(3) A pattern of high-risk, irresponsible, aggressive, anti-social or emotionally unstable behavior;

(4) Information that suggests that the individual’s current behavior indicates a defect in his or her judgment or reliability.

(c) Conditions that could mitigate security concerns include:

(1) There is no indication of a current problem;

(2) Recent opinion by a credentialed mental health professional that an individual’s previous emotional, mental, or personality disorder is cured, under control or in remission and has a low probability of recurrence or exacerbation;

(3) The past emotional instability was a temporary condition (e.g., one caused by a death, illness, or marital breakup), the situation has been resolved, and the individual is no longer emotionally unstable.

§ 147.12 Guideline J—Criminal conduct.

(a) The concern. A history or pattern of criminal activity creates doubt about a person’s judgment, reliability and trustworthiness.

(b) Conditions that could raise a security concern and may be disqualifying include:

(1) Allegations or admissions of criminal conduct, regardless of whether the person was formally charged;

(2) A single serious crime or multiple lesser offenses.

(c) Conditions that could mitigate security concerns include:

(1) The criminal behavior was not recent;

(2) The crime was an isolated incident;

(3) The person was pressured or coerced into committing the act and those pressures are no longer present in that person’s life;

(4) The person did not voluntarily commit the act and/or the factors leading to the violation are not likely to recur;

(5) Acquittal;

(6) There is clear evidence of successful rehabilitation.

§ 147.13 Guideline K—Security violations.

(a) The concern. Noncompliance with security regulations raises doubt about an individual’s trustworthiness, willingness, and ability to safeguard classified information.

(b) Conditions that could raise a security concern and may be disqualifying include:

(1) Unauthorized disclosure of classified information;

(2) Violations that are deliberate or multiple or due to negligence.

(c) Conditions that could mitigate security concerns include:

(1) Were inadvertent;

(2) Were isolated or infrequent;

(3) Were due to improper or inadequate training;

(4) Demonstrate a positive attitude towards the discharge of security responsibilities.

§ 147.14 Guideline L—Outside activities.

(a) The concern. Involvement in certain types of outside employment or activities is of security concern if it poses a conflict with an individual’s security responsibilities and could create an increased risk of unauthorized disclosure of classified information.

(b) Conditions that could raise a security concern and may be disqualifying include any service, whether compensated, volunteer, or employment with:

(1) A foreign country;

(2) Any foreign national;

(3) A representative of any foreign interest;

(4) Any foreign, domestic, or international organization or person engaged in analysis, discussion, or publication of material on intelligence, defense, foreign affairs, or protected technology.

(c) Conditions that could mitigate security concerns include:

(1) Evaluation of the outside employment or activity indicates that it does not pose a conflict with an individual’s security responsibilities;

(2) The individual terminates the employment or discontinues the activity upon being notified that it is in conflict with his or her security responsibilities.