. *Id.* The Individual told the investigator that he had accessed the aforementioned credit cards to “get cash advances from the cards and deposit the money into his bank account and then transfer the money to the online gambling sites.” *Id.* In approximately 2019 or 2020, the Individual accessed and opened legal online gambling accounts, and he “was placing bets weekly on games and on average[,] he was betting around \$600 per month.” *Id.* From 2019 or 2020 to January 2024, the Individual “placed a total of around \$17,000 [to] \$18,000” in wagers. *Id.* He indicated that he lost approximately \$7,300 gambling. *Id.* The Individual told the investigator that he last gambled using the online accounts in January 2024, and he deleted the accounts in May 2024. *Id.* He expressed the feeling that he “has learned his lesson” and that he “has no intentions of reopening his accounts[.]” *Id.* The Individual admitted that although his wife knew that he was gambling, she was not aware of the fact that he had “the charged off accounts.” *Id.* He indicated that he would talk to his wife about the accounts to begin the process of resolving them. *Id.* at 188–89.

The Individual was also confronted with the fact that in 2012, he had opened credit cards under his wife’s name without telling her. *Id.* at 189. He explained that “he had no money to do anything he wanted to do[,] such as go out to eat [or] play golf[.]” *Id.* He opened the credit card accounts in her name because she had a higher credit rating. *Id.* at 190. Further, he admitted that he quit his job in July 2012, and while his wife was under the impression that he was working, he was actually shopping and playing golf. *Id.* His wife learned of the credit cards when she received correspondence from the credit card companies. *Id.* She accordingly asked the Individual if he knew anything about the accounts, “to which he denied knowing anything about them.” *Id.* The Individual’s wife promptly contacted law enforcement to report the matter, ultimately resulting in his confession. *Id.* The Individual was not arrested or charged. *Id.*

The Local Security Office (LSO) asked the Individual to complete a Letter of Interrogatory (LOI), which the Individual submitted in February 2025. Ex. 6. The Individual answered questions pertaining to his finances and gambling. *Id.* As questions remained, the Individual underwent a psychological evaluation with a DOE-consultant psychologist (DOE Psychologist) in March 2025. Ex. 8. The DOE Psychologist issued a report (the Report) of her findings in April 2025. *Id.* In the Report, the DOE Psychologist concluded that, pursuant to the *Diagnostic and Statistical Manual of Mental Disorders–Fifth Edition*, the Individual suffers from Gambling Disorder, Moderate, Persistent, in Sustained Remission, and Attention Deficit Hyperactivity Disorder (ADHD), and further, the Gambling Disorder is a condition that can impair the Individual’s judgment, stability, reliability, and trustworthiness. *Id.* at 56.

The LSO began the present administrative review proceeding by issuing a letter (Notification Letter) to the Individual in which it notified him that it possessed reliable information that created

a substantial doubt regarding his eligibility for access authorization. In a Summary of Security Concerns (SSC) attached to the Notification Letter, the LSO explained that the derogatory information raised security concerns under Guidelines F (Financial Considerations) and I (Psychological Conditions) of the Adjudicative Guidelines. Ex. 1. The Notification Letter informed the Individual that he was entitled to a hearing before an Administrative Judge to resolve the substantial doubt regarding his eligibility to hold a security clearance. *See* 10 C.F.R. § 710.21.

The Individual requested a hearing, and the LSO forwarded the Individual's request to the Office of Hearings and Appeals (OHA). The Director of OHA appointed me as Administrative Judge in this matter. At the hearing I convened pursuant to 10 C.F.R. § 710.25(d), (e), and (g), the Individual testified on his own behalf and presented the testimony of two of his friends and his wife. *See* Transcript of Hearing, OHA Case No. PSH-25-0167 (hereinafter cited as "Tr.") The Individual also submitted eleven exhibits, marked Exhibits A through K. The DOE Counsel submitted twelve exhibits marked as Exhibits 1 through 12 and presented the testimony of the DOE Psychologist.

## II. Notification Letter

### Guideline F

As indicated above, the Notification Letter informed the Individual that information in the possession of the DOE raised security concerns under Guideline F of the Adjudicative Guidelines. Guideline F provides that 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. Among those conditions set forth in the Adjudicative Guidelines that could raise disqualifying security concerns are "[t]he inability to satisfy debts[,]" "borrowing money or engaging in significant financial transactions to fund gambling or pay gambling debts[,"] and "concealing gambling losses, family conflict, or other problems caused by gambling." *Id.* at ¶ 19(a), (h)–(i). The LSO alleged:

1. The Individual had two collection accounts totaling \$3,005. Ex. 1 at 5.
2. The Individual accessed cash advances from credit card accounts "for online gambling sites so he could gamble on sporting events." *Id.*
3. The Individual admitted that when he was gambling, he would continue to gamble "in order to obtain money to pay off his debts[,"] causing financial issues. *Id.*
4. The Individual committed fraud "for the purpose of obtaining money" by "open[ing] credit card accounts under his wife's name[.]" *Id.*
5. The Individual confessed the matter of his gambling-related debt to his wife, causing "tensions at home." *Id.*
6. The Individual "has strong urges to return and win more after gambling." *Id.*

The LSO's invocation of Guideline F is justified.

### **Guideline I**

Under Guideline I, “[c]ertain emotional, mental, and personality conditions can impair one’s judgment, reliability, or trustworthiness.” Adjudicative Guidelines at ¶ 27. Conditions that could raise a security concern and may be disqualifying include “[a]n opinion by a duly qualified mental health professional that the individual has a condition that may impair judgment, stability, reliability, or trustworthiness[,]” and “pathological gambling, the associated behaviors of which may include unsuccessful attempts to stop gambling . . . and family conflict resulting from gambling[.]” *Id.* at ¶ 28(b), (e). Under Guideline I, the LSO alleged that the DOE Psychologist diagnosed the Individual with “Gambling Disorder, Moderate, Persistent, in Sustained Remission, and [ADHD], which are conditions that impair his judgment, stability, reliability[,] or trustworthiness.” Ex. 1 at 6. The LSO’s invocation of Guideline I is justified.

### **III. Regulatory Standards**

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

The individual must come forward at the hearing with evidence to convince the DOE that granting or restoring access authorization “will not endanger the common defense and security and will be clearly consistent with the national interest.” 10 C.F.R. § 710.27(d). The individual is afforded a full opportunity to present evidence supporting his eligibility for an access authorization. The Part 710 regulations are drafted so as to permit the introduction of a very broad range of evidence at personnel security hearings. Even appropriate hearsay evidence may be admitted. *Id.* § 710.26(h). Hence, an individual is afforded the utmost latitude in the presentation of evidence to mitigate the security concerns at issue.

### **IV. Findings of Fact and Hearing Testimony**

Regarding his history of gambling, the Individual began gambling in 2008. Ex. 8 at 50. In 2008, the Individual began gambling approximately “two or three times per year,” as he would take his wife’s grandmother to the casino. *Id.* at 51. In 2012, he began feeling frustrated with his life, as he could not do things that he desired to do, like golfing. *Id.* at 51. His wife, a person that he described as a “penny pincher,” ultimately “did not feel there was room in the budget for these activities[.]” *Id.* In an attempt to improve his financial circumstances, the Individual began playing the lottery on a near daily basis, spending anywhere from an estimated \$300 to \$400 per week on lottery

tickets. *Id.*; Ex. 6 at 30; Tr. at 94–95. Although the Individual’s wife knew that he was spending money on lottery tickets, she was not aware of how much he was spending on tickets. Tr. at 94–95.

In 2012, the Individual used his wife’s personal information to open two credit card accounts. *Id.* In the LOI, when asked about the circumstances that led him to applying for credit cards in his wife’s name, the Individual stated that he “lived beyond [his] means and played the lottery a lot.” Ex. 6 at 29. The Individual confirmed that he had not discussed the matter with his wife before opening the accounts and used the credit cards to do things like “eating out, playing golf[,] and shopping.”<sup>3</sup> Ex. 8 at 51.

In July 2012, the Individual quit his job without telling his wife, letting her believe that he was going to work every day.<sup>4</sup> Ex. 8 at 51; Tr. at 96, 100. After leaving the home as though he was on the way to work, the Individual would instead do things like shop, frequent restaurants, and golf. Ex. 8 at 51; Tr. at 96. The Individual’s wife confirmed in her testimony that she had not initially been made aware of the fact that the Individual had quit his job. Tr. at 59. When she noticed that her husband had not received his paycheck as he usually did, she asked him about it, and he explained that it must have been a “clerical error” and that they paycheck would be deposited soon. *Id.* at 59–60, 79.

In September 2012, the Individual’s wife discovered a paper credit card statement in her name with an outstanding balance of \$8,576. Ex. 8 at 51. She learned that the Individual had opened credit cards using her personal information and had placed himself “as a second card holder.” *Id.* The Individual explained in his testimony that he accessed the cards using his wife’s information because she simply had better credit than he did. Tr. at 103. He said that his wife was “strict” with the family finances and he “was young” and “wanted to go play golf with his friends.” *Id.* He did not think that there would be any “repercussions[,]” and opened the credit cards using his wife’s information in the span of approximately six months. *Id.* at 103–04. He thought that he could pay the debts incurred using money from his landscaping business, but he miscalculated. *Id.* After his behavior was discovered, the Individual agreed that his wife would take full responsibility for the family’s finances, and he “would no longer have access to any credit cards[.]” Ex. 8 at 51; Tr. at 109–110. The Individual testified that he signed a document indicating that the credit cards had been accessed fraudulently, and accordingly, they did not have to satisfy the outstanding balances. Tr. at 110–11.

The Individual’s wife confirmed in her testimony that she had contacted the police in 2012 after she “noticed credit cards open in [her] name[.]” Tr. at 53–54; Ex. G. As she has a bachelor’s degree in a field of financial study, she is “very particular” when it comes to her credit score.<sup>5</sup> Tr. at 53–

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<sup>3</sup> The Individual testified that he no longer has any desire to do things that he cannot afford. Tr. at 151.

<sup>4</sup> When asked why he left his job, the Individual testified that he was young and did not think the matter through before he quit his job. Tr. at 96–99. During this time, the Individual had a landscaping business, and he thought that he could quit his main job and take on some more landscaping jobs. *Id.* at 101. He stated that he would spend half of the money he earned from the landscaping business on gambling. *Id.* at 101–02. He discontinued the landscaping business in either 2017 or 2018. *Id.* at 118–19.

<sup>5</sup> The Individual testified that he has not sought financial counseling of any kind because his wife is educated in a financial field of study. Tr. at 155.

54. She saw that her husband’s name was on some of the correspondence, so she asked him about the accounts, at which point, he confessed to her what he had done. *Id.* at 54. After she filed the police report, the couple went to “church therapy,” and when she decided that she wanted to stay married to the Individual, she called the police department to have the charges dismissed.<sup>6</sup> *Id.* at 55, 106–08; Ex. 8 at 51. They subsequently discussed financial responsibility as a family, and how they “were going to make things work financially[,]” accordingly, they did things like restructure their budget. Tr. at 57–58. Additionally, it was around the time that she learned of the credit cards that she also learned that the Individual had quit his job, which he had done approximately two months prior. *Id.* at 79.

The Individual testified that after he reconciled with his wife in 2012, he promised her that he was not going to gamble anymore. *Id.* at 111. However, per the Individual’s testimony, he began gambling again in sometime between 2017 and 2019. *Id.* at 111–12. The Individual told the DOE Psychologist that after 2012, he continued to “occasionally play the lottery . . . but only after asking” his wife “and they would ‘play together.’” Ex. 8 at 51. He would spend only \$10 or so on lottery tickets, and this pattern continued for years. *Id.* In 2015, the Individual accessed a personal loan for \$7,000, using his personal vehicle as collateral. Ex. 8 at 51–52; Ex. 6 at 29; Tr. at 113–14. Again, the Individual used the money to play golf, and frequent restaurants. Ex. 8 at 52; Ex. 6 at 29. The Individual did not tell his wife about the loan. Tr. at 61–62, 114. Although the Individual made some initial payments to repay the loan, he ultimately defaulted, resulting in the repossession of his personal vehicle in 2017. Ex. 6 at 29; Tr. at 113–14. As the vehicle was in need of repair, the Individual told his wife that the car had been “sold . . . for parts.” Tr. at 62, 115. For this reason, his wife never questioned the disappearance of the vehicle. Ex. 6 at 29. However, she ultimately learned of the loan in 2020 when the family tried to access a home construction loan. Ex. 8 at 52; Ex. 6 at 29; Tr. at 61, 81–82. The family satisfied the outstanding balance on the line of credit that the Individual accessed in order to secure a home construction loan.<sup>7</sup> Ex. 8 at 52; Tr. at 61, 63.

The Individual was hired with a company in 2016, and “began participating in sports betting” in the “company’s organized weekly sports betting opportunities . . . referred to as ‘Ball Boards.’” Ex. 8 at 52. When he would play, the Individual would spend about \$20 or less playing the Ball Boards.<sup>8</sup> *Id.* at 52. In 2020, the Individual’s home state legalized online sports betting, and the Individual began betting, but spent “no more than [five dollars] at a time.” *Id.*; Ex. 6 at 30; Tr. at 121. When he was given “free bets” by the online betting outlets, he would be further incentivized to place higher bets. Ex. 8 at 52. The Individual ultimately opened five credit card accounts “to fund his gambling.” *Id.*; Tr. at 121–22. He explained in his testimony that his wife knew about

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<sup>6</sup> The police report indicates that the Individual’s wife stated that she was concerned about her safety and that of her newborn child. Tr. at 56; Ex. G. When asked about this statement in the police report, she stated that she had “a lot of emotions” as a new mother, and she could not understand why the Individual would access credit cards using her information. Tr. at 56. Ultimately, she did not feel that her “safety was implicated.” *Id.* at 57.

<sup>7</sup> The Individual’s wife testified that she ultimately learned that the Individual had used the aforementioned personal loan to gamble. Tr. at 63.

<sup>8</sup> One of the Individual’s friends who testified at the hearing stated that more recently, the Individual refused to participate in a Ball Board fundraising endeavor for his daughter’s sports team, as he no longer gambles. Tr. at 44. He also stated that the Individual is responsible for taking “funds and fees[,]” and has been an honest and “transparent” steward of the money. *Id.* at 47–48.

some of the credit cards, and that he was initially able to make payments on the cards. Tr. at 123, 125–26. However, he fell behind on payments due to his gambling. *Id.* He also stated that although his wife knew that he was participating in online sports betting, he “[did not] tell her about the debts.” *Id.* at 126. The Individual explained that he stopped gambling in early 2024 when he received an offer to interview with a DOE contractor, and he finally deleted his online gambling accounts in May 2024.<sup>9</sup> Ex. 6 at 30; Tr. at 127–29.

The Individual’s wife stated that she knew that the Individual had been gambling between the years of 2012 and 2020.<sup>10</sup> Tr. at 60–61. However, she was not privy to the extent of his gambling, as the family budget, their bills, and the direct deposits of their paychecks were never impacted.<sup>11</sup> *Id.* at 61, 63.

When asked in the LOI whether he had “spent all of [his] available money gambling[,]” the Individual simply replied, “[n]o.” Ex. 6 at 31. He did, however, admit that gambling had caused him financial difficulties in the form of delinquent credit accounts. *Id.* Accordingly, the Individual would “gamble to obtain money to pay debts or otherwise solve financial difficulties.” *Id.* Further, he admitted that he would gamble “to recoup money that” he lost gambling previously. *Id.* at 32. He admitted in his LOI that he does “have a strong urge to return and win more after a gambling win,” but he reiterated that he no longer gambles. *Id.* He stated that his gambling caused problems in his personal life when he “came clean to [his] wife about [his] gambling debt[,]” which he was in the process of completely resolving. *Id.* at 33. However, his gambling never caused him any distress and he never felt any remorse or guilt after gambling, “as it was for entertainment purposes[,] only.” *Id.* He clarified that he now understands that gambling “can impact obtaining and holding” an access authorization. *Id.* He also explained that he did not feel that he had “a problem with or could be addicted to gambling” because “it was for entertainment purposes[,] only.”<sup>12</sup> *Id.* at 34. In the LOI, he admitted that he had kept his gambling a secret from his wife from November 2020 to about February or March 2024. Ex. 6 at 33. The Individual stated in his LOI that he had no intention of gambling ever again. *Id.* at 35. His wife testified that the Individual “has no need” to gamble, and that he “regrets” and “is ashamed of” his past gambling. Tr. at 77. When asked at the hearing why he repeated the pattern of incurring debt for his gambling, the Individual stated that it was simply “stupidity.” *Id.* at 124.

The Individual confirmed that he satisfied the debts with outstanding balances of \$1,512 and \$1,493. Ex. 6 at 26; Ex. F; Ex. J; Ex. K. The Individual testified that he decided to satisfy the aforementioned outstanding amounts following his interview with the investigator in connection

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<sup>9</sup> The Individual’s wife stated that the family’s financial condition “has never been better” since the Individual stopped gambling. Tr. at 66. The Individual’s wife continues to handle the family finances, as she has since 2008. *Id.* at 70.

<sup>10</sup> At the time of the hearing, the Individual’s wife still did not know how much the Individual had been spending when he was gambling. Tr. at 64. He further clarified that she did not ask him, as she was never given the impression that the matter had become an issue. *Id.* at 83–84. The Individual, however, knew that his wife thought that gambling “[was not] a good idea.” *Id.* at 84–85.

<sup>11</sup> The direct deposits are deposited in a joint account. Tr. at 80.

<sup>12</sup> The Individual testified that he has since learned that his gambling was not a form of entertainment. Tr. at 148–49. He now understands that his gambling was problematic, and he came to that conclusion around June 2025. *Id.* at 49.

with his access authorization process. Tr. at 130–31. The Individual’s wife testified that she did not learn of the debts with outstanding balances of \$1,512 and \$1,493 until the Individual interviewed with the DOE contractor. *Id.* at 64. It was only then that the Individual approached her to tell her about the debt so that they could satisfy the outstanding balances to secure the job that “[he has] always wanted.”<sup>13</sup> *Id.* at 64–65. She became aware that the debts were incurred so that the Individual could spend the money on gambling, but she could not state when those debts had first been incurred. *Id.* at 65.

The Individual also disclosed in his LOI that his wages had been garnished by a credit card company after he accessed that credit card in 2017 or 2018 for the purpose of “extra spending” money. Ex. 6 at 29; Tr. at 116. His wages were garnished for a total of \$964.22, and the outstanding debt was fully satisfied in October 2020. Ex. 6 at 29; Tr. at 116.

During the psychological evaluation, the Individual told the DOE Psychologist that he faced challenges in school, attributing them to ADHD, for which he was medicated in his childhood. Ex. 8 at 50. The Individual stopped taking medication to treat his ADHD in his adolescence.<sup>14</sup> *Id.* The DOE Psychologist administered the Minnesota Multiphasic Personality Inventory-3 (MMPI-3) to the Individual, the results of which were consistent with a diagnosis of ADHD, “with some symptoms of inattention as well as hyperactivity/impulsivity.” *Id.* at 53. The Individual also endorsed a “long-standing pattern of difficulties sustaining attention, having wandering thoughts and often find[ing] himself daydreaming.” *Id.* However, the DOE Psychologist stated that the Individual’s “pattern of poor decision-making regarding finances, including but not limited to gambling, and failure to satisfy his financial commitments is not solely attributable to being prone to impulsivity and/or sensation-seeking due to ADHD.” *Id.* at 54. He was further motivated by desiring things that he could not afford, and this “desire overruled logic and morals[.]” *Id.* The DOE Psychologist went on to state in the Report that,

[t]he extent of this poor judgment, arbitrary reasoning, and self-centeredness that disregards commitments and/or rules points to a pathological characteristic of the subject that is not explained by ADHD, and which is a concern with respect to the subject’s reliability, stability, judgment, and trustworthiness.

*Id.*

The DOE Psychologist also noted the fact that the Individual only “came clean” to his wife when he was found out and accordingly opined that he “cannot be relied upon to be honest or responsible on his own accord.” *Id.*

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<sup>13</sup> The Individual’s wife explained that the Individual had been applying to various jobs at a DOE site for fifteen years before being interviewed for his current position. Tr. at 66–67. It is for this reason that she feels that her husband will not return to gambling. *Id.* at 68. She feels that for the aforementioned reasons, and the fact that he has “learned from his mistakes[,]” the Individual will remain financially responsible *Id.* at 68–69, 78. She did, however, admit that she maybe would not be so confident if the Individual had not secured his current position. *Id.* at 69. The Individual echoed her sentiments in his testimony, stating that he no longer wants to gamble because he has “hit [his] expectation.” *Id.* at 152.

<sup>14</sup> The Individual stopped taking medication due to unpleasant side effects. Tr. at 135–36, 143–44.

The DOE Psychologist diagnosed the Individual with Gambling Disorder, Moderate, Persistent, in Sustained Remission, and opined that this condition “has impaired his judgment, reliability, stability, and trustworthiness.” *Id.* She also indicated in the Report that the Individual’s “decision to stop gambling was motivated by his belief that continuing to gamble would make him ineligible to hold clearance[.]”<sup>15</sup> *Id.* The DOE Psychologist noted that as the Individual’s ADHD was going untreated, he had failed to acknowledge the fact that he has “a problem with gambling,” and the Individual “appear[ed] to be minimizing the seriousness of his mistakes in the past,” the Individual’s prognosis was “guarded.”<sup>16</sup> *Id.* at 56. The DOE Psychologist did not specifically state that the Individual’s ADHD impairs his judgment, reliability, stability, and trustworthiness, but noted that it “may have served to exacerbate his gambling problem.” *Id.*

The Individual sought out a psychologist in June 2025.<sup>17</sup> Ex. H. The psychologist that he saw wrote a letter the same month indicating that he concurred with the DOE Psychologist’s diagnosis of ADHD and “Gambling Disorder that is in Full Remission.” *Id.* The psychologist indicated in the letter they agreed to “continue with therapy sessions on an outpatient basis as needed to address any related issues in a proactive way.” *Id.* In a December 2025 letter, the psychologist noted that the Individual had “made several steps to ensure that he has financial stability such as having his wife manage the money and not using credit cards himself.” Ex. I. The letter also noted that the Individual had not endorsed urges to gamble, that he secures his wife’s approval before buying things, and that the Individual “might consider getting assessed for ADHD medication[.]” *Id.* The Individual testified that he had two meetings during football season, September and November, with the psychologist to “give him . . . an update since [their] first” meeting. *Id.* at 141. He told the psychologist that he had not suffered a relapse and had been doing “great.” *Id.* at 141–43. The Individual indicated that when he first met with his psychologist, his psychologist asked him “why [he was] even [there,]” as he had stopped gambling in early 2024. *Id.* at 146, 157, 159.

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<sup>15</sup> The Individual’s friend testified that he had told the Individual that he needs to resolve all of his financial issues, as “that is one of the things” that will be examined closely during the access authorization application process. Tr. at 20, 26–27. Another friend who testified stated the same during his testimony, stating that he told the Individual “that finances would be a big part of” the application process for an access authorization. *Id.* at 40. He indicated that after he made this statement to the Individual, the Individual opened up to him about past debt, but they did not “go into it at that point.” *Id.* at 40–41.

<sup>16</sup> The DOE Psychologist did not provide any treatment recommendations, and at the time of the hearing, the Individual’s ADHD was still untreated. Tr. at 137. The DOE Psychologist stated that she did not provide any recommendations in her Report because the DOE did not specifically ask her for recommendations. *Id.* at 179–80. The Individual did state his intention to “explore” treatment for his ADHD. *Id.* at 137, 143. The DOE Psychologist suggested at the hearing that the Individual get “a fuller evaluation of the ADHD[.]” and employ “cognitive behavioral tools[.]” *Id.* at 183. She stated that with regard to the gambling disorder, her research has led her to the conclusion that treatment for gambling disorders are not very effective, both due to the treatment available and the nature of the disorder. *Id.* at 184–86.

<sup>17</sup> The Individual’s friend testified that he was confused about why the Individual would seek help for something that is no longer a problem. Tr. at 21. He testified that the Individual told him that he “want[ed] to show [his] due diligence in being proactive . . . and . . . getting all the help that [he] possible [could.]” *Id.* The Individual’s friend indicated that the Individual knows that gambling is “not something to dabble in[.]” and that he has endorsed feelings of remorse. *Id.* at 25–26, 32. The Individual’s wife testified that her husband sought out a psychologist to “not only get a second opinion, but to work on steps to make sure that these problems [did not] interfere with his life going forward.” *Id.* at 73. The Individual’s wife stated her belief that the Individual kept information from her because he did not want to fall short of her expectations. *Id.* at 81.

The DOE Psychologist testified that Gambling Disorder is a “nonsubstance-related” disorder within the category of addiction. Tr. at 174. She determined that the Individual’s Gambling Disorder was in remission due to “the amount of time that [the Individual] reported abstaining from gambling.” *Id.* at 175. The “persistent” categorization of the diagnosis means that the Individual “was experiencing continuous symptoms to meet diagnostic criteria for multiple years.” *Id.* She went on to state that the “impulsivity associated with ADHD can . . . cause an impairment in a person’s judgment and stability, because it means that people are making decisions based on feelings and . . . without consideration of possible repercussions of their actions.” *Id.* at 175–76. This also implicates a person’s reliability as a person will not always make the same decision. *Id.* at 176. Regarding the Gambling Disorder, a person’s judgment will come into question when their gambling behavior leads to the exercise of poor judgment due to things like desperation and the desire to recoup losses. *Id.* at 176–77. They may become vulnerable to things like blackmail when they are intent on concealing their behaviors. *Id.* at 177. The DOE Psychologist found it “notable” that the Individual endeavored to continue concealing his gambling and associated behaviors, “despite experiencing some . . . consequences.” *Id.* She indicated that she believes that the Individual wants to be a good father and husband, but his inability to “sit with” his past behaviors and choices has “led to some shortsightedness and some repetition . . . in problematic behaviors.” *Id.* at 178. The DOE Psychologist testified that she could never be completely confident that a person will not repeat behaviors associated with their addiction, and because the Individual has gambled despite suffering severe consequences, she would have liked him to articulate his understanding that he is “not out of the woods.” *Id.* at 186–87. She did, however, feel that seeking out a psychologist was a positive thing for the Individual to do, and she felt it was a good thing for him to reach out to the psychologist during football season. *Id.* at 188–89. The DOE Psychologist did express “some concern” regarding the Individual’s “motivation for changing his behavior[,]” as his primary motivation is to secure his position with the contractor, and he could feel that he “want[s] to do better, have more money” in the future. *Id.* at 189–90. At the hearing, the DOE Psychologist did not change the diagnosis she provided in the Report, as it was not warranted by the circumstances. *Id.* at 192, 196–97.

## V. Analysis

### Guideline F

The Adjudicative Guidelines provide that 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.

Adjudicative Guidelines at ¶ 20.

As an initial matter, the Individual has satisfied the outstanding delinquent debts in the amounts of \$1,612 and \$1,493, as evidenced by the receipts and updated credit report that he submitted prior to the hearing. Accordingly, the Individual has mitigated the first allegation under Guideline F pursuant to mitigating factor (d).

Regarding the remainder of the allegations in the SSC, they pertain to a troubling pattern of behavior, largely the result of the Individual's inability to control his behavior as it pertains to gambling. Under Part 710, I am required to consider, among other things, “[t]he nature, extent, and seriousness of the conduct[,]” the “the motivation for the conduct[,]” and “the likelihood of continuation or recurrence[.]” 10 C.F.R. § 710.7(c). The Individual stated time and again throughout the record that his desire to gamble and live in a certain fashion caused him to incur various debts that he ultimately could not satisfy, attributing his action to “stupidity.” This reasoning can be traced back to the start of his financial troubles and gambling behavior in 2012, and despite the fact that his marriage almost came to an end over his behavior, the Individual's gambling continued until early 2024. The Individual repeatedly accessed lines of credit and defaulted on loans, which resulted in negative consequences, like involvement with law enforcement and the repossession of his car. Each time, he tried to hide this behavior from his wife, until he could no longer keep the matter from her. This behavior continued until his interview with the investigator, when he had to tell his wife that he had outstanding debt that needed to be satisfied. The Individual testified that he no longer wishes to engage in the aforementioned concerning behavior because he now has the job he has always wanted. I find it concerning that the Individual continued to engage in behavior like fraud, obfuscation, and lying to satisfy his desire to gamble and engage in leisure activities, even after this behavior threatened the integrity of his marriage. He was only compelled to stop his behavior when he was offered a job interview with the DOE contractor in early 2024, suggesting that even the health of his marriage was not incentive enough to stop the destructive behavior.

The Individual spent years of his life gambling followed by periods of abstinence, only to resume gambling again. The Individual has only been abstinent from gambling since May 2024 and in light of the aforementioned periods of abstinence followed by a recurrence of the behavior, I cannot conclude that the behavior happened so long ago or that it 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. The Individual has not mitigated the remaining concerns under mitigating factor (a). Furthermore, as the Individual's financial troubles were entirely of his own making, I cannot conclude that they were beyond his control or that he acted responsibly under the circumstances. The Individual has failed to mitigate the stated concerns under mitigating factor (b).

The record before me does not indicate that the Individual is receiving any form of financial counseling. Mitigating factor (c) is not applicable.

The Individual did not dispute the legitimacy of the past-due debt. Mitigating factor (e) is not applicable.

The SSC did not allege any affluence from any source. Mitigating factor (f) is not applicable.

The SSC did not allege any outstanding or unpaid taxes, and accordingly, mitigating factor (g) is not applicable.

For the aforementioned reasons, I find that the Individual has not fully resolved the security concerns asserted by the LSO under Guideline F.

## **Guideline I**

The Adjudicative Guidelines indicate that an individual may mitigate Guideline I concerns if:

- (a) The identified condition is readily controllable with treatment, and the individual has demonstrated ongoing and consistent compliance with the treatment plan;
- (b) The individual has voluntarily entered a counseling or treatment program for a condition that is amenable to treatment, and the individual is currently receiving counseling or treatment with a favorable prognosis by a duly qualified mental health professional;
- (c) Recent opinion by a duly qualified mental health professional employed by, or acceptable to and approved by, the U.S. Government that an individual's previous condition is under control or in remission, and has a low probability of recurrence or exacerbation;
- (d) The past psychological/psychiatric condition was temporary, the situation has been resolved, and the individual no longer shows indications of emotional instability;

(e) There is no indication of a current problem.

Adjudicative Guidelines at ¶ 29.

The record before me indicates that the DOE Psychologist and the Individual's psychologist believe that the Individual's Gambling Disorder is in full remission. However, among other things, I am required to consider “[t]he nature, extent, and seriousness of the conduct[,]” as well as “the frequency and recency of the conduct.” 10 C.F.R. § 710.7(c). I am also required to consider “the likelihood of continuation or recurrence[.]” *Id.* The Individual repeatedly engaged in blatantly dishonest, if not criminal, behavior because, as the record suggests, the Individual could not control his impulse to spend money to live beyond his means and to gamble. At the hearing, the DOE Psychologist did not change her diagnosis and indicated that her prognosis remains “guarded.” She also went on to say that despite the positive steps the Individual has taken, his inability to contemplate and examine his improper behavior led to the repetition of those undesirable behaviors. She noted that even poor outcomes and repercussions could not stop him from engaging in those behaviors. Further, she indicated that she would have been heartened if the Individual had acknowledged that there was a possibility that he could reengage in the concerning behaviors, allowing him to more vigorously guard against the aforementioned behavior. While the Individual's ADHD has not specifically impaired the Individual's judgment, trustworthiness, reliability, and stability, the DOE Psychologist noted that it has gone untreated and may serve to exacerbate the Individual's gambling behavior. Accordingly, although the DOE Psychologist determined that the Individual's Gambling Disorder is in a state of remission, she did not indicate that there was a low probability of recurrence. Mitigating factor (c) has not been met.

Further, while the Individual has engaged a psychologist who submitted two letters on his behalf, the psychologist did not offer any substantive information regarding the Individual's prognosis or treatment. Mitigating factor (b) has not been met. Finally, there is no evidence of a treatment plan in the record. Mitigating factor (a) has not been met.

As the DOE Psychologist felt that the Individual had a guarded prognosis, and because of his history of resuming problematic financial behavior after periods of responsible behavior, as well as the Individual's ongoing and untreated ADHD, which is a contributing factor, mitigating factors (d) and (e) are not applicable.

For the aforementioned reasons, I find that the Individual has not resolved the security concerns asserted by the LSO under Guideline I.

## VI. Conclusion

For the reasons set forth above, I conclude that the LSO properly invoked Guidelines F and I of the Adjudicative Guidelines. After considering all the evidence, both favorable and unfavorable, in a comprehensive, common-sense manner, including weighing all the testimony and other evidence presented at the hearing, I find that the Individual has not brought forth sufficient

evidence to resolve the Guidelines F and I concerns set forth in the SSC. Accordingly, the Individual has not demonstrated that granting his security clearance would not endanger the common defense and security and would be clearly consistent with the national interest. Therefore, I find that the Individual's access authorization should not be granted. This Decision may be appealed in accordance with the procedures set forth at 10 C.F.R. § 710.28.

Noorassa A. Rahimzadeh  
Administrative Judge  
Office of Hearings and Appeals