

Sources: Navy intel chief's security clearance suspended, can't view classified info

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Vice Adm. Ted Branch, deputy chief of naval operations for information dominance and director of naval intelligence, has been without a security clearance for a year, which severely limits his effectiveness in the position. (MCSN Andrew Schneider / Navy)

The head of naval intelligence has not been able to view classified information for an entire year.

Vice Adm. Ted Branch, the director of naval intelligence, had his security clearance suspended in November 2013 after being investigated for possible misconduct. In the year since, no charges have been filed and there is no sense of when they might be, leaving the Navy in an untenable situation.

If classified information is being discussed at a meeting, the director of naval intelligence has to leave the room.

If Branch drops by a subordinate's office, the space must be sanitized of any secrets before he enters.

Branch can't attend morning intelligence briefs, or sit with the other services' intel chiefs when they meet with Director of National Intelligence James Clapper, said a naval intelligence source, who spoke on background because he was not authorized to speak to the press.

This festering situation has sown resentment among some in naval intelligence, who feel they don't have the pull in national security circles that comes with having a three-star at the table. Meanwhile, the Navy brass is hamstrung — with no idea when or if Branch will be charged or cleared.

Branch's clearance was suspended along with that of a deputy, Rear Adm. Bruce Loveless, the director of intelligence operations, for possible connections to Glenn Defense Marine Asia — the husbanding firm at the center of one of the Navy's biggest bribery scandals in decades. Their clearances were pulled while the Justice Department investigated their connections to GDMA and its larger than life CEO, Leonard Glenn Francis, who is accused of bribing Navy officers to steer ships to ports where he allegedly overcharged the Navy in exchange for junkets, prostitutes, even "Lion King" tickets.

Branch and Loveless remain in their positions a year later, Navy officials confirmed. Branch, as the intelligence chief, is limited to personnel management functions, as well as leading an effort to raise the profile of cyber-security across the fleet.

Still, some intelligence operatives and defense experts wonder why Branch isn't reassigned to a new post while the investigation runs its course, a move that could revert Branch to 2-star rank.

"I'm not sure how he is the best person for the position if he doesn't have access to all the information he needs to do his job," said Lawrence Korb, a former assistant defense secretary for manpower, reserve affairs, installations and logistics. If Branch is cleared, Korb continued, he should be reinstated or given another position for which he's qualified.

Korb said the Navy could suspend him with pay or move him to another position pending the outcome of the investigation, appointing an acting director in the interim.

Navy officials point the finger at the Justice Department. Two active-duty sources familiar with the inter-agency communication say that Justice investigators told the Navy that Branch and Loveless were under investigation and that they'd know if charges were forthcoming within weeks.

A year later, they have no indication of when or if Branch and Loveless will be charged. Navy intelligence, meanwhile, is anchored by a civilian deputy and Rear Adm. Elizabeth Train, a two-star who heads the office of naval intelligence.

Through a spokesman, Branch, 57, declined numerous interview requests for this article. Peter Carr, spokesman for the Justice Department, said that the investigation into GDMA was ongoing and that the department could not comment further.

Navy officials declined to comment on why they had not removed Branch pending the outcome of the investigation, saying that Branch and Loveless are fulfilling their duties to the best of their ability.

“Vice Adm. Branch and Rear Adm. Loveless are performing their respective functions to the extent restrictions placed on their access to classified material permit,” said Rear Adm. Dawn Cutler, the Navy’s top spokeswoman, in a statement. “Action to resolve the access suspension is pending additional information from the ongoing investigation conducted by the Department of Justice and the Naval Criminal Investigative Service.”

Deadlocked

The Justice Department is looking into whether Branch took a gift from Francis or anyone associated with GDMA during his time in command of the carrier Nimitz, Navy sources say, with some cautioning that the department’s source may have confused Branch with another senior officer. Branch, a career F/A-18 pilot known by his handle, “Twig,” led the Nimitz from 2004 to 2007, including one Western Pacific deployment with port calls in Hong Kong, Malaysia and Guam.

The intel source said there has been a push from inside the intel community to have Branch and Loveless’ access reinstated and take action if Justice decides to press charges.

But such a move would be politically risky, the source said, and it would likely have to be approved at the highest levels of the chain of command.

Branch could pursue getting his clearance reinstated through legal means, but that carries significant risk, said Greg Rinkey, a civilian defense attorney and former Army JAG.

“It makes it very hard because if you want to try and fight it, any statements you make could potentially be used against you by the Justice Department,” he said, adding that his advice to clients in these situations is to let the investigation play out before seeking to get their clearance reinstated.

Rinkey said that investigations of this kind, involving foreign contractors, foreign defense officials and foreign law enforcement, can drag out for months and even years.

“There are a lot of dots that need to be connected to put together the chain of evidence,” he said.

'Fat Leonard'

The scandal that wrapped up the Navy’s top intel officer has been among the most high-profile for the service in decades, with active-duty officers criminally charged or fired from their positions in a wide-ranging investigation that could implicate dozens. Francis, known as “Fat Leonard” for his considerable girth, was a fixture of WESTPAC cruises as the head of 7th Fleet’s lead husbanding firm, responsible for arranging port services for visiting ships.

Francis was known for targeting senior officers and supply officers with gifts, often putting them in an awkward position by sending expensive cigars or bottles of champagne, some officers have

said. On one occasion, Francis allegedly offered Cmdr. Mike Misiewicz tickets to a Lady Gaga concert.

In exchange for the gifts, prosecutors say Francis expected information, some of which, like ship's schedules, for example, was classified. He also wanted the rerouting of ships to more lucrative ports where GDMA was better able to overcharge the Navy undetected. Francis has pleaded not guilty.

Navy officials say Branch is not suspected of leaking classified information. The New York Times reported last year that Branch and Loveless were suspected of taking gifts, which could open them up to blackmail.

Branch is known in the fleet as a no-nonsense leader. A career aviator, he was featured prominently in the Emmy-award winning PBS documentary "Carrier" as CO of the Nimitz. Later, as head of Carrier Strike Group 1, he led the Navy's humanitarian assistance mission to Haiti from the decks of the Carl Vinson after the 2010 earthquake that devastated the island.

Loveless is a career intelligence officer who has led U.S. Pacific Command's Joint Intelligence Operations Center, in addition to many fleet tours.

The allegations levied against such respected flag officers has raised the prospect that more senior leaders could be implicated in the GDMA scandal, a prospect that Navy Secretary Ray Mabus raised in a press conference last year.

"I think it's fair to say that there will be more disclosures coming in GDMA," Mabus told reporters last December. "What kind of disclosures those are, I'm not at liberty to say."

<http://www.navytimes.com/article/20141103/NEWS/311030026/Sources-Navy-intel-chief-s-security-clearance-suspended-can-t-view-classified-info>