

How Snowden Affects Security Clearance

On June 9th, Edward Snowden publicly released information regarding domestic surveillance by the NSA and contractors working for the NSA. A contractor himself, Snowden claimed to have the ability to run surveillance on anyone in the U.S., even the president of the United States, provided he had reasonable cause. He's currently living abroad and claims to be seeking amnesty from the United States. Clearly, this represents a major security breach in the U.S. intelligence community. Now people are asking: how did a defector gain access to some of our most valuable secrets? The obvious answer is that Snowden gained a security clearance just like everyone else. Does this mean the process is faulty? According to some in the intelligence community, the answer is no. In a recent article by Time, Nicole Smith, an associate attorney at Tully Rinckey PLLC in Washington, D.C., and a former security clearance investigator, said that "You're trying to get a personality characteristic to an extent, but unless there are any obvious derogatory information about that person, I don't see how knowing that Mr. Snowden would do what he did would really come about in the investigation." Even potentially minor signs such as an Electronic Frontier Foundation sticker on his laptop would barely register as a concern considering everything else on his application was in line. "You're not around that person's personal belongings to make any other additional observations about that person's character," Smith said. The answer seems to lie less in changing the application process and more in continuous oversight on employees and contractors holding security clearances. Greg Rinckey, a partner of Smith's firm, said "You're probably always going to have some who slip through the cracks. You've got to have somebody that's watching your people that hold the clearance. This is what failed." According to a recent article by Reuters, Snowden's online history paints a fairly clear picture of someone disillusioned with the way U.S. intelligence agencies operated. Possibly as a response to Snowden's actions, a Senate subcommittee will convene on June 20th at the Dirksen Senate Office Building to discuss current security clearance policies. According to the online agenda, "The hearing will examine the management and oversight of the federal employees and contractors responsible for planning, conducting, and reviewing investigations and issuing security clearances. It will also examine the efficiency and effectiveness of the security clearance process."