

## CHAPTER 2. STANDARD AND CRITERIA FOR SENSITIVE POSITIONS

9. STANDARD. The security standard for employment or retention of any individual in a sensitive position is that such employment or retention is clearly consistent with the interests of national security.
10. CRITERIA. To meet the standard described in Section 8(a), Executive Order 10450 lists factors which, depending on the relation of the employment to the national security, must be considered as criteria in reviewing cases involving sensitive positions. Information relating but not limited to the criteria may preclude a finding, but that the mere presence of such information need not be regarded as necessary or sufficient for a finding that employment or retention in a sensitive position is not consistent with the interests of national security. Such information shall relate, but shall not be limited, to the following:
  - a. Any behavior, activities, or associations which tend to show that the individual is not reliable or trustworthy.
  - b. Any deliberate misrepresentations, falsifications, or omission of material facts.
  - c. Any criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct, habitual use of intoxicants to excess, drug addiction, or sexual perversion.
  - d. Any illness, including any mental condition, of a nature which in the opinion of competent medical authority may cause significant defect in the judgment or reliability of the employee, with due regard to the transient or continuing effect of the illness and the medical findings in such case.
  - e. Any facts which furnish reason to believe that the individual may be subjected to coercion, influence, or pressure which may cause him to act contrary to the best interests of the national security.
  - f. Commission of any act of sabotage, espionage, treason, or sedition, or attempts thereat or preparation therefor, or conspiring with, or aiding or abetting, another to commit or attempt to commit any act of sabotage, espionage, treason, or sedition.

- g. Establishing or continuing a sympathetic association with a saboteur, spy, traitor, seditionist, anarchist, or revolutionist, or with an espionage or other secret agent or representative

of a foreign nation or any representative of a foreign nation whose interests may be inimical to the interests of the United States, or with any person who advocates the use of force or violence to overthrow the Government of the United States or the alteration of the form of government of the United States by unconstitutional means.

- h. Advocacy of use of force or violence to overthrow the Government of the United States, or of the alteration of the form of government of the United States by unconstitutional means.
- i. Knowing membership in, or affiliation or sympathetic association with, any foreign or domestic organization, association, movement, group, or combination of persons (hereinafter referred to as organization) which is totalitarian, fascist, communist, subversive, or which has adopted a policy of unlawfully advocating the commission of acts of force or violence to deny others their rights under the Constitution or laws of the United States or of any State, or which seeks to overthrow the government of the United States or any State or subdivision thereof by unlawful means.
- j. Intentional, unauthorized disclosure to any person of security information, or of other information disclosure of which is prohibited by law, or willful violation or disregard of security regulations.
- k. Performing or attempting to perform his duties, or otherwise acting so as to serve the interests of another government in preference to the interests of the United States.
- l. Refusal by the individual, upon the ground of constitutional privilege against self-incrimination, to testify before a congressional committee regarding charges of his alleged disloyalty or other misconduct.