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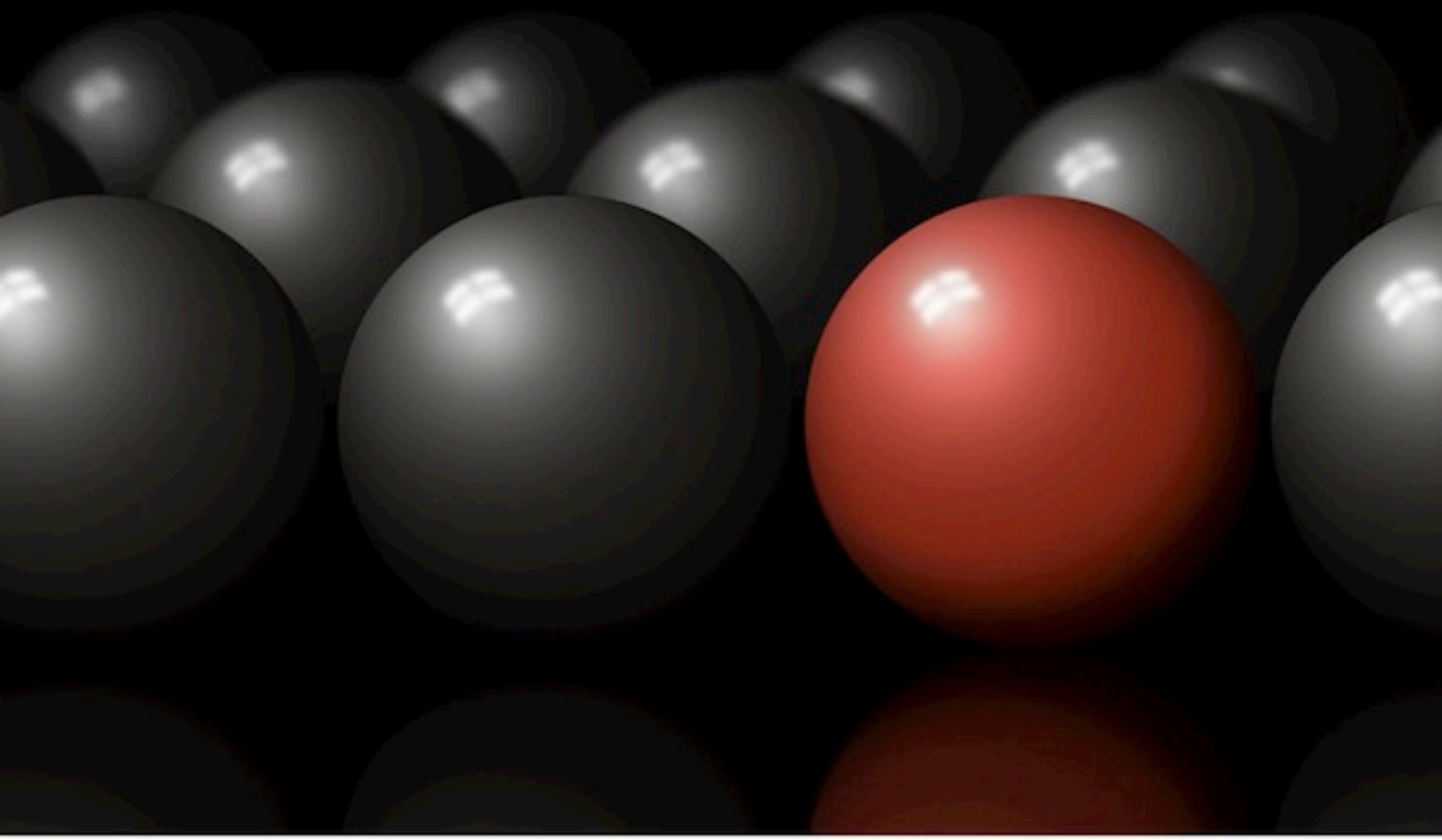

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Avatars and Security Clearances:

How can we reconcile the two?

By Micheal P. Cummins, Lieutenant Commander, United States Navy

The following represent the opinions of the writer, and does not necessarily represent the views of the United States Government, the Department of Defense, or the Department of the Navy.

Abstract

Government and military personnel in positions of trust are required to obtain and retain security clearances as part of conducting their duties within those positions. Part of obtaining a clearance requires personnel to report on any foreign contacts or business interests they may have. During the time that they hold such a position, personnel must report any significant contact with citizens of various countries to ensure they have not been targeted as part of a foreign intelligence collection effort. As more cleared personnel begin actively participating in virtual worlds, and as more personnel already active in virtual worlds begin applying for positions of trust, how will vetting agencies reconcile the borderless nature of virtual worlds with the requirements set forth for establishing and maintaining security clearances?

Legislation has historically not kept pace with rapidly developing community technologies, and bureaucracies may make a choice between taking online relationships too seriously, and not taking them seriously enough. In the past, foreign relationships were easily defined, with physical travel, face-to-face contact, phone, and postal connections being the norm. Today, the global nature of online gaming and virtual environments make these definitions less clear. In order to ensure personnel continue to be effectively screened, virtual worlds and relationships, however benign, may need to be taken into account as part of the vetting process. If so, they will need to be properly understood by the investigating agencies. This paper proposes to outline some of the relevant issues involved in a rapidly evolving online community.

Keywords: security clearance, government, virtual worlds.

Avatars and Security Clearances:

How can we reconcile the two?

By Micheal P. Cummins, Lieutenant Commander, United States Navy

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Personnel working for the government in any sort of capacity that requires a security clearance must first fill out and submit the SF-86.[1] The purpose of these investigations is not to pry into the lives of potential candidates for security clearances, but to ensure there is nothing in the candidate's history that anyone could use to discredit or blackmail the member or his organization. For example, an extra-marital affair would not, by itself, be reason enough to deny a security clearance, but any attempt to hide it would be. If such a thing were out in the open, a foreign entity would not be able to use that information for blackmail purposes. This paperwork drill has not seen much in the way of updates over at least the last 13 years, but rather remains the standard fare of financial status, family relationships, mental health history, alcohol use, and foreign relationships.

It is this last item that has become difficult to define with the growing development and popularity of virtual worlds. Until as recently as the mid-1990s, the means by which foreign relationships were defined was fairly simple. Phone calls, letters, and trips to meet foreign nationals were easily tracked and reported, or disclosed in the case of the SF-86 and followed up with the Foreign Contact Report.[2] Even electronic mail was (and still is) a fairly simple medium to trace and track.

Once virtual worlds became a popular medium, the definitions of foreign contact became somewhat cloudier. Does a virtual world constitute another country? Some economic studies present thought-provoking arguments in favor of such a notion. Do avatars constitute foreign nationals, perhaps even those playing in the same country? Some players would say yes.[3]

While one may hold a Top Secret security clearance, his avatars do not. In a recent example, a holder of a Top Secret security clearance submitted the forms for his five-year re-application. In 2003 when he first applied for one, the only foreign contact he had to report on was a British national his (now former) spouse was friends with. By the end of 2008 when he had to re-apply, he had become immersed in a number of online games, including EVE Online and EverQuest II, investing thousands of hours in his avatars and relationships with players from all over the United States and around the world.

During the re-application process, the applicant did not make any mention of his life in EVE Online's New Eden, because none of those relationships had any basis in the real world (the one the federal government was likely to "get"). However, in certain ways New Eden might be deemed more noteworthy to an adjudicator in terms of foreign business dealings and multi-national contact than EverQuest II's Norrath. New Eden's servers are maintained by the Icelandic company CCP Games, while Norrath's are located in California and operated by Sony

[1] Available at http://www.opm.gov/Forms/pdf_fill/sf86.pdf

[2] Available at http://www.state.gov/documents/organization/88343.pdf

[3] See Edward Castronova's *Virtual Worlds: A First-Hand Account of Market and Society on the Cyberian Frontier* for a discussion of how in 2001 EverQuest's virtual currency was worth more than the Yen or the Lira on the open market, and Norrath had a GNP approximately that of Russia. Additionally, one of his surveys concluded that approximately 20 percent of EverQuest players considered Norrath their "place of residence; they just commute to Earth and back."

Online Entertainment. EVE has a higher population percentage of non-US players than does EverQuest II. Due to its single-shard nature, a player would be more inclined to run into and deal with foreign nationals in New Eden than he would in Norrath, as EverQuest II maintains European, Asian, and American servers in part to support same-time zone play and to help alleviate potential language barriers.

In the interest of disclosure, during this process the applicant submitted the names and addresses of his EverQuest II guild leaders, who were Canadian citizens living in Vancouver (with their consent, of course). Not only did he spend several hours a week with them in Norrath, but he met them in person on a trip to Canada, and has called and e-mailed them on occasion. On the SF-86, while there is a large space available for additional notes, there is not a specific place to describe the nature of particular foreign relationships. It is understood that those details will come out in the interview process.

The Office of Personnel Management coordinates the interviews, and has agents available all over the United States to check references, not just to interview the candidate. When this particular candidate's turn came, he knew the conversation would turn to his friends in Norrath and waited for the inevitable misunderstanding regarding the nature of the virtual relationships. During the interview, it became apparent that the OPM agent was unable to grasp how a disclosure-worthy relationship could occur within the confines of a game. While such an occurrence is completely fathomable to the primary audience of this paper, it is necessary that a better understanding can be established among the leadership within government and military positions in order to ensure that neither complete indifference nor knee-jerk clamp-downs occur.

It can be argued that legislation and policy have rarely kept up with technology. Copyright laws were updated years after the invention of the VCR. Federal wiretapping laws fared likewise well after e-mail became widespread. In defense of policy makers, laws of man simply can't maintain pace with things like Moore's Law – technological advance is not generally subject to a vote. Not that legislation needs to be developed regarding avatar-based relationships and how they may affect the security clearances of trusted personnel, but there needs to be some effort made to educate investigators and policymakers with respect to their potential for increased access to foreign relationships. Not all of these will need to be tracked, and even fewer would warrant additional screening, but there is still potential for cleared personnel to be targeted by foreign entities via electronic media. As the Fort Hood shootings recently demonstrated, there was a link established via an online path, and it would be a simple affair for lawmakers to overreact by banning *all* such relationships with foreign nationals occurring over any type of electronic medium. Such a ban would be near impossible to enforce, much less monitor, and would only serve to push them underground and push normally acceptable behavior into the realm of illicit. The only real difficulty would be in determining the actual personality to investigate the entity behind the avatar.

Instead, a far simpler notion that would require neither legislation nor extended debate is available. The forms and instructions are already in place – all that would be needed would be for them to be updated to make mention of such relationships and bring them forward as noteworthy. The wording could be as simple as "Include any significant foreign national relationships with whom you have virtual or online-only contact." Once the additional instructions are in place, training for organizations who deal in both applying for and granting security clearances (Department of Defense, Office of Personnel Management, Department of State, Department of Justice come immediately to mind) can be developed and given on a number of levels, but specifically to supervisors in order to increase their awareness of virtual

relationships. A step in this direction will require not only an understanding of the need for disclosure on the part of the applicant, but also a need to inquire and understand on the part of the investigators and supervisors.

It is possible that a foreign intelligence collection effort could be undertaken against military and government users of virtual worlds. Intelligence agencies are already addressing the idea (far-fetched though it may be) that terrorist cells may be using virtual worlds as training facilities.[4] With that in mind, are rules and regulations required for cleared users of virtual worlds? Or can users instead make their existence, capabilities, and limitations better understood amongst the leadership of the government and military? To that end, what would it take for senior leadership to develop that understanding of the virtual worlds their subordinates are participating in? Were more stringent rules put in place, how could they be implemented? If a foreign collection effort were uncovered, how would legislation be implemented to accommodate investigative requirements? Would current wiretapping laws be modified, or would something new be put in to place? Finally, who would have jurisdiction, the CIA, FBI, NSA, or some other agency? These agencies have limitations on where their charters start and end, and the undefined nature of some virtual worlds may leave these organizations at a loss to prosecute. As alluded to previously, these decisions will not be made in the near term. Though taken to an extreme, the above questions represent the possible conclusion of the thought process regarding the reconciliation of avatars and their users with security clearances that may be taken by under-educated policymakers and other senior leadership if left to their own devices.

[4] Shachtman, Noah. "Pentagon Researcher Conjures Warcraft Terror Plot." Wired.com, September 15, 2008. Tanji, Michael. "Second Life: Elevating Terrorism Training." ThreatsWatch.org, May 14th, 2007.