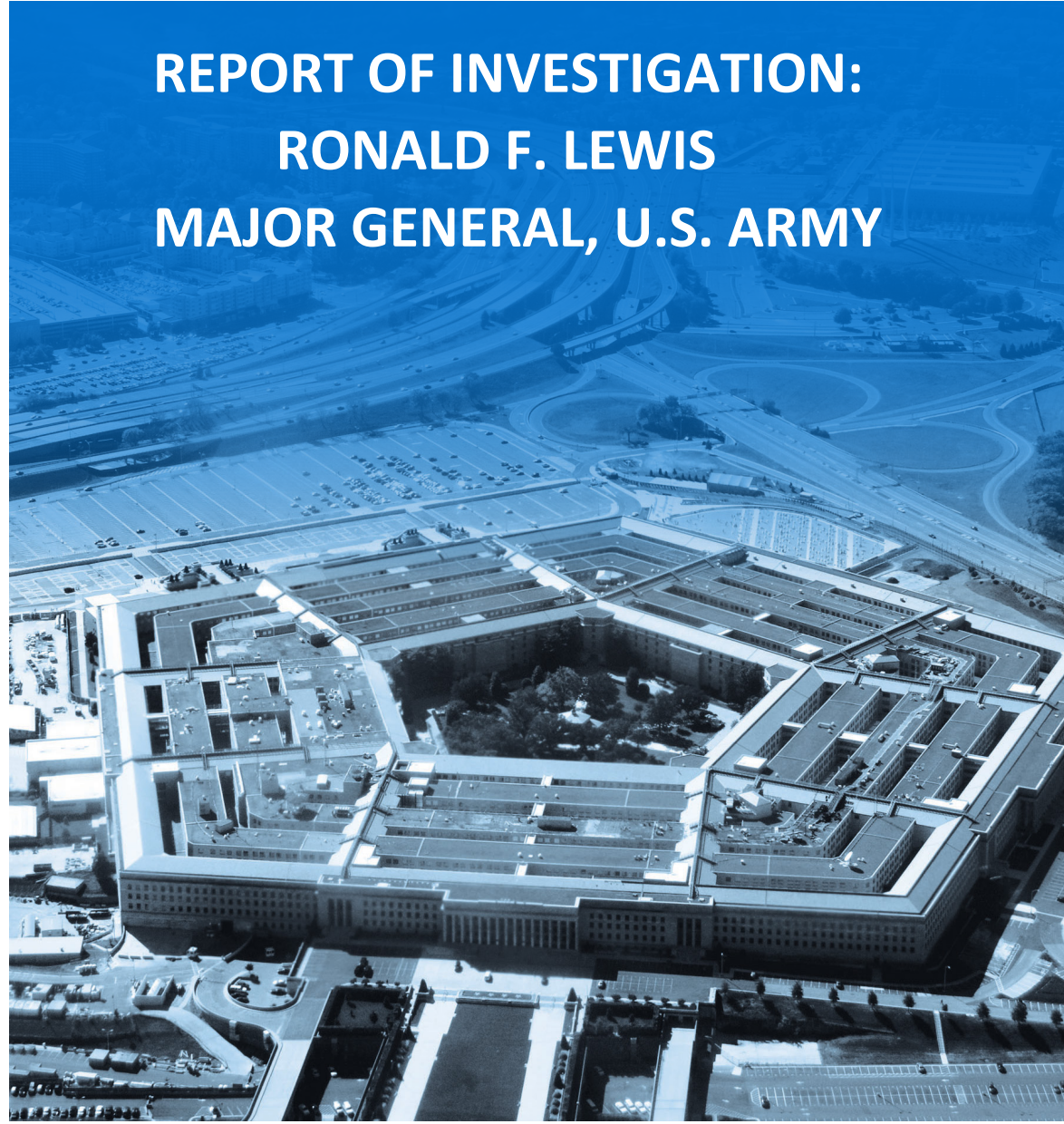




INSPECTOR GENERAL

U.S. Department of Defense

October 4, 2016



REPORT OF INVESTIGATION: RONALD F. LEWIS MAJOR GENERAL, U.S. ARMY

INTEGRITY ★ EFFICIENCY ★ ACCOUNTABILITY ★ EXCELLENCE



INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
4800 MARK CENTER DRIVE
ALEXANDRIA, VIRGINIA 22350-1500

OCT 4 2016

MEMORANDUM FOR ACTING INSPECTOR GENERAL

SUBJECT: Report of Investigation – Major General Ronald F. Lewis, U.S. Army
Case 20151113-034269

We recently completed an investigation to address the allegation that Major General (MG) Ronald F. Lewis, U.S. Army, while serving as the Senior Military Assistant to the Secretary of Defense: (1) misused his government travel charge card (GTCC) for personal expenses; (2) made false official statements regarding his GTCC misuse; and (3) engaged in conduct unbecoming an officer and a gentleman on multiple occasions, which included patronizing an establishment off-limits to U.S. military personnel, drinking to excess in public, and improper interactions with females. Such conduct, if substantiated, would violate the standards summarized throughout the report. The applicable standards are presented fully in the Appendix to the report.

We substantiated all three allegations.

In accordance with our established procedure, by letter dated July 22, 2016, we provided MG Lewis our Tentative Conclusions Letter (TCL), through his defense counsel, and gave MG Lewis the opportunity to comment on the preliminary results of our investigation. In his response to our TCL, dated August 19, 2016, he disagreed with our conclusions, criticized our investigation, and disputed some of the facts we found. However, MG Lewis also added that he was “aware of [his] mistakes, errors in judgment, and perceptions [he] may have created.” To address MG Lewis’ assertions, we conducted additional field work and addressed MG Lewis’ most significant contentions by clarifying certain portions of the report. After carefully considering MG Lewis’ response, re-examining previously collected evidence, and reviewing the results of additional fieldwork, we stand by our report and the conclusions in it.

We will provide to the Secretary of the Army a copy of this report, along with copies of the underlying documentation on which we based our conclusions.

Marguerite C. Garrison
Marguerite C. Garrison
Deputy Inspector General
Administrative Investigations

REPORT OF INVESTIGATION: MAJOR GENERAL RONALD F. LEWIS, U.S. ARMY

I. INTRODUCTION AND SUMMARY

We initiated this investigation to address allegations forwarded to us from the Office of the Secretary of Defense that Major General (MG) Ronald F. Lewis, U.S. Army, while serving first as Special Assistant and then as Senior Military Assistant (SMA) to the Secretary of Defense: (1) misused his government travel charge card (GTCC) for personal expenses; (2) made false official statements regarding his GTCC misuse; and (3) engaged in a course of inappropriate behavior that included patronizing an establishment off-limits to U.S. military personnel, drinking to excess in public, and improper interactions with females.¹ If substantiated, these allegations would violate standards summarized throughout this report. The applicable standards are presented in full in Appendix A.

We substantiated all three allegations. We summarize our findings in this introduction, then provide in more detail the facts and analysis underlying these findings in Section IV.

Official Travel-related Conduct

South Korea, April 9 – 11, 2015

GTCC use and official travel-related conduct in Itaewon, Seoul

On April 10, 2015, while serving as Special Assistant to the Secretary of Defense during official travel in Seoul, South Korea, MG Lewis patronized the “Candy Bar” club. The Candy Bar club was an establishment in an area of Itaewon, Seoul commonly referred to locally as “Hooker Hill.” The Commander, U.S. Army Garrison Yongsan (USAG-Y), designated a number of establishments in the Hooker Hill area of Itaewon as off-limits establishments because of their ties to illicit activities, such as prostitution, controlled substances, and underage drinking. Off-limits orders prohibit U.S. military personnel from patronizing those establishments. On June 20, 2014, the Commander USAG-Y placed the Candy Bar club off-limits to U.S. military personnel because the bar served alcohol to underage patrons. The Candy Bar club remained off-limits to U.S. military personnel during MG Lewis’ visit.

In his interview with us, MG Lewis told us that he visited various establishments in Itaewon during this April 2015 trip. MG Lewis’ GTCC statement and receipts showed that, after currency conversion, he charged \$1,121.25 in personal expenses at the Candy Bar club to his

¹When the Secretary of Defense removed then-Lieutenant General (LTG) Lewis from the Senior Military Assistant (SMA) position, MG Lewis reverted from the grade of lieutenant general to his permanent grade of major general (MG) by operation of law. Although the majority of conduct presented in this report occurred while MG Lewis served as SMA to the Secretary of Defense, we refer to MG Lewis throughout this report in his permanent grade.

GTCC, including an 81 percent tip. MG Lewis had no explanation for why he used his GTCC on April 10, 2015, at the Candy Bar club, stating to us, "I don't know in this particular case."

After MG Lewis returned from travel to Seoul, Secretary of Defense staff members assisted him with completing his travel voucher. Staff members told us that while reviewing MG Lewis' GTCC statement, they observed charges to his GTCC from "Candy" (which we identified as the Candy Bar club in Itaewon, Seoul). Staff members asked MG Lewis if he used his GTCC for anything in South Korea other than his lodging, and he replied, "No." When staff asked him if he made charges at "Candy," MG Lewis stated that he did not make the charges. Acting on MG Lewis' denial, a staff member provided MG Lewis with a form from Citibank, the GTCC issuer, to help him report the charges to Citibank. MG Lewis digitally signed and executed a Citibank form, "Declaration of Unauthorized Use," which included the statement that "I, Ronald F. Lewis the undersigned do hereby state and declare as follows: . . . 2. I HAVE INDICATED BELOW AND/OR ON THE ATTACHED THOSE TRANSACTIONS THAT ARE FRAUDULENT." [All upper case in the original.] MG Lewis listed the "Candy" charges on the declaration form as being fraudulent. By executing the form, MG Lewis also attested to Citibank:

I have confirmed that **ALL AUTHORIZED USERS ON THIS ACCOUNT** did not make these charges . . . Neither, I, nor anyone authorized by me, nor anyone with my knowledge or consent received or expect to receive any benefit or value as a result of this transaction(s). [Emphasis in original]

After receiving MG Lewis' signed declaration, Citibank removed the Candy Bar club charges totaling \$1,121.25 from his GTCC bill, closed MG Lewis' account, and issued MG Lewis a new GTCC.

Italy, October 6-7, 2015

GTCC use and official travel-related conduct in Rome

MG Lewis travelled with the Secretary of Defense to Rome on official travel from October 6-7, 2015. MG Lewis told us that on October 6, 2015, he used his GTCC to pay for personal expenses at a club in Rome that was a short walk from the Secretary of Defense travel delegation's hotel.

Based on witness testimony and the merchant information on MG Lewis' GTCC statement, we identified this club as the "Cica Cica Boom" club in Rome, an establishment with signage advertising "Sexy Show," "Fans Club," and "Lap Dance." In his interview with us, MG Lewis told us that after dancing with local women and drinking to "more than moderation" for three hours, he unsuccessfully attempted to use his personal debit card to pay for \$1,755.98 in personal expenses he had incurred in the club. Therefore, to pay his bill, MG Lewis returned to the Secretary of Defense delegation's hotel at approximately 1:40 a.m., escorted by a female foreign national employee of the Cica Cica Boom club, to retrieve his GTCC from a subordinate who held it for him. The subordinate's room was in the same hallway as the Secretary of Defense's room, and the female club escort waited for MG Lewis in that hallway. MG Lewis

awakened the sleeping subordinate and directed her to give him his GTCC. The subordinate told us that she thought it was “very odd” that MG Lewis asked for his GTCC and that she “felt like something wrong was about to happen, but I wasn’t in a place to tell him, ‘No.’” MG Lewis told us that he returned to the club with his female escort and used his GTCC to pay for the \$1,755.98 in personal expenses because “I left [the club] with a big bill and they wanted to make sure I came back and paid it.” He added, “It had to be put on my government card in order to have this bill cleared.”

Hawaii and Malaysia, October 30 – November 7, 2015

Official travel-related conduct in Hawaii

MG Lewis travelled with the Secretary of Defense to Hawaii on official travel from November 5-6, 2015. Witnesses told us that during this visit, they observed MG Lewis interacting with a female enlisted Service member who was stationed in Hawaii, and with whom he had previously served. The female enlisted Service member told us that she and MG Lewis spent time alone in MG Lewis’ hotel room where they consumed alcohol. They then went to a restaurant where they dined alone together and had more alcoholic drinks. After dinner they joined other members of the Secretary of Defense’s travel delegation at a beach restaurant bar where they continued to drink alcohol. Witnesses observed them alone on the beach adjacent to the restaurant, with one witness stating MG Lewis had his arms on the female enlisted Service member’s shoulders as they talked. Multiple witnesses told us that the pair then left the beach restaurant bar together with another delegation member to go back to MG Lewis’ hotel room, where MG Lewis and the female enlisted Service member consumed more alcohol. MG Lewis told us that he consumed approximately 11 drinks that night over an approximately 7-hour period and that the female enlisted Service member had a total of approximately 5-6 drinks over the course of the evening. In his interview, MG Lewis acknowledged not being sober in the presence of the female enlisted Service member and members of the Secretary of Defense’s delegation in Honolulu during the events of November 5-6, 2015.

According to the female delegation member who accompanied MG Lewis and the female enlisted Service member back to MG Lewis’ hotel room that evening, MG Lewis sent her (the female delegation member) out of his hotel room on an errand to retrieve a work document. She told us that when she returned to the room, she observed MG Lewis and the female enlisted Service member embracing. The female delegation member told us that she asked the female enlisted Service member to leave MG Lewis’ hotel room with her, and warned MG Lewis that he was “being really stupid” and that the female enlisted Service member needed to come with her and stay in her room that night. The female delegation member told us that MG Lewis then held the female delegation member’s arm and physically escorted her out of his hotel room so that he could be alone with the female enlisted Service member.

According to the female enlisted Service member, during their time alone together, MG Lewis approached her closely in a manner that backed her into a wall and caused her to believe he wanted some kind of physical contact. She told us that she believed MG Lewis wanted to kiss her. She told us that she rejected his advance by physically blocking MG Lewis with her hands and telling him it was time for her to leave. She told us that they did not have any

physical contact after she raised her hands. She told us that she left MG Lewis' room after she rejected his advance.

MG Lewis told us initially in his interview with us that he had no recollection of physical contact with the female enlisted Service member in his room. Later in our interview he denied attempting to have or actually having physical contact with the female enlisted Service member.

Official travel-related conduct in Malaysia

Witnesses told us that in November 2015 in Malaysia, the Secretary of Defense travel delegation hosted an informal event in their hotel's executive lounge that included members of the press. According to witnesses, during that event MG Lewis sat very close to a female DoD civilian subordinate, shared a cigar with her, conversed in whispers, and the two touched arms and hands in a manner that witnesses described as "arms around each other," "questionable behavior," "extremely intimate," "chummy," and "did not seem innocent." Members of the Secretary of Defense's travel delegation observed this behavior. One witness told us she had never seen MG Lewis, a married man, act that way "with another woman." MG Lewis' interactions with the female DoD civilian raised "a red flag" with several witnesses, and caused his conduct and the nature of his relationship with the female DoD civilian to be a conversation point among other delegation members.

California, August 26 -29, 2015

Official travel-related conduct in Palo Alto

Witnesses told us that in August 2015 during a Secretary of Defense travel delegation visit to California, a female enlisted Service member reported to MG Lewis' hotel room because MG Lewis had requested to speak to her about the day's events. The female enlisted Service member told us that she went to MG Lewis' hotel room with a stack of briefing papers, and knocked on his door. She told us that she identified herself to MG Lewis, and he invited her to "come on in." She stated that when she entered his hotel room, he came out of the bathroom shirtless and dressed only in gym shorts. She said that this caught her off guard and she looked down at the briefing papers to avert her eyes. When she completed her brief to him, he asked her for a document she did not have with her, and she left his room to retrieve it. She told us that when she returned later with the retrieved document and announced herself at his door, MG Lewis again invited her to come into his room. She said he was still wearing only his gym shorts. She told us the incidents made her uncomfortable and concerned for her professional reputation because people could get the wrong impression seeing her coming out of MG Lewis' room, and him shirtless and wearing only gym shorts.

An officer who witnessed the incidents from the hallway told us that he could see the female enlisted Service member was embarrassed by the situation. The officer expected that in both instances MG Lewis would excuse himself to put clothes on before conducting business with the female enlisted Service member, but "unfortunately that was not the case."

The female enlisted Service member later told another officer about the incidents and expressed to him that they made her uncomfortable. The officer who witnessed the incidents and

the officer she related the incident to after the fact both told us that thereafter they made sure the female enlisted Service member had a “buddy” go with her any time she had to report to MG Lewis’ room to conduct business.

Conclusions Regarding Official Travel-related Conduct

We concluded that MG Lewis misused his GTCC when he paid for personal expenses of \$1,121.25 at the Candy Bar club in South Korea, and \$1,755.98 at the Cica Cica Boom club in Rome. The Joint Travel Regulations (JTR) and Army Command Policy authorize use of a GTCC only for official travel expenses and prohibit using a GTCC for personal charges.

We also concluded that MG Lewis violated the Uniform Code of Military Justice (UCMJ), Article 107, which prohibits individuals from making false statements related to their official duties, when he made false official verbal statements to subordinates and a false official written statement to Citibank regarding his GTCC use in Itaewon, Seoul. His GTCC statement and receipts confirm that he visited the off-limits Candy Bar club, where he charged \$1,121.25 in personal expenses to his GTCC, and received some form of services or benefits from those transactions. When Office of the Secretary of Defense staff asked MG Lewis if he made the charges, he denied doing so. He then executed a digitally signed declaration to Citibank attesting that he did not make the charges to his GTCC at the Candy Bar club or receive services there. MG Lewis’ verbal statements to subordinates and written statement to Citibank denying that he made charges to his GTCC at the Candy Bar club were false. He knew that he used his GTCC there and received services. His false statements violated UCMJ Article 107 because preparing a voucher for official travel reimbursement and executing a report to the GTCC issuer relate to his official duties. The false statements caused Citibank to remove all the Candy Bar club charges from MG Lewis’ GTCC account, causing financial loss to Citibank.

We concluded that MG Lewis violated UCMJ Article 133, which prohibits conduct unbecoming an officer and a gentleman. The UCMJ, Article 133 defines such conduct as disgraceful or dishonorable behavior that seriously compromises an officer’s standing or his character as a gentleman. MG Lewis violated UCMJ Article 133 on multiple occasions during official travel. MG Lewis drank to excess in the presence of subordinates and foreign nationals. In the “Hooker Hill” area of Itaewon, Seoul, he visited a club which was off-limits to U.S. military personnel at the time because of its association with illicit activities. In Rome, he visited the Cica Cica Boom club, drank to “more than moderation” for three hours, and then brought a female foreign national escort from the club to the Secretary of Defense’s hallway in the delegation hotel, where he woke up a subordinate in the middle of the night to give him his GTCC to pay his club bill. In Malaysia and Hawaii, he engaged in physical contact with female subordinates observed by witnesses where the contact was not incidental or innocuous. In Hawaii, after MG Lewis drank to the point of not being sober, his attempted kiss necessitated a female subordinate to reject and physically block his inappropriate and unwanted advance. In Malaysia, MG Lewis’ close interactions with a female subordinate became a topic of conversation and concern among members of the travel delegation. In California, MG Lewis invited a female enlisted Service member into his hotel room twice and conducted official business with her while he was shirtless and dressed only in gym shorts.

Finally, in this report we also address allegations that MG Lewis inappropriately hugged a female member of the Secretary of Defense's office staff, and touched the "behind" of a female enlisted Service member supporting the office. We describe these incidents at the end of this report but did not conclude that MG Lewis committed misconduct with regard to these incidents.

Major General Lewis' response to our tentative conclusions letter

Following our established practice, by letter dated July 22, 2016, we provided MG Lewis our tentative conclusions, through his defense counsel, and gave MG Lewis the opportunity to comment on the preliminary results of our investigation. In his response, dated August 19, 2016, while stating that "I am aware of my mistakes, errors in judgement, and perceptions I may have created," MG Lewis disagreed with our conclusions, criticized our investigation, pointed to the amount and quality of work he did as the SMA on these trips, and disputed some of the facts we found. We address the most significant of his contentions in the report below.²

In his Tentative Conclusions Letter (TCL) response, MG Lewis asserted that he did not patronize the Candy Bar club in Itaewon or a "gentlemen's club" or "strip club" in Rome, and that his "paperwork disclaiming" the Itaewon credit card charges submitted to Citibank was not false. He added that our investigation mischaracterized his relationship with the senior female enlisted Service member in Hawaii and with the female DoD civilian subordinate in Malaysia.

To address MG Lewis' assertions, we conducted additional fieldwork. After carefully considering MG Lewis' TCL response, re-examining previously collected evidence, and reviewing the results of additional interviews and fieldwork, we clarified certain portions of the report, and we respond in this report to some of the factual allegations from his TCL. However, we stand by our report and the conclusions in it.

The following sections of this report set forth our findings regarding these events and MG Lewis' response to our tentative conclusions in more detail. We based our conclusions on a preponderance of evidence standard.

² While we have included what we believe is a reasonable synopsis of MG Lewis' response, we recognize that any attempt to summarize risks oversimplification and omission. Accordingly, we incorporated MG Lewis' comments where appropriate throughout this report and provided a copy of his response to his Management Official together with this report.

II. BACKGROUND

MG Lewis was commissioned as an Aviation branch officer upon graduation from the United States Military Academy in 1987. During the course of his career, MG Lewis held command and staff positions of increasing responsibility. From August 2010 to October 2011, MG Lewis served as the Military Assistant to Ashton Carter, who was then the Under Secretary of Defense for Acquisition, Technology, and Logistics. From October 2011 through October 2012, MG Lewis served as the SMA to Deputy Secretary of Defense Carter. On October 2, 2012, MG Lewis was promoted to brigadier general while serving as SMA to Deputy Secretary of Defense Carter.

On January 2, 2015, while serving as the Chief, Public Affairs, Office of the Secretary of the Army, MG Lewis was promoted to major general. From April to June 2015, MG Lewis served as Special Assistant to Ashton Carter, the Secretary of Defense. On June 24, 2015, MG Lewis was promoted to lieutenant general and began his assignment as SMA to the Secretary of Defense. MG Lewis handled a broad range of responsibilities during his tenure as the Secretary of Defense SMA, including management of the Office of the Secretary of Defense.

On November 9, 2015, a member of the Office of the Secretary of Defense reported allegations involving MG Lewis to the Secretary of Defense's Chief of Staff. On November 10, 2015, after a preliminary review of the allegations, the Chief of Staff informed the Secretary of Defense of the allegations against MG Lewis. On November 11, 2015, the Chief of Staff informed the DoD Inspector General that the Secretary of Defense was in the process of relieving MG Lewis of his SMA duties based on the allegations. The Chief of Staff asked the DoD Inspector General to initiate this investigation.

On November 12, 2015, the Secretary of Defense relieved MG Lewis from his position as SMA to the Secretary of Defense and directed that MG Lewis report to his new assignment as Special Assistant to the Deputy Chief of Staff, G-1, U.S. Army. Upon his relief, MG Lewis reverted from the SMA position grade of lieutenant general to the grade of major general by operation of law. On November 13, 2015, we initiated this investigation.

III. SCOPE

In this investigation we interviewed 41 witnesses, including MG Lewis, Secretary of Defense Carter, the Secretary of Defense's current and former Chiefs of Staff, military and civilian personnel currently or formerly assigned to the Secretary of Defense's office, and special agents who supported the Secretary of Defense's overseas travel security requirements. DCIS coordinated the investigative efforts regarding MG Lewis' conduct in South Korea, and in Rome with Italian law enforcement officials. We reviewed emails, phone records, GTCC records, official travel records, security logs, calendars, government-issued iPhone content, and applicable standards.

We also evaluated an allegation that MG Lewis misused enlisted Service members for personal services. Only one witness told us that he performed a voluntary personal favor for MG Lewis when, on November 5, 2015, while on temporary duty (TDY) travel, he purchased a pair of flip-flops for MG Lewis. The witness, an enlisted Service member, decided to purchase

the flip-flops on his own soon after he realized that MG Lewis' flip-flops were either misplaced or stolen. MG Lewis did not reimburse the enlisted Service member for the flip-flops, at least in part due to the fact that the Secretary of Defense removed MG Lewis from his SMA position after the delegation returned from TDY travel. MG Lewis did not direct the enlisted Service member to replace his flip-flops and thus did not misuse him for personal service. Further, according to the enlisted Service member and our research, the sandals cost approximately \$8 and therefore also did not violate applicable standards for receiving a gift from a subordinate. Accordingly, we determined the matter did not warrant further investigation.

IV. FINDINGS AND ANALYSIS

Table 1. Allegations by Time Period

	Pentagon 2015	Seoul, S. Korea 4/2015	California 8/2015	Rome, Italy 10/2015	Malaysia/ Hawaii 11/2015
GTCC Misuse		X		X	
False Statement		X			
Conduct Unbecoming	X	X	X	X	X

A. Official Travel-related Misconduct

From April 2015 until his relief on November 12, 2015, MG Lewis supported the Secretary of Defense, first as a Special Assistant to the Secretary of Defense and then as the Secretary's SMA.

MG Lewis was the most senior military member in the Office of the Secretary of Defense and the third most senior individual after the Secretary of Defense and his Chief of Staff. During MG Lewis' 7 months as the Secretary of Defense's Special Assistant and SMA, MG Lewis travelled on seven overseas trips and five domestic trips. The overseas trips included three trips to Asia, two trips to Europe, and two trips to the Middle East. We reviewed MG Lewis' GTCC statements and travel vouchers from each of these trips. Other than the GTCC charges related to MG Lewis' travel to South Korea in April 2015 and Rome in October 2015 that we address in this report, we found no other GTCC charges that warranted investigation.

Eight witnesses told us that they either witnessed or heard of MG Lewis leaving the delegation hotel alone late at night while traveling overseas on official travel during 2015.

In his interview, MG Lewis told us, "I have gone on walks [while on TDY] to clear my head." He stated, "I have, you know, given space to the group who may be doing their thing." MG Lewis added, "I would say there are times that I have spent some time by myself on these trips as a senior leader." MG Lewis acknowledged that he socialized with "locals" at bars or clubs during his late-night walks. MG Lewis added:

[T]hat may mean having a drink or stopping in a club.... On overseas trips, I mean, I've been in dance clubs, you know, dance

discotheque, listen to music, you know, see local people and just kind of, you know, be out and away for a period of time and then get back to the grind of running the trips.

Our investigation of travel-related allegations against MG Lewis focused on allegations stemming from MG Lewis' conduct related to four TDY trips in 2015 with the Secretary of Defense.

Secretary Carter told us that prior to November 10, 2015, when his staff brought misconduct allegations to his attention, he was unaware of any of the conduct by MG Lewis that is at issue in this report.

South Korea, April 9 – 11, 2015

GTCC use and official travel-related conduct in Itaewon, Seoul

In April 2015, MG Lewis travelled to Asia as a member of the Secretary of Defense delegation for a 7-day trip. This was his first overseas trip as a Secretary of Defense delegation member.³ The delegation spent two nights in Seoul, South Korea. MG Lewis served previously as a major in South Korea for 3 years from June 1999 to June 2002.

On April 9, 2015, MG Lewis arrived with the rest of the Secretary of Defense delegation at their hotel in Seoul at 6:40 p.m. The delegation's itinerary listed "RON [remain overnight] 2000 - 0700 [8:00 p.m. - 7:00 a.m.]."

Two receipts for charges to MG Lewis' GTCC during his TDY travel in Seoul, dated April 10, 2015, listed the "vendor" as "Candy" and the address as "1st Floor, 34 Usadan-Ro, Yongsan-Gu, Seoul (Itaewon-Dong)." Our Internet research of the address revealed that this area of Itaewon was commonly referred to locally as "Hooker Hill" because of the number and variety of establishments associated with prostitution and other illicit activities. Defense Criminal Investigative Service (DCIS) special agents in Seoul who assisted with our investigation provided the following details about Itaewon, Seoul, specifically the Hooker Hill area within Itaewon:

Itaewon is a town within the City of Seoul, located adjacent and East of U.S. Army Garrison, Yongsan (USAG-Y). ... Further East, and away from USAG-Y, is an area commonly referred to as "Hooker Hill." Due to the number of illicit activities, i.e. Prostitution, Controlled Substances, Underage Drinking, a number of these drinking establishments [in the Hooker Hill area of Itaewon] are often identified as "Off-Limits Establishments," by

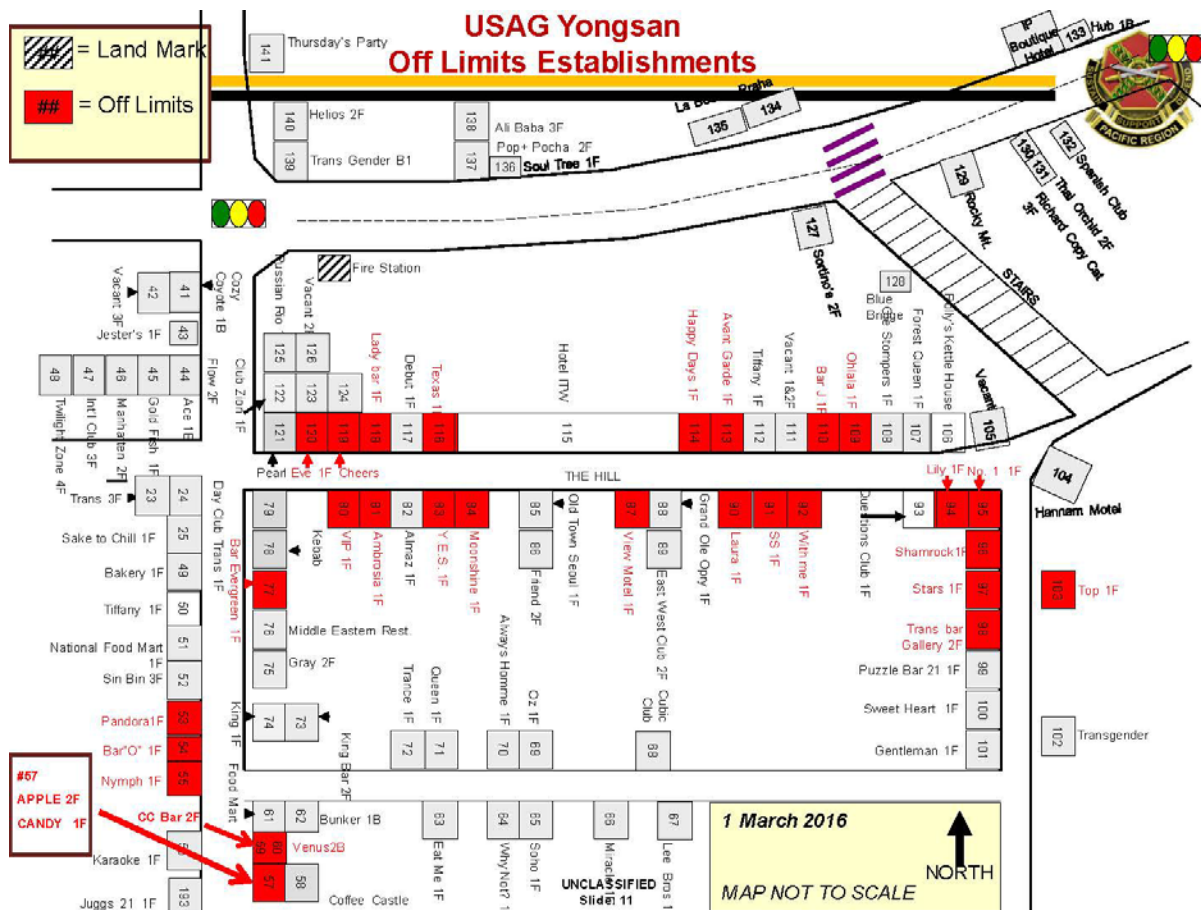
³ MG Lewis was serving as Special Assistant to the Secretary of Defense at this time, in the rank of major general. He later assumed his Senior Military Assistant duties in June 2015.

[the Commander] USAG-Y, restricting patronage by U.S. Military Personnel.

DCIS special agents confirmed that the address for the vendor “Candy” on MG Lewis’ GTCC receipts corresponded to the Candy Bar club.⁴ The DCIS agents advised that:

The “Candy Bar” is located on “Hooker Hill,” and [is] identified as one of the establishments that is on the “Off-Limits Establishments” list due to a citation of Underage Drinking on 20 June 2014. [See Figure 1, #57 in lower left corner below and Figure 2.]

Figure 1. Map of U.S. Army Garrison Yongsan Off-Limits Establishments in the “Hooker Hill” area of Itaewon, Seoul⁵




⁴ Although the Government Travel Charge Card (GTCC) receipts abbreviate the merchant name to “Candy,” Defense Criminal Investigative Service (DCIS) special agents in Seoul confirmed to us that the address listed on receipts from MG Lewis’ GTCC purchases is the Candy Bar club. Accordingly, we refer to the establishment as the Candy Bar club throughout the report, except when referring to it being listed as “Candy” on the GTCC receipts.

⁵ The numbers in Figure 1 represent U.S. Army Garrison-Yongsan’s numbering system and do not correspond to South Korean street addresses.


Figure 2 is a list of the establishments placed on the off-limits list. The Candy Bar club is identified in Figure 2 as establishment number 57.

Figure 2. List of U.S. Army Garrison Yongsan Off-Limits Establishments in the “Hooker Hill” area of Itaewon, Seoul



USAG Y OFF LIMITS

(As of 1 September 2015)



The following off-post establishments and areas are off limits by order of the USAG Y Commander:

OHLALA (No signs on BLDG) (#109)(P/HT-23OCT05)	LAURA (Formerly Joy) (#90)(P/HT-06JUN07)	STARS (#97)(P/HT-09MAY05)	CANDY BAR (#57) (UAG – 20JUN14)	GLASS HOUSES MIA-RI STA AREA (P/HT) (SEUNGBUK-GU)
AMBROSIA (#81)(P/HT-16MAY03)	KUM SUNG MOTEL (#14)(FP-09MAY05)	VIEW HOTEL (#87)(P/HT-12MAR03)	CC Bar (#59) (P/HT – 20JUN14)	
APPLE (#57)(P/HT-23OCT05)	LILY (#94)(P/HT-09MAY05)	ZOO MANZI (Formerly TALK SHOW) (#20)(P/HT-29NOV06)		
BAR J (No sign on BLDG) (#110) (P/HT-12MAR03)	AVANT GARDE (Previously MISSISSIPPI) (#113)(P/HT-29NOV06)	TEXAS (#116)(P/HT-12MAR03)		
Bar “O” (Formerly Déjà vu) (#54)(P/HT-12MAR03)	MOONSHINE (#84)(P/HT-12MAR03)	TRANS CAFÉ (#21)(P/HT-21JUL03)		
CHEERS (#119)(P/HT-21JUL03)	WITH ME (Formerly MU JI GAI) (#92)(P/HT-28JUL04)	TOP (#103)(PHT-06JUN07)		
D’STAIRS (#176)(P/HT-16FEB06)	NUMBER ONE (#95)(P/HT-12MAR03)	TRANS BAR GALLERY (Formerly Today) (#98)(P/HT-23OCT05)		
DMG (FP-29OCT04) (KANGNAM, UNDER NOVOTEL HOTEL)	NYMPH (#55)(P/HT-12MAR03)	LADY BAR (formerly VENUS CLUB) (#118)(P/HT-25AUG05)		
DONG-IN INN (#180)(P/HT-12MAR03)	PANDORA (Formerly Peach Fuzz) (#53)(P/HT-13OCT05)	VIP CLUB (#80)(P/HT-28JUL04)		Abbreviation Codes: (P/HT) = Prostitution /Human Trafficking;
BAR EVERGREEN (#77)(P/HT-12 MAY03)	VACANT (Formerly PRETTY KETTY) (#18)(P/HT-12MAR03/29NOV06)	YES CLUB (#83)(P/HT-12MAR03)		(FP) = Force Protection (BP) = Business Practices
EVE (#120)(P/HT-12MAR03)	SHAMROCK (#96)(P/HT-16JUN05)	Venus Trans-gender (#59)(P/HT – 12MAR03)		(D) = Controlled Substances; (H/S) = Health/Safety;
HAPPY DAYS (#114)(P/HT-12MAY03)	SS (#91)(PHT-06JUN07)	HONEY MOON CLUB (#106) (P/HT – 20JUN14)		(UAG) = Underage Drinking

DCIS special agents visited the Candy Bar club address in January, March, and July, 2016. On each occasion, the Candy Bar club was closed. During the March visit, an employee of a neighboring bar told a DCIS special agent that the Candy Bar club had been closed for “about two months.” However, the Candy Bar club was open to the public and off-limits to U.S. military personnel during MG Lewis’ TDY trip to Korea in April 2015. During the July 2016 DCIS visit to the Candy Bar club, a DCIS special agent observed two unopened pieces of mail protruding from the mailbox addressed to the same person listed as the “representative” on both Candy Bar club receipts. A DCIS special agent contacted the Candy Bar club representative listed on the receipts and showed her MG Lewis’ picture. The Candy Bar club representative told the DCIS special agent that she recognized MG Lewis, but could not recall any details related to him.

The two receipts from the Candy Bar club did not appear to bear a signature. Each receipt bore an indistinguishable mark in the signature area. During his interview, when we asked MG Lewis whether those marks on the receipts were his signature he replied, “No.” In his TCL response, MG Lewis stated, “The receipts for these transactions have only scrawls or marks

in the ‘signature’ block that are obviously not mine (the signature at the end of this [TCL response] is the one I always use).”

Table 2 provides the details listed on the two receipts. The receipts reflect South Korean won charges to MG Lewis’ GTCC at the Candy Bar club, including 673,200 won in “purchases” and a 550,800 won, or 81 percent, “tip.”

Table 2. “Candy” Receipts in South Korean Won⁶

Sale Time	Vendor	Purchase Amount	Tip	Total for Vendor
1:48 a.m.	Candy	541,200	442,800	984,000
4:11 a.m.	Candy	132,000	108,000	240,000
Total		673,200	550,800	1,224,000

Table 3 reflects information from MG Lewis’ GTCC statement for April 2015. It includes two April 10, 2015, charges at “Candy 1669355 Seoul.” Other than these two Candy Bar club charges and two corresponding currency conversions to U.S. dollars, the only charge to MG Lewis’ GTCC for the dates MG Lewis was TDY to South Korea was \$737.31 for lodging at the Secretary of Defense delegation hotel on April 11, 2015. There were no GTCC charges to an establishment in South Korea prior to the Candy Bar club charges.

Table 3. MG Lewis’ GTCC Statements for South Korea

Sale Date	Vendor	Total for Vendor
4/10/15	Candy 1669355 Seoul	\$901.40
4/10/15	Foreign Currency Conversion	\$9.01
4/10/15	Candy 1669355 Seoul	\$219.85
4/10/15	Foreign Currency Conversion	\$2.20
4/11/15	Delegation Hotel Charge	\$737.71

In his interview, MG Lewis told us he was familiar with Itaewon from his previous service in Korea and had previously patronized establishments there. He said that from his prior 3-year experience, he was familiar with Itaewon establishments and that some are off-limits to U.S. personnel. MG Lewis stated, “I was stationed in Korea before. I know Itaewon, I know there’s just a whole bunch of areas down there where the Americans and other people, where you stop in here, you stop in there.” MG Lewis told us that personnel need to be “familiar and current in Korea” to understand which places are off-limits and why they are off-limits and “[y]ou’re kind of responsible for knowing, you know, what those places are.” He added “You don’t go to clubs that are on a restricted ‘don’t go’ list. That’s a break in regulation. ... you don’t go to places that are listed in Korea as ‘don’t go to these places.’”

⁶ Sale Time listed is local time in Seoul.

MG Lewis told us that he visited various establishments in Itaewon during this April 2015 trip, including places where he could “shoot pool” or listen to “good music.” When asked whether he visited the establishment the Candy Bar club shown in Figure 2 below, MG Lewis responded, “I didn’t solely ... go to this place [the Candy Bar club] that you have here and that you have receipts for here.” He added:

Actually, I think this [the Candy Bar club] is right along the strip, you know, and it’s got whiskey, wine and beer on there [the sign], you know. That looks more familiar. Again I went to, you know, a few places down there.

Figure 2. “Candy Bar club,” Itaewon



MG Lewis added:

I am sure that in the period of time from April, you know, the April 9, 10 trip I went down to the Itaewon area of Korea and, you know, I walked around and hit a few places that were there ... I went to several places. I went to several places. And that’s, that’s why that’s not, you know, it’s not like, “Hey, man, I went to this one place and I spent three hours,” you know, “two or three hours sitting in there.” I went to several places there in Itaewon.

MG Lewis told us that he used his GTCC at an establishment that night for “drinks and food.” He added:

I know I’ve used my card on this portion of the trip, during this period of time that we’re talking about, I know that I did. ... I think I had some Korean won, won, units of money with me as well. And I, I just don’t have this whole night in memory because quite frankly I didn’t really turn to this as we were getting ready to you know, so I don’t, I think I had some won that I had gotten and perhaps I had used my card, you know, as well.

MG Lewis had no explanation for why he used his GTCC on April 10, 2015, at an establishment in Itaewon identified as “Candy” on his GTCC receipts. He stated, “I don’t know in this particular case.” He also told us “something was not quite right” with the large charges for tips reflected on the receipts.

MG Lewis’ TCL response regarding GTCC use and official travel-related conduct
in Itaewon, Seoul

In his TCL response, MG Lewis asserted that it was “indisputable” that the address on the GTCC receipts was not the address for “either of the two establishments” in Itaewon we questioned him about during his interview.⁷ MG Lewis acknowledged that during our interview with him we showed him a picture of an establishment with the name Candy Bar club. Figure 2 above is the picture of the Candy Bar club that investigators showed to MG Lewis during the interview.

In his TCL response MG Lewis wrote that the address on the GTCC receipts was the address of an establishment named “Itaewon Land,” which he described as a legitimate business not off-limits to Service members. He said it was a “reputable Jjim-Jill Bang, or sauna.” However, in his interview with us, and in his response to the TCL, MG Lewis did not claim that he visited a sauna, or Itaewon Land, or that he used his GTCC there.

Nevertheless, to address his response to the TCL, we requested that U.S. Forces Korea IG representatives independently confirm that DCIS had accurately translated the Korean language GTCC receipts from the Candy Bar club. We further requested verification that the address on the GTCC receipts was in fact for the Candy Bar club, not Itaewon Land.

U.S. Forces Korea IG representatives confirmed the DCIS translation was accurate. The address on both GTCC receipts was: 34 Usadan-ro, Yongsan-gu, Seoul (Itaewon-dong). This was the Candy Bar club’s address. An Internet search confirmed Itaewon Land’s address was different: 34 Usadan-ro 14-gil, Yongsan-gu, Seoul.

We also accessed South Korea’s Ministry of the Interior English language address search website and confirmed that the address on the Candy Bar club GTCC receipts and the address for Itaewon Land are different locations. Although their addresses are similar, the Candy Bar club and Itaewon Land are two distinct establishments on two distinct streets separated by two city blocks.⁸ Usadan-ro is a major street. Smaller streets are subdivided into various “gils,” which are translated as “streets.”

⁷ During our interview with MG Lewis, we showed him photos of two clubs in Itaewon, the “Candy club” and the “Candy Bar club.” We subsequently determined that the Candy Bar club depicted at Figure 2 is located at the address on the receipts associated with MG Lewis’ GTCC.

⁸ According to the South Korea Ministry of the Interior website, the Candy Bar club’s address corresponded to land-lot number “137-56 Itaewon-dong, Yongsan-gu.” Itaewon Land’s address corresponded to land-lot number “732-20, Hannam-dong, Yongsan-gu, Seoul.”

Figures 3 and 4 are maps from South Korea’s Ministry of the Interior website that depict the locations of the Candy Bar club and Itaewon Land, respectively.⁹

Figure 3. Ministry of the Interior map showing 34 Usadan-ro (the Candy Bar club)

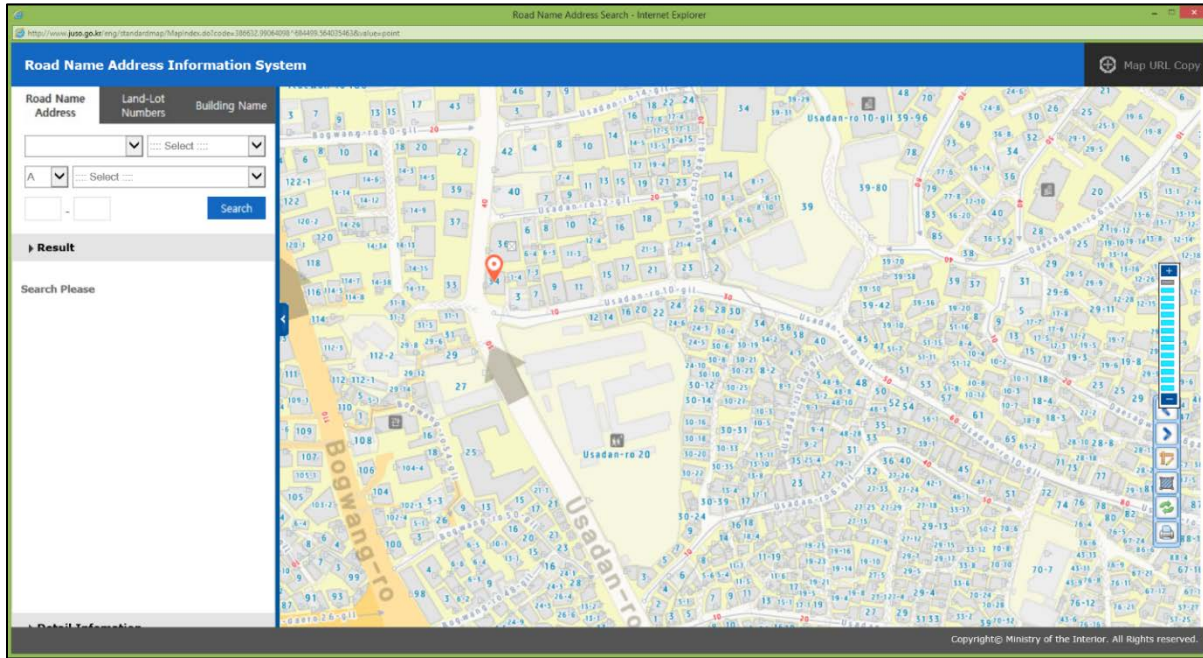
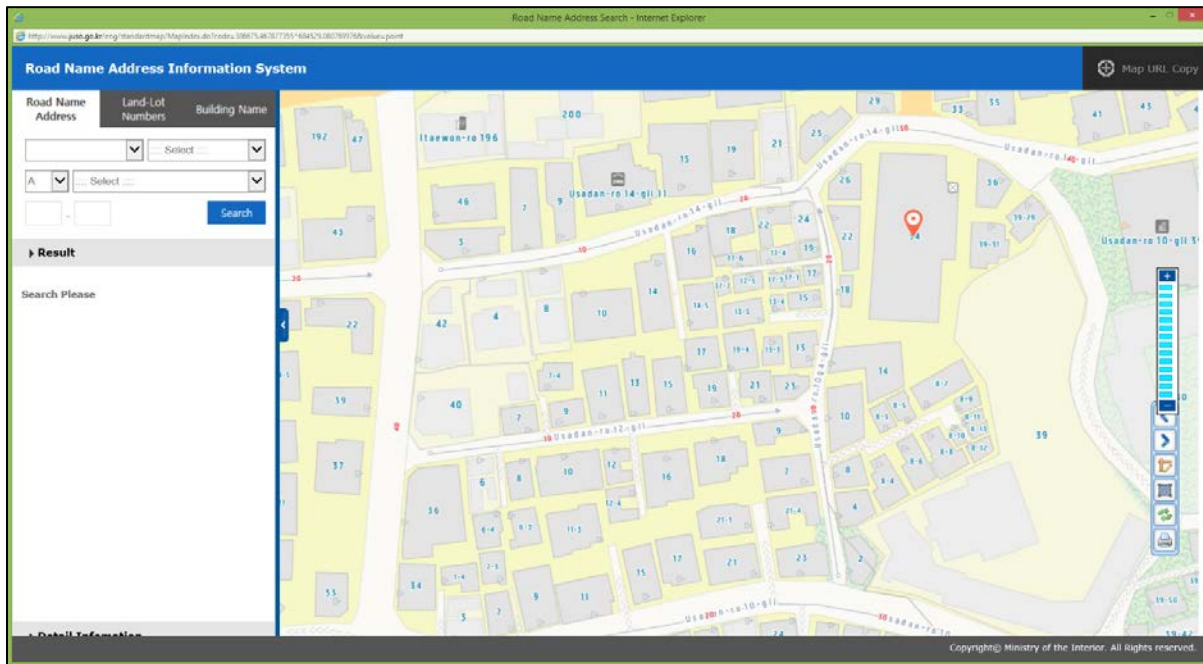


Figure 4. Ministry of the Interior map showing 34 Usadan-ro 14-gil (Itaewon Land)



⁹ See: <http://www.juso.go.kr/support/AddressMainSearch2.do>

To further address MG Lewis' assertion, DCIS special agents visited each address in September 2016 and confirmed that the Candy Bar club is located at 34 Usadan-ro, and that Itaewon Land is located at 34 Usadan-ro 14-gil.

A DCIS special agent also showed the Candy Bar club GTCC receipt to an Itaewon Land representative and asked whether the receipt was an Itaewon Land receipt. The representative told the DCIS special agent that the receipt did not originate from Itaewon Land. The representative also provided the DCIS special agent a copy of an Itaewon Land credit card receipt and compared it to the Candy Bar club receipt. The Itaewon Land receipt differed from the Candy Bar club receipt. In addition to having Itaewon Land's address and information rather than that of the Candy Bar club, the Itaewon Land receipt had different physical dimensions than the Candy Bar club receipts and was printed on a laser printer rather than a dot matrix printer. Finally, the Itaewon Land representative told the DCIS special agent that she had never seen a charge at Itaewon Land as large as the 240,000 won charge on the Candy Bar club receipt the DCIS special agent showed her.

In his TCL response, MG Lewis also asserted that we mischaracterized the nature of Itaewon. He stated "[t]he report's use of incendiary language and insinuation to describe the area as one solely used for illegal activities paints a completely inaccurate picture of my activities on the trip." MG Lewis highlighted that Itaewon does not consist entirely of establishments engaging in illegal activities and that Itaewon is not synonymous with the "slang term" Hooker Hill.

We recognize that Hooker Hill is an area within Itaewon and that the two are not synonymous. However, our report referred to the portion of Itaewon commonly known as Hooker Hill because the Candy Bar club was located within the Hooker Hill area of Itaewon. Moreover, Internet research confirmed that Hooker Hill is the commonly used term for the portion of Itaewon known for its links to prostitution and other illicit activities. One prominent news website explained that the Itaewon red light district is "better known by its garish nickname, 'Hooker Hill.'" Another website described a small hill near the Itaewon train station as Hooker Hill and added that "there are numerous red light districts in Seoul, but Hooker Hill is the only one where foreigners are accepted by all women." Additionally, as depicted in Figure 1, above, the Commander, USAG-Y had declared off-limits to U.S. military personnel numerous establishments in the Hooker Hill area of Itaewon because the establishments engaged in illegal activities. The Candy Bar club was one such establishment.

MG Lewis stated in his TCL response that he did not patronize an off-limits establishment in Itaewon. We re-examined his interview transcript and noted he told us that he was familiar with Itaewon and that certain establishments were off limits to U.S. military personnel. He described courtesy patrols that "checked to make sure that you're doing the right kind of thing ...if you're in the wrong kind of place, you know, probably someone in with a little, in uniform, a little band on comes in and says, 'hey, you know, this place is off-limits to you.'"

In his TCL response, MG Lewis also asserted:

I only visited establishments in the commercial area of Itaewon,
rather than the area the ROI [Report of Investigation] identifies ...

as off-limits. Enclosures 2 and 3 [to the TCL response] are graphics that identify the locations of the establishments in the commercial Itaewon area where I visited.

In his TCL response, MG Lewis included maps of Itaewon with his notations identifying the area in Itaewon that he claimed he visited. In one of his maps MG Lewis incorrectly asserted that Itaewon Land was the address listed on the Candy Bar club receipts. As we described above, although the addresses are similar they are not identical and refer to separate streets.

MG Lewis did not identify on either map any specific establishment he patronized. Additionally, there were no charges to MG Lewis' GTCC from any establishment in Itaewon other than the Candy Bar club and the delegation hotel. The charge for his delegation hotel occurred after the Candy Bar club charges. The Candy Bar club receipts indicated two charges to MG Lewis' GTCC that occurred two and one-half hours apart.

In our interview with MG Lewis, we asked him if any of the establishments he patronized in Itaewon could be characterized as a "gentlemen's club." He replied:

That to me connotes people taking off their clothes, you know, giving lap dances, stripper poles, you know, that kind of thing. That's the connotation that I believe is connected to a gentleman's club, and I did not go to any place like that in Korea. I did not. ...I did not go to a strip club if that's how you're defining that....

We then asked MG Lewis if any of the establishments he patronized in Itaewon could be characterized as a "juicy bar." He responded:

Okay, that's different [from a strip club]. That's, you know, people who are kind of walking around in the bar area and they ask you to buy them a drink. They're probably drinking juice, but you're paying for, you know, what you believe to be a, you know, a real drink."

A United States Forces Korea policy letter describes a "juicy bar" as an establishment where female employees encourage Service members to buy overpriced "juice" drinks in exchange for their companionship, or to pay a fee, often known as a "bar fine," to obtain the companionship of a female employee who is relieved of the remainder of her work shift and may escort the Service member to locations away from the bar. The governments of the United States, South Korea, and the Philippines have linked these practices with prostitution and human trafficking.

After MG Lewis gave us his description of a juicy bar, we asked him if that was the type of place he visited in Itaewon. He replied affirmatively:

I - yes, that - from a range of pool tables, to music, to, okay - you know, I mean, just - I went to several places over a period of time while I was there.

MG Lewis' description of the establishment he patronized was consistent with the U.S. Forces Korea policy letter's description of juicy bars as establishments where female employees encourage Service members to buy overpriced "juice" drinks in exchange for their companionship. When we asked him why he used his GTCC, MG Lewis replied, "I don't know in this particular case." Although MG Lewis claimed he went to several establishments in Itaewon where he used South Korean won, the only charge from an Itaewon establishment to MG Lewis' GTCC was from the Candy Bar club.

Official statements regarding GTCC use in Itaewon, Seoul

After MG Lewis' return from the April 2015 Korea trip, an Office of the Secretary of Defense staff member began processing MG Lewis' travel voucher. She reviewed MG Lewis' GTCC online account and noticed charges at an establishment named "Candy." She told us that she asked herself "[w]hat is that?" She then asked another staff member about the charges. The other staff member recommended that she ask MG Lewis about the charges.

The first staff member stated that after highlighting the "Candy" charges on MG Lewis' GTCC statement, she showed MG Lewis the statement and asked him, "Sir, did you use your card for anything in Korea, you know, besides lodging?" She told us that MG Lewis replied, "No." She added that "[w]hen a three star says 'No,' I mean, that's it then." The first staff member told MG Lewis that she suspected the GTCC was compromised and that she would figure out the process to get MG Lewis a new GTCC. She told us that MG Lewis replied to the effect of, "take care of it."

The other staff member overheard this exchange between MG Lewis and the first staff member processing the travel voucher. The other staff member stated:

[S]he [the first staff member] always wanted me to shadow her just to make sure that she was doing everything properly and making sure she wasn't making any mistakes with that stuff.... I was right outside [MG Lewis' office] door but I can see them and hear them, everything. I believe she just asked, she said, "Sir, I have your travel claim almost completed. There's just a few pending charges that I'm just wondering about just to clarify. And if they're not yours then apparently it got hacked into or whatnot." And he goes, "Okay, what is it?" And she goes, "There's a claim from 'Candy.'" She's like, "I don't know what it is." He's like, "That's not mine." And she said, "Okay." And she was like, "Well, that's really it, sir." She was like, "If that's not it I'm going to call Citibank and figure out the next steps to clear it out of your record so you don't have a balance on there."

An officer working in the Office of the Secretary's front office told us that she discussed the "Candy" charge with MG Lewis after the first staff member brought it to her attention. She decided to help the first staff member resolve this matter:

And so I went in [to MG Lewis' office] and I said, "Hey, sir, there's a concern with a charge on your government travel card." And he was like, you know, "That's messed up. That was an incorrect charge. They need to take that off." And I was like, "Okay. I just want to make sure you're tracking, sir, because there's a procedure you have to go through for fraudulent claims and all that stuff." I said, "[the first staff member] can help you with that, but she just needed to know."

The officer said that was the last she heard about the matter.

MG Lewis provided the following account of his discussion with the first staff member about the "Candy" charge on his GTCC:

I came back and I talked to [the first staff member] who actually runs my DTS [Defense Travel System] on that, and I've got to be careful with how you say things or, you know, when you're a general officer. But my piece was I need to get these [charges] checked, I need to make sure that I understand that these are accurate, where these were, is this right or not. You know, and then the next thing I know I'm actually -- instead of just getting clarification on are these right, is this an overcharge, that kind of thing and then following up on it -- I end up with a new [GTCC].

He added:

I want to be real clear that [it was] not my intent to say, "Hey, make this go away," or whatever, [rather,] "Check into it," and, "Something is not right here." And I want to emphasize and say it again that if there are charges for which I'm responsible for -- I have a zero balance on my card right now -- If there's something I'm responsible for, with interest, I want to make sure that that is cleared, and set, and taken care of.

MG Lewis stated that he told the first staff member "That doesn't look right.... I didn't pay a thousand bucks or whatever ... that doesn't look accurate. Please check on this."

The first staff member told us that after MG Lewis denied making the charges to his GTCC at "Candy," she contacted Citibank, the GTCC issuer, and prepared a "Declaration of Unauthorized Use" form for MG Lewis' signature. She said that she filled in his account number, the sale date, transaction amount, transaction number, and merchant name. She told us that she told MG Lewis that he needed to do two things -- call Citibank and complete the form. She stated that MG Lewis replied to the effect of "OK, I will call them."

The first staff member stated that the following day, having not heard from MG Lewis about the form, she asked MG Lewis about the matter. She told us that MG Lewis told her that he had not yet called Citibank. The staff member stated that after a few more days, MG Lewis

told her that a new card was in the mail. MG Lewis received his new GTCC in time for his next overseas trip that began on May 26, 2015.

According to a DoD travel subject matter expert, Citibank has two different forms for cardholders who have credit card charge issues – a “Declaration of Unauthorized Use” form and a “Dispute/Billing Inquiry” form. The expert explained that Citibank does not consider a transaction amount discrepancy to be “unauthorized use.” For a charge amount discrepancy dispute, the cardholder completes the “Dispute/Billing Inquiry” form and selects “Altered Amount” on the form’s page 4. Citibank uses the “Declaration of Unauthorized Use” form for accounts charged without the cardholder’s knowledge.

On June 16, 2015, MG Lewis electronically signed a Citibank “Declaration of Unauthorized Use” form listing the two “Candy” charges on his GTCC statement. The “Declaration of Unauthorized Use” form MG Lewis executed included the statement that “I, Ronald F. Lewis the undersigned do hereby state and declare as follows: . . . 2. I HAVE INDICATED BELOW AND/OR ON THE ATTACHED THOSE TRANSACTIONS THAT ARE FRAUDULENT” (all upper case in the original). MG Lewis checked the block that says “I have unauthorized transactions, but my card is in my possession.” The form also stated:

I have confirmed that **ALL AUTHORIZED USERS ON THIS ACCOUNT** did not make these charges . . . Neither, I, nor anyone authorized by me, nor anyone with my knowledge or consent received or expect to receive any benefit or value as a result of this transaction(s). [Emphasis in original.]

The first staff member confirmed to us that she did not see the electronically signed form dated June 16, 2015, and did not electronically sign or submit the signed form for MG Lewis. She added that she believed the form MG Lewis electronically signed was “something that he had to sign and send in.”

After receiving MG Lewis’ declaration, Citibank removed the entire Candy Bar club charge from MG Lewis’ GTCC bill, closed MG Lewis’ account, and issued MG Lewis a new GTCC. A DoD travel subject matter expert who retrieved the receipts for us told us that Citibank wrote off the charges as “fraud losses” because the cardholder asserted they were fraudulent.

In his interview with us, MG Lewis stated:

Yeah, I guess what I would say is these purchases in question to me are still in question and not exactly right. And what I would say is I know I didn’t type in any of this information on this form. I’m sure that I didn’t. You know, I just don’t, you know, maybe our admin guys do that for us, and I’m sure that I had no problem saying, “Here’s my card, sign for it, and,” you know, “here’s my PIN [personal identification number].” I mean, they know my PIN. They sign my OERs [officer evaluation reports] or whatever.

... I'm sure that this was done in our office with me witting of it, I'm sure of that.

MG Lewis told us "I am sure that there's a portion of those [the April 10, 2015, GTCC charges] that are accurate, but they're not to that amount and that extent."

MG Lewis' TCL response regarding official statements regarding GTCC use in Itaewon, Seoul

In his TCL response, MG Lewis stated that during his interview, in response to a question about his GTCC use on April 10, 2015, he told investigators that "although I was unsure, I may have used my [GTCC] on that night for a few drinks and food." We reviewed MG Lewis' interview transcript and noted that he told us "I know I've used my card on this portion of the trip, during this period of time that we are talking about, I know that I did." When asked during his interview whether he used his GTCC that evening, MG Lewis provided a one word response: "Yes." MG Lewis added during his interview, "I am sure that there's a portion of those [the April 10, 2015, GTCC charges] that are accurate."

As presented in Table 3 above, there were five charges to MG Lewis' GTCC during MG Lewis' April 2015 TDY trip to Asia. The April 10, 2015, Candy Bar club charges were the first two charges from a business on MG Lewis' GTCC during his trip to South Korea. Two of the five charges were currency conversion charges corresponding to the Candy Bar club charges. The only other charge from a business on his GTCC during this TDY trip was his hotel charge on April 11, 2015.

In his TCL response, MG Lewis presented what he asserted were indications that the charges to his GTCC were fraudulent. MG Lewis claimed:

[T]he receipts for these transactions have only scrawls or marks in the "signature" block that are obviously not mine (the signature at the end of the [TCL response] document is the one I always use). I have never made or seen those marks before the IG team produced these receipts. Both receipts contain a suspicious 81.8181% tip, highly unusual in both Korean and American culture. The date time stamp on the receipts indicates that the first, for an amount of \$451 with a \$369 tip, was executed at 0148 [1:48 a.m.] Korean local time and the second, for \$110 with a \$369 tip, was executed at 0411 [4:11 a.m.].... The lack of genuine signature, as well as the tip amount and percentage on both receipts supports a finding that these were not legitimate charges.

While MG Lewis asserted that the marks in the signature block of the Candy Bar club receipts were not his signature, vendors may charge credit cards without the cardholder signing a receipt. As an example, MG Lewis' voucher for this South Korea TDY trip contains an unsigned, approved GTCC receipt charged to MG Lewis' GTCC from the delegation hotel for the amount of 760,670 won (\$737.71); the same amount listed on MG Lewis' GTCC statement.

MG Lewis also questioned the timing of the charges posted to his GTCC, stating:

[M]y location and behavior early the next morning supports my explanation to the investigators that I did not make the [Candy Bar club] charges. The last fraudulent charge was made at 0411 [4:11 a.m.] Korean local time. I sent my first email on 10 April at 0501 [5:01 a.m.], Korean local time.

MG Lewis asserted in his response to the TCL that this timing – 50 minutes between the 4:11 a.m. charge to his GTCC and a 5:01 a.m. email – supported his claim that he did not make the charges at the Candy Bar club. MG Lewis did not include with his TCL response the email he claimed he sent at 5:01 a.m., nor did he provide the recipient, the subject of the email, or indicate whether the email was personal or official. We searched MG Lewis' official unclassified and classified emails and did not locate an email consistent with MG Lewis' description. However, we reviewed MG Lewis' interview transcript and noted he told us he walked or took a taxi back from Itaewon to the delegation's hotel, explaining "sometimes you walk back up the hill, sometimes you take a taxi back up the hill." We reviewed Internet maps with the Candy Bar club and delegation hotel as start and end points. The straight-line distance between the two locations was approximately 700 meters, a short distance to travel in 50 minutes.

Italy, October 6-7, 2015

GTCC use and official travel-related conduct in Rome

In October 2015, MG Lewis travelled to Europe as a member of the Secretary of Defense delegation on a 6-day trip. The delegation spent the night of October 6, 2015, at a hotel in Rome, Italy. MG Lewis did not carry his own GTCC on this trip. Another delegation member explained to us that "there were multiple stops [on the April 2015 Asia] trip where [MG Lewis] would forget to check out" of his hotel room so "we implemented the new policy that I would keep his [GTCC] for him."

On October 6, 2015, MG Lewis, along with the rest of the Secretary of Defense delegation, landed in Rome, Italy, and arrived at their hotel at 7:49 p.m. The delegation stayed in Rome for one night. The October 6, 2015, itinerary listed "RON [remain overnight] 2035-0900" [8:35 p.m. – 9:00 a.m.].

On October 6, 2015, at approximately 10:30 p.m., two members of the delegation met outside the delegation hotel. When they met, one of the delegation members was with a group returning from dinner, and MG Lewis was with that group. After MG Lewis entered the delegation hotel, the two delegation members decided to take a short walk together.

Approximately 10 minutes later, while the two delegation members were walking, they both observed MG Lewis walking alone, south on the Via Vittorio Veneto (Via Veneto), a short distance from the hotel.¹⁰ They both recognized MG Lewis immediately. The delegation members decided to follow him at a distance to see where he was going at that late hour. One

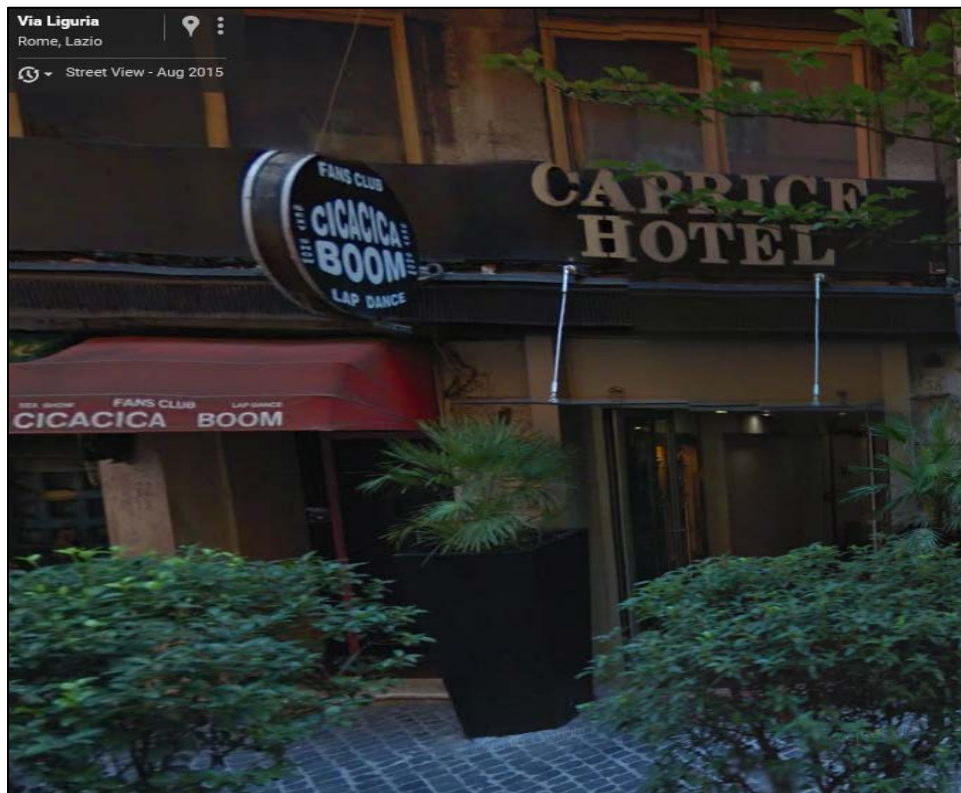
¹⁰ "Via" is Italian for "street" or "way."

delegation member told us that she decided to follow MG Lewis because she was curious where he was going alone at that hour. She said that she would have followed any delegation member she might have seen, but she had more interest because it was “the General.” The other delegation member told us that she followed MG Lewis so that she could catch up to him and say “hi.”

One delegation member told us that MG Lewis approached a side street shortly after they decided to follow him. As MG Lewis approached the side street to the right, an unidentified “local person” passerby walking near MG Lewis at that time briefly interacted with MG Lewis and pointed to the right down Via Liguria. The delegation member added that MG Lewis turned onto Via Liguria, and the unidentified passerby continued on Via Veneto. The other delegation member confirmed that MG Lewis turned right onto Via Liguria.

The Cica Cica Boom club is located on Via Liguria at the far end of the block onto which MG Lewis turned right. Approximately 1 minute elapsed between the moment MG Lewis turned right on Via Liguria and the other members of the delegation reached Via Liguria. The two delegation members looked down Via Liguria as they passed the street. The only light they observed was a lit pink neon sign on the right (north) side of the street where the Cica Cica Boom club is located. One delegation member stated that she could read the enlarged word “Boom” on the neon sign. The Cica Cica Boom club’s sign at its location at Via Liguria 38 lists the name of the club with the word “Boom” enlarged and includes the phrases “Fans Club,” “Lap Dance,” and “Sexy Show.” (Figure 5)

Figure 5. Signage at Cica Cica Boom club, Via Liguria 38 (Source: Google)



Both delegation members observed that the rest of Via Liguria was dark. Neither delegation member saw MG Lewis on Via Liguria. The two delegation members continued on Via Veneto and did not turn onto Via Liguria. They stopped at the bottom of approximately 60 outdoor steps that connect Via Veneto to Via Liguria and noticed a sign advertising the Cica Cica Boom club. This sign lists “Lap Dance,” “Sexy Show,” “Via Liguria 38” and an arrow pointing “30 meters” up the stairs. The sign also has the name of the establishment with the word “Boom” enlarged. (Figure 6)

Figure 6. Sign at bottom of stairs on Via Veneto (Source: Google)



One of the witnesses recognized the word “Boom” from the neon sign she previously observed on Via Liguria where MG Lewis had walked. They proceeded back to the delegation hotel.

There was a third Cica Cica Boom sign at the corner of Via Liguria and Via Emilia, approximately 10 meters west of Cica Cica Boom near the top of the approximately 60 outdoor steps that connected Via Veneto and Via Liguria. The sign includes similar descriptors as the other two signs, including “Lap Dance.” (Figure 7)

Figure 7. Sign at corner of Via Liguria and Via Emilia (Source: Google)



MG Lewis’ GTCC statement for October 2015 lists an October 7, 2015, charge for \$1,755.98 to “VERAFOLLIA SRL ROMA.” Our research of “VERAFOLLIA SRL ROMA”

yielded an address of Via Liguria 38. Our research of “Via Liguria 38” returned information for the “Cica Cica Boom” club and the Hotel Caprice.

When we asked MG Lewis in his interview which establishment he visited in Rome that night, he said he visited a dance club named “Verafollia.” Italian public business and telephone directories list Via Liguria 38, Rome as the address for both Verafollia and the Cica Cica Boom club. The results also included other business entities for Via Liguria 38, but none corresponded with MG Lewis’ description of the dance club he visited that night.

An Italian public business directory listing for Verafollia provided a link to the company’s Internet web site. The web site link directed to the URL <http://cicaciboom.it/>.¹¹ A street view of Via Liguria 38 depicted two establishments with street level access at Via Liguria 38 – the Cica Cica Boom club and the Hotel Caprice. (Figure 5)

The Cica Cica Boom club’s website describes a night club with a floor show and lap dancers, an “elegant night club in the heart of the sweet life.” The website also notes that the club has a “comprehensive weekly program that hosts the most famous sexy stars of the moment” and a “[p]iano bar, lap dance dancers, excellent resident DJ, soft lighting and a stage dedicated to refinement and style.” According to our research, the Cica Cica Boom club is within a short walking distance from the delegation’s hotel.

MG Lewis told us that he used his GTCC at a club he identified as “Verafollia” in Rome on October 7, 2015; however, he denied patronizing the Cica Cica Boom club. He stated that the club “Verafollia” he patronized was “less than 10 minutes” from the delegation hotel and that he did not know the club’s location prior to taking a walk to “clear his head.” When asked if he asked directions from a passerby on the way to the club, MG Lewis told us “I think that is probably right.”

MG Lewis recalled seeing the word “dance” on the club’s “neon-type” sign. He added that he had never heard of the club or saw the club before he arrived there that evening. MG Lewis told us he could not retrace his steps of that night or provide the location of the club that he patronized.

MG Lewis described the club:

[I]t was later that night that I left out of the hotel and walked down to this place.... DJ in there, bar area, sitting area, dance floor, does not have like, stripper poles or something. You know ... it’s a dance place. You could smoke in there.... A place where people dance. I actually danced. And then there’s seating areas, you know, with couches and tables and stuff like that.

He characterized the club as a “local setting.” He added that he spent some time at the club in a group setting with approximately seven “locals,” most of them female. He said

¹¹ The URL <http://cicaciboom.it/> directs to a broken link. The Cica Cica Boom club’s website’s current URL is <http://cicaciboom.com>.

everyone was drinking various drinks, including champagne, and dancing. MG Lewis said he danced with several women at the club who were in this group. He said he did not know whether the club employed the women.

MG Lewis stated the following about the \$1,755.98 charge to his GTCC that evening:

I don't know what everyone else's bill ended up being.... I know that mine was significantly higher than I expected.... The manager said that the champagne was \$400 or 400 Euros or whatever it was a bottle. You know, I just, I was a little taken aback myself.... I think there were two or three bottles of champagne, lots of drinks and, you know ... there's not an itemized list.

MG Lewis told us he expressed surprise that the champagne, brought to the table by the manager originally, ended up on his bill.

MG Lewis told us that during his approximately 3 hours at the club he “[p]robably had a combination of several types of drinks, some champagne. I’m sure I probably had some scotch while I was there as well. I’m sure of it.... Probably quite a few, you know, more than moderation.” MG Lewis said he was not sure if he purchased any food at the club. Other than dancing, MG Lewis denied having any physical contact with any of the females at the club.

MG Lewis told us that when he tried to pay his bill at the club, his personal debit card would not work. MG Lewis stated that after the club merchant determined that his debit card would not accept the charge, even after splitting the charge into smaller amounts, the merchant allowed MG Lewis to leave the club with a female foreign national club employee who escorted him to the delegation hotel so he could retrieve a form of payment. MG Lewis told us, “I left [the club] with a big bill and they wanted to make sure I came back and paid it.” He said that “it had to be put on my government card in order to have this bill cleared.” MG Lewis added, “I’m responsible and accountable for putting that on my government credit card, I am.”

The female employee, who MG Lewis characterized as a local “waitress type,” accompanied MG Lewis back to the delegation hotel, where they took the elevator to the hallway that contained senior delegation members’ rooms, including the Secretary of Defense’s room, and the security control room staffed by the Secretary’s protective detail special agents. MG Lewis said that the female escort waited in the hallway on the Secretary’s floor while he retrieved his GTCC from a delegation member who was holding it for him.

According to the security control room logs, on October 7, 2015, at 1:40 a.m., MG Lewis asked the security control room special agent for the room assignment of the delegation member holding MG Lewis’ GTCC. MG Lewis then went to the delegation member’s room also on that floor and knocked. This delegation member had a room near the security control room.

The delegation member told us that a knock on her hotel room door woke her up during the early morning hours of October 7, 2015, at approximately 2:00 a.m. She opened the door and found MG Lewis there. MG Lewis asked her for his GTCC. The delegation member described the scene as follows:

I'm in pajamas. So I didn't open the door wide. I just opened it a crack and saw that it was him, and I said, you know, "Sir, I'm going to check you out [of the hotel in the morning]." Like I felt like it was very odd that he would be asking for his credit card, and he said, "I know. I'll give you the card back in the morning to check me out of the hotel." And you know, at that point I didn't think – I felt like something wrong was about to happen, but I wasn't in a place to tell him, "No." I mean, it is his credit card. So I went and got it out of my wallet and handed it to him.

The delegation member did not recall seeing anyone other than MG Lewis outside of her door, although she stated, "I didn't open my door wide because here it is, you know – I'm in a foreign country. It's 2:30 in the morning."

After retrieving his GTCC from the delegation hotel, MG Lewis told us that he and his female escort returned to the club where he then paid his \$1,755.98 bill with his GTCC.

MG Lewis' TCL Response Regarding Travel Related Conduct in Rome

In his TCL response, MG Lewis asserted:

I freely admitted to the investigation that I used my GTCC at a dance club in Rome, and made a mistake in doing so. I immediately repaid the charges. I attempted to put these charges on my debit card but they were mistakenly rejected as overseas fraudulent by my bank and I had no other alternative to pay this bill. I had to wake up [the delegation member] to get my GTCC from her. The report inaccurately concludes, however, based on the speculation of some members of the delegation following me on portions of a walk, along with an address on the credit card, that the establishment that I used my GTCC in must have been "a gentlemen's club" or a "strip club." A simple internet search of 38 Via Liguria results in at least four companies that use this address. I described the club in great detail to the investigators – a high-end establishment with a respectable clientele that had a DJ, a bar area, and a dance floor where couples were dancing. Yet the ROI describes the business as a sexually oriented establishment, again casting the worst light possible on my activities. No one on the IG team ever went into the dance club I visited.

We reviewed MG Lewis' interview transcript and noted that when asked "What was the club you went to?" MG Lewis replied:

Verafollia, Verafollia, in Rome. Verafollia. It says dance on it. If you look at it online, it says dance discotheque, discotheque, discotheque. It says dance discotheque, piano bar, but that is the, that's the name of the club in, in Rome. I don't know if it has

another name maybe on the back side of the, that's the, that's the club that I went to.

To further address MG Lewis' response, in September 2016, a DCIS special agent in Rome, Italy conducted open source searches pertaining to Cica Cica Boom and Verafollia Srl. The searches did not reveal a nightclub named Verafollia Srl in Rome, Italy.¹²

The DCIS special agent and two Italian law enforcement officials met with the Cica Cica Boom club manager at the club's location, 38 Via Liguria. Although MG Lewis claimed that "a simple internet search of 38 Via Liguria results in at least four companies that use this address," the Cica Cica Boom club manager clarified that the club is the only establishment that uses that address. He told the DCIS special agent that the Caprice Hotel, which MG Lewis claimed had the address on his GTCC statement, was "actually at Via Liguria 38B and not registered to Verafollia Srl." The manager told us that there was no club named "Verafollia" in Rome, Italy, and that "there had never been a club with that name." Both Italian law enforcement officials confirmed this statement.

When the DCIS special agent showed the Cica Cica Boom manager a photo of MG Lewis, the manager told him that he did not recognize the person in the photo, but "due to the number of patrons that frequent the club, it would be hard [for him] to remember any specific patron."

The Cica Cica Boom club manager told the DCIS special agent that Verafollia Srl does not and has not owned any other club or establishment in Rome, and added that the only way to get "Verafollia Srl" on one's credit card bill was to go to the Cica Cica Boom club and pay with a credit card. The DCIS special agent reported that the Cica Cica Boom club manager stated:

Verafollia Srl was created for billing and payment purposes and to conceal any link to the Cica Cica Boom club for patrons who frequent the establishment, which allows "Verafollia Srl" to appear on the credit card statements in lieu of "Cica Cica Boom."

The two Italian law enforcement officials and the Cica Cica Boom manager related to the DCIS special agent that this "setup" allowed the many married patrons who frequent the club to conceal their visits and the true nature of the establishment.

The DCIS special agent reported that upon entering the Cica Cica Boom club there was a staircase leading down to the main area of the establishment, which was dimly lit with a bar, tables, sofas, small dance floor, and a stage with a chair and stripper poles, along with a private lap dance area accessed via a staircase by the bar.

The Cica Cica Boom club manager stated to the DCIS special agent that the club does have lap dances, both on stage and where patrons sit; however, it depends on the night, since lap dances or shows do not occur every night. The club manager added that, while the Cica Cica

¹² The DCIS special agent in Rome confirmed that Verafollia means "True/Real Folly/Madness" and "Srl" is the Italian equivalent of "Limited Liability Company."

Boom club did have “shows,” the manager considered it a dance club and piano bar, especially since the shows did not occur every night. The manager stated that he believed that MG Lewis could have perceived Cica Cica Boom as a discotheque or dance club, especially if MG Lewis had not paid attention to the sign.

However, the Italian law enforcement officials expressed their opinion to the DCIS special agent that “an individual would have to be oblivious to not know or question the number of attractive women trying to get attention and drinks....”

The Cica Cica Boom club manager described the club’s practices to the DCIS special agent:

It was standard club practice to have attractive women approach and sit with patrons, because women order a drink (consumption [listed in the price list]) every 20 minutes. Drinks provide revenue, because at the Cica Cica Boom, the first consumption is typically €25.00 (Euros) and subsequent consumptions are €15.00 (Euros) [E]very table has a price listing and it is understood that the women are paid to drink and provide companionship to the patrons.

The two Italian law enforcement officials and the Cica Cica Boom club manager added that this practice is not only “used in strip clubs and lap dance clubs like Cica Cica Boom,” but also in dance clubs and piano bars in Rome since it generates substantial income.

The Cica Cica Boom club manager gave the DCIS special agent a copy of the price listing found on every table. (Figures 8)

Figure 8. Price listing¹³

Listino Prezzi	
Ia Consumazione	€ 25.00
II Consumazione	€ 15.00
Coppa Champagne	€ 35.00
Bottiglia Spumante	€ 250.00
Spumante Analcolico	€ 250.00
Tartine Assortite	€ 30.00
Bott. Champagne	€ 300.00
Dom Perignon	€ 400.00
Cristal Roederer	€ 500.00
Scatola Cioccolatini	€ 80.00

Fruita in omaggio
Servizio 10%

¹³ The first two entries on this price listing reflect the consumption charge for the first drink and subsequent drinks respectively, e.g., €25.00 (Euros) for the first drink, €15.00 (Euros) for the second drink, €15.00 (Euros) for all subsequent drinks.

During his interview, we asked MG Lewis to explain his \$1755.98 bill from the club. He replied that “I think there were two or three bottles of champagne, lots of drinks . . . there’s not an itemized list [of his club purchases].” We asked him to describe the size of the champagne bottles he charged to his GTCC. MG Lewis replied, “champagne bottle, like Dom kind of thing.” We asked him if he was referring to Dom Perignon, and he answered, “yes.” MG Lewis told us the manager at the Rome club he patronized told him the champagne was “\$400 or €400 Euros or whatever it was a bottle.”

The Cica Cica Boom club’s price list, which is found at every table, is shown in Figure 8. The front cover of this price list, which we are not reprinting in this report, displays a photo of a female wearing a garter belt, lace-topped thigh-high stockings, bare buttocks, and a black *Carnivale*-style mask. Under this photo are the words “Night Club – Floor show – Lap Dancers,” followed by the address and phone number of the Cica Cica Boom club.

As noted in Figure 8, the list includes the price for a bottle of “Dom Perignon” as €400. MG Lewis’ description of pricing for his drinks was consistent with the price list at the Cica Cica Boom club.

MG Lewis claimed in his response to our TCL, however, that we mischaracterized the club where he used his GTCC in Rome as a “sexually oriented establishment” in an effort to cast “the worst light possible” on his activities. We disagree that we mischaracterized the sexually-oriented nature of the Cica Cica Boom club. In our TCL we accurately reported the descriptions the Cica Cica Boom club’s website and street signage provided of lap dances and sexy shows, which indicated a sexually-oriented business. To address MG Lewis’ disputation as to the type of club he went to, the DCIS special agent photographed the interior and we provide several of these photographs below, although we are not reprinting all of them.

As depicted in Figure 9, a picture taken by the DCIS special agent, the dance floor was adjacent to the elevated stage with stripper poles and a lap dance chair.

Figure 9. Cica Cica Boom club’s dance floor, stripper poles, and lap dance chair



Figure 10 is a picture from a closer perspective of the elevated stage, floor-to-ceiling stripper poles, and lap dance chair taken by the DCIS special agent inside the Cica Cica Boom club.

Figure 10. Cica Cica Boom club stage, stripper poles, and lap dance chair



Additionally, the DCIS special agent reported that there were 4 to 6 posters of women, some topless and some wearing lingerie, lining the corridor from the club's entry to the initial staircase. One of these posters which patrons had to walk past before entering the bar and stage area, showed a topless female adult film actress.

Hawaii and Malaysia, October 30 – November 7, 2015

Official travel-related conduct in Hawaii

On November 5-6, 2015, MG Lewis travelled to Hawaii as a member of the Secretary of Defense's delegation. He arrived with the delegation at their hotel in Honolulu at approximately 4:45 p.m.

Prior to the delegation's trip, MG Lewis communicated via email with a female enlisted Service member with whom he and at least one other member of the traveling delegation had previously served, and arranged to meet her during the delegation's stop in Hawaii. The female enlisted Service member was stationed in Hawaii. She told us that during prior service with MG Lewis, they had a senior enlisted and senior officer relationship and she viewed MG Lewis as "trustworthy" and a mentor. She also said that she served as a "venting outlet" for MG Lewis and that he confided in her regarding personal and professional issues. Upon reassignment to duties in separate locations, MG Lewis and the female enlisted Service member maintained

informal communication; he told us he contacted her “periodically” and she told us they communicated approximately once every 6 months.

A special agent assigned to the Secretary of Defense’s protective detail and on duty at the delegation hotel told us that on November 5, 2015, shortly after 6:30 p.m., the female enlisted Service member arrived at MG Lewis’ room at the delegation hotel. The female enlisted Service member told us that she and MG Lewis consumed approximately one beer each in MG Lewis’ room before leaving for dinner. MG Lewis told us that he could not recall consuming any alcohol in his room before dinner. The female enlisted Service member stated that they stayed in MG Lewis’ room for 45 minutes. MG Lewis estimated that they stayed in the room for a “few minutes.”

A delegation member told us that MG Lewis and the female enlisted Service member left MG Lewis’ hotel room together at approximately 7:30 p.m. As they left the hotel, they met another delegation member. After a short conversation with the other delegation member, MG Lewis and the female enlisted Service member walked to an Italian restaurant near the hotel. MG Lewis and the female enlisted Service member both told us that they could not recall the restaurant’s name. MG Lewis and the female enlisted Service member dined alone at the restaurant for approximately 90 minutes. According to them both, each consumed approximately two glasses of wine. MG Lewis paid for the meal and drinks. They departed the restaurant together at approximately 9:15 p.m. and walked to a beach restaurant in Waikiki, where they joined other members of the Secretary of Defense’s delegation. The Secretary did not attend the gathering at the beach restaurant.

MG Lewis and the female enlisted Service member arrived at the beach restaurant at approximately 9:30 p.m.¹⁴ MG Lewis mingled with other Secretary of Defense delegation members. MG Lewis told us that he did not think he spent time alone with the female enlisted Service member at the beach restaurant. The female enlisted Service member recalled a private conversation with MG Lewis at the beach restaurant.

Two witnesses observed MG Lewis and the female enlisted Service member walking alone on the beach adjacent to the beach restaurant. One of the two witnesses stated that MG Lewis and the female enlisted Service member took two walks alone on the beach. This witness said that she observed MG Lewis holding the female enlisted Service member’s “upper arms” while they were alone on the beach. The witness told us that MG Lewis and the female enlisted Service member stood facing one another – about 2 to 3 inches apart – and that MG Lewis had his arms on the enlisted female Service member’s shoulders as they talked. The other witness that observed MG Lewis and the female enlisted Service member walking alone on the beach did not observe any physical contact. This witness told us that he “stopped tracking them” after they started their walk on the beach.

¹⁴ Several Secretary of Defense travel delegation members had arrived at the beach restaurant earlier in the evening. November 5, 2015, was the last day before the delegation returned to the continental United States, and the gathering at the beach restaurant was, in part, recognition of a successfully completed Secretary of Defense overseas trip.

Both MG Lewis and the female enlisted Service member denied walking on the beach together. The female enlisted Service member acknowledged that they stood on the beach together to the side of the beach restaurant and talked alone.

MG Lewis said that he consumed four or five beers, at least one shot of alcohol, and one mixed drink while at the beach restaurant. He told us that the female enlisted Service member consumed at least six drinks over the course of the evening. MG Lewis stated that neither he nor the female enlisted Service member were “stone sober” when they left the beach restaurant. The female enlisted Service member told us she had a “cheerful buzz.”

Two witnesses observed that the female enlisted Service member was under the influence of alcohol or drunk. Three witnesses stated that MG Lewis was under the influence of alcohol, drunk, or intoxicated. One female delegation member told us she “had stopped drinking pretty early on at [the beach restaurant] once [she] realized that there was some odd stuff going on.” This female delegation member was the witness that observed MG Lewis holding the female enlisted Service member’s upper arms and shoulders on the beach.

MG Lewis, the female enlisted Service member, and the female delegation member discussed above left the beach restaurant around midnight. The hotel was a short walk from the beach restaurant. At the hotel, the female delegation member and the female enlisted Service member stopped for a few minutes in the female delegation member’s room and then went together to MG Lewis’ hotel room.¹⁵

The female delegation member told us that shortly after she and the female enlisted Service member went to MG Lewis’ hotel room, MG Lewis asked her to retrieve a work-related “tri-fold” with the next day’s schedule. The female delegation member found the timing of the request odd and also felt uncomfortable leaving MG Lewis and the female enlisted Service member alone in MG Lewis’ room. However, the female delegation member stated that she left the room to retrieve the tri-fold because she felt MG Lewis pressured her to do so. She said she left the door ajar on the security hook as she left. She retrieved the tri-fold from her room and immediately returned to MG Lewis’ hotel room, where she found MG Lewis’ hotel room door closed and locked.

The female delegation member told us she decided to retrieve a key for MG Lewis’ hotel room from the security control room. The security control room log confirms that she retrieved MG Lewis’ hotel room key at 1:06 a.m. She then used the key to enter MG Lewis’ hotel room without knocking.

The female delegation member told us that when she entered the room she had a side view of MG Lewis and the female enlisted Service member “fully embracing” on the hotel room balcony. She observed that MG Lewis’ and the female enlisted Service member’s “arms were around each other.” She told us that MG Lewis and the female enlisted Service member “disengaged [their] embrace” immediately when the female delegation member walked in. She

¹⁵ They had determined previously that the female enlisted Service member would sleep in the female delegation member’s room rather than drive to another location to sleep after drinking.

said that she then gave the tri-fold to MG Lewis and “pleaded” with the female enlisted Service member to leave the room with her.

The female delegation member stated that she told MG Lewis, “Sir, respectfully, you’re being really stupid. Don’t do this. She needs to come and stay in my room.” She said that MG Lewis responded, “... you know me. I wouldn’t do anything I shouldn’t do.” She said that MG Lewis “escorted” her out of the room by placing his hand on her elbow and forearm and guiding her to the door. She added that the female enlisted Service member remained on the balcony while MG Lewis escorted her out of the room. The female delegation member stated, “[MG Lewis] walked with me all the way to the door, like, out the door, and shut the door, and then I cried.”

The security control room log established that the female delegation member returned MG Lewis’ hotel room key at 1:09 a.m. The two control room special agents on duty at the time described the female delegation member as “angry,” “red in the face,” and “misty eyed” when she returned the key. She described herself as “teary eyed.”

The female delegation member told us that she then returned to her hotel room, “started bawling,” called her husband, and told him what had just happened. She told us “I just called my husband crying ... I tried to do everything in my power to not have this situation happen ... and it happened. And I was extremely frustrated and drained at that point.”

The female enlisted Service member told us that she did not recall the female delegation member exiting to retrieve a tri-fold and returning to MG Lewis’ hotel room. However, she remembered that the female delegation member encouraged her to leave MG Lewis’ room. She added that MG Lewis was irritated that the female delegation member asked her to leave MG Lewis’ room with her.

The female enlisted Service member said that she was in the hotel room alone with MG Lewis for approximately 30 minutes after MG Lewis escorted the female delegation member out of his room. She added that they both had one more beer during that time. She stated that MG Lewis told her that he had some things he wanted to talk to her about “in private.” She said that the only time she and MG Lewis hugged was a goodbye hug as she left the room.

The female enlisted Service member told us that because of her prior experience with MG Lewis, she was comfortable staying behind in the room with him. She stated:

I’m feeling completely fine and I know what I’m doing and I’m totally not awkward, not feeling awkward. Because we’ve talked in private so many times, I’m thinking, “He’s got something on his chest he’s going to talk to me about.”

The female enlisted Service member said that once they were alone, MG Lewis began “talking in circles.” The female enlisted Service member attributed MG Lewis’ repetitious talk to his intoxication.

The female enlisted Service member told us that MG Lewis “attempted physical contact” while she was in MG Lewis’ hotel room. She described the incident as follows:

When he would talk he would walk forward, come closer to the point that I would walk back until I had no place to, until I backed into the wall basically. And that was it, because I was kind of doing, like, you know, like, "Come on, sir," you know, this is my point, this is when I knew it's time to leave. I did that. He – nothing happened, but that was my – he knew. He knew I was serious.

The female enlisted Service member demonstrated to our investigators how she held both of her hands palms outward approximately 9 inches from her chest during the above incident as a way to make sure MG Lewis knew that she was not interested in his advances. She added that her hands touched MG Lewis' shirt as he moved closer to her and that he stopped immediately.

We asked the female enlisted Service member what she thought MG Lewis' intentions were in that moment when he moved toward her and she put up her hands to stop him. She responded that "he wanted something more to happen, and I thought it was definitely because it was alcohol-induced. ... I know he wanted some form of physical contact at that point."

She said that immediately after the attempted physical contact, she told MG Lewis that it was time for her to leave. She told us that MG Lewis neither objected to her leaving nor said anything to her about what had taken place.

The female enlisted Service member said she told her mother about the incident the day after it occurred. She told her mother, "I think [MG Lewis] wanted to kiss me." The female enlisted Service member clarified in an email to investigators subsequent to her interview that, "there was a point (which I believe was related to his drinking) where he [MG Lewis] attempted to kiss me."

During her interview the female enlisted Service member stated that she believed MG Lewis' behavior was inappropriate because:

Well, number one, it's fraternization, number one. Two, his position – I still look at him like someone that I respect and look up to, and as a mentor. So I look at him through professional lenses. Three, he's a married man. Four, even if we were both single, it's just not – he's not someone I would be interested in. But, mainly, it's just the position thing and the fact that he's married.

We determined that on November 6, 2015, at 2:11, 2:12, and 2:16 a.m., MG Lewis placed calls to the female delegation member's personal cell phone. Each attempt resulted in a "missed call" because the female delegation member had turned off her cell phone. MG Lewis told us he called the female delegation member's hotel room number, woke her, and told her that the female enlisted Service member was on her way to sleep in the female delegation member's room for the remainder of the night as previously arranged. The female delegation member told us:

And so I just felt like, again, pit in my stomach. I undid the latch on my door and got back in bed.... When [the female enlisted Service member] came in my room, it was dark and I didn't say a word to her. At all. I didn't say anything.

The female enlisted Service member told us:

[MG Lewis] walked me over there, we knocked on the door. She [the female delegation member] opened the door, but we could tell he woke her up ... after that I said, "I'm here, and I'm okay." She's, like, "Okay," and fell back asleep.

In his interview, MG Lewis told us that he did not recall asking the female delegation member to retrieve a work-related "tri-fold" or the female delegation member asking the female enlisted Service member to leave MG Lewis' room with her. MG Lewis stated that the female delegation member decided to leave his hotel room when she "was ready to go." MG Lewis told us that the female enlisted Service member remained in the room with him for "much less than [30 minutes], I think." MG Lewis stated that they talked about the female enlisted Service member's family and her military career.

MG Lewis told us how the female enlisted Service member's stay in his hotel room ended:

I called [the female delegation member] and told her it was, you know, [the female enlisted Service member] needed to get down there and get some sleep. And I got a hold of her on her hotel phone and I sent her down to the room.... I think I opened the door and said "that's the ... room [the female delegation member] was in, hey, it's right down there."

MG Lewis denied trying to kiss the female enlisted Service member. The first time we asked him if he tried to kiss the female enlisted Service member, he replied, "I do not recall that." When we asked him to clarify whether he attempted to kiss her, he replied, "I did not."

MG Lewis also denied that he attempted to or actually physically touched the female enlisted Service member. He stated, "I know me and I know our senior-senior relationship ... that is not something that happened. That is not something that happened." When asked about whether there was a goodbye hug, MG Lewis told us "I don't think so."

MG Lewis' TCL response regarding official travel-related conduct in Hawaii

In his TCL response, MG Lewis wrote:

[The female delegation member] left the room on her own accord, but I expected that she would return. Even during the short period I was alone in my room with the [female enlisted Service member] our discussion remained the type of conversation a command team would engage in. [The female delegation member] returned to my

room and let herself in; I was always aware the security team kept continuous access to our delegation room. [The female enlisted Service member] departed soon thereafter to [the female delegation member's] room.

In his response to the TCL, however, MG Lewis did not specifically address the testimony that he attempted to kiss the female enlisted Service member.

MG Lewis also stated in his TCL response:

At no point does the report detail [the female delegation member's] level of intoxication when describing any of these events she testified to but she drank every part of the evening I saw her and was at [the beach restaurant] before I arrived.

In response to MG Lewis' observation, on August 29, 2016, we contacted the female delegation member again and asked her to clarify the details of her alcohol consumption the evening of November 5, 2015, in Hawaii. She told us that she had three alcoholic beverages between approximately 6:00 pm and 9:00 pm: one glass of wine with dinner at a sushi restaurant, a Mai Tai at the beach restaurant with her second dinner that evening, and another Mai Tai at the beach restaurant after dinner. She also told us that she did not have any alcoholic beverages after approximately 9:00 pm and that she switched to apple juice in a Mai Tai glass at that time "so that people wouldn't buy me a drink [since] it looked like I already had one." The female delegation member observed MG Lewis embracing the female enlisted Service member on his hotel room balcony shortly after 1:00 am on November 6, 2015. According to the female delegation member this was four hours after she stopped drinking alcoholic beverages.

We also reviewed testimony from witnesses who recalled observing the female delegation member at the beach restaurant or immediately thereafter. One witness told us that he "believed [he] smelled the odor of an alcoholic beverage" on the female delegation member when she retrieved the key to MG Lewis' hotel room from the delegation's security control room. An additional witness described the female delegation member as "helping [MG Lewis] back to the hotel because [MG Lewis] was under the influence." None of the witnesses told us the female delegation member appeared intoxicated. Two witnesses specifically told us that the female delegation member was not intoxicated.

Official travel-related conduct in Malaysia

In November, 2015, MG Lewis travelled to Kuala Lumpur, Malaysia as a member of the Secretary of Defense delegation. On the evening of November 3, 2015, the delegation hosted an event in the hotel's executive lounge. MG Lewis described the event as "informal drinks with the press, background, probably not really completely off the record, but background with the press."

Approximately 10 members of the Secretary of Defense delegation attended the event, along with press members travelling with the delegation. MG Lewis spoke with the press during the event. The Secretary of Defense did not attend. The hotel provided complimentary

beverages, including alcoholic beverages, and food. Delegation members moved smaller tables in the executive lounge closer so they could sit together.

According to several witnesses, over a 30- to 40-minute period during the event MG Lewis and a female DoD civilian subordinate supporting the delegation sat very close together at a table and shared a cigar. According to a witness, MG Lewis and the female DoD civilian sat “less than a foot apart, 10 inches or so.”

One witness described the interaction as follows:

[T]here was a little bit of kind of arms around each other at times while [MG Lewis and the female DoD civilian were] talking, like, whispering down. Definitely touching of arms, touching of hands. It seemed extremely intimate. And I felt – it definitely raised a red flag for me. I’d never seen [MG Lewis] in a situation like that with another woman.... [T]o me, it seemed like an intimate situation.... I don’t know what they were saying to each other, but it seemed – it did not seem innocent. It didn’t seem like they were just two co-workers talking about their day.

A second witness described MG Lewis and the female DoD civilian as appearing “chummy.” A third witness described their interaction as “odd.” A fourth witness described the cigar sharing as “weird” and added that the incident became a conversation point for delegation members. A fifth witness believed the cigar sharing represented “questionable behavior” by MG Lewis. A sixth witness had the following reaction:

I thought two things. One, she shouldn’t put him in that position. Two, he shouldn’t find himself in that position. You’ve got to figure out how to give some of that stuff ‘the Heisman.’

MG Lewis said in his interview that he recalled sharing a cigar with the female DoD civilian in the executive lounge in Kuala Lumpur, Malaysia. He provided the following explanation:

I can’t remember, but [the female DoD civilian] says, you know, you know, “I have never smoked a cigar before,” or whatever, and then I let her have a drag or two or three or whatever of my cigar, and I can’t tell you what I was thinking at that time. Maybe I wasn’t thinking, you know. Maybe I was just I can’t, you know, I can’t tell you what I was thinking at that time. But that’s the context. That’s the time frame. That’s you know, and I won’t deny that that happened, and that’s what I know about that piece.

MG Lewis added that he “did not recall” any physical contact with the female DoD civilian during the cigar sharing. MG Lewis told us that he consumed “maybe three beers” during the 60 to 90 minutes he was in the executive lounge. He added that his conversation with the female DoD civilian during the cigar sharing involved work-related issues, including the female DoD civilian’s background.

When we told MG Lewis that witnesses viewed the cigar exchange as an “awkward” interaction and asked him to respond, MG Lewis told us it was not his intent to make others feel awkward viewing his interactions with the female DoD civilian.¹⁶

The female DoD civilian, who no longer serves in DoD, declined our interview request.

MG Lewis’ TCL response regarding travel-related conduct in Malaysia

In his TCL response, MG Lewis asserted:

The report describes witnesses feeling “uncomfortable” that I may have sat close to the [the female DoD civilian] and shared my cigar with her, implying that we were engaging in some kind of behavior that made witnesses across the room from us feel “uncomfortable.” In fact I was socializing with all of the reporters and team members present, which the report omits.... The location described in the ROI where the delegation pulled together tables/chairs to sit together was across the room, away from the table where I was talking with the press. The views and perspectives of the individuals sitting at those tables were uncertain at best, considering the number of individuals between their location and mine.

We reviewed interview transcripts from six witnesses, all members of the delegation, who observed the cigar sharing. Each described it as occurring at the table where the witnesses were sitting. In our report, we describe accurately what the witnesses told us they observed, and their reaction to it, which they described as “questionable behavior,” “extremely intimate,” “chummy,” and “did not seem innocent.”

California, August 26 -29, 2015

Official travel-related conduct in Palo Alto

In August 2015, MG Lewis travelled to Palo Alto, California as a member of the Secretary of Defense delegation. A female enlisted Service member reported to MG Lewis’ hotel room because MG Lewis had requested to speak to her about the day’s events. The female enlisted Service member told us that she went to MG Lewis’ hotel room with a stack of briefing papers, and knocked on his door. She told us that she identified herself to MG Lewis, and he invited her to “come on in.” She stated that when she entered his hotel room, he came out of the bathroom shirtless and dressed only in gym shorts. She said that this caught her off guard and she looked down at the briefing papers to avert her eyes. When she completed her brief to him, he asked her for a document she did not have with her, and she left his room to retrieve it. She told us that when she returned later with the retrieved document and announced herself at his door, MG Lewis again invited her to come into his room. She said he was still wearing only his

¹⁶ Investigators used the term “awkward” in this question to summarize the collective testimony of witnesses who observed the incident.

gym shorts. She told us the incidents made her uncomfortable and concerned for her professional reputation because people could get the wrong impression seeing her coming out of MG Lewis' room, and him shirtless and wearing only gym shorts.

The female enlisted Service member described her concerns:

So when I left, I purposefully pushed the door all the way open because [the officer witness] was in the hallway ... I didn't want someone else to see, you know, the General just in shorts and me leaving his room and then, like, "Oh, what's going on...." So I was like, "No, no, no." Like someone else needs to make sure – like they see me exit on my own terms. Like, I didn't want anyone to talk.

The female enlisted Service member stated that upon exiting MG Lewis' room, she locked eyes with the officer in the hallway who witnessed both of her encounters with MG Lewis in his state of undress, "so there wasn't any confusion" about what happened in his [MG Lewis'] room because "he saw what I saw."

The officer who witnessed both incidents told us that after this second encounter with MG Lewis in a state of undress, the female enlisted Service member departed his doorway with a look on her face that the officer described as looking like: "I didn't want to see that." The officer added that "it was uncomfortable to her, obviously."

The officer told us he felt bad that the female enlisted Service member "kind of walked into that [situation]." He added that MG Lewis' conduct did not meet his expectations under the circumstances. The officer stated:

I'm just saying my expectation when she said who she was [at MG Lewis' door], that was the opportunity to, you know, appropriately you know, make sure, "Hey, give me a second, I mean, you know, putting on clothes," something. I was kind of expecting that. But that unfortunately wasn't the case.

The officer told us that he spoke to the female enlisted Service member later about the incident. He said that he told her, "Hey, look, [I] apologize. That is why I told you to make sure you say who it was and knock and I didn't expect that to happen." According to the officer, the female enlisted Service member replied to him, "I'm okay ... I'm a Soldier."

The officer told us that after witnessing these two encounters, he took action to ensure that the female enlisted Service member was not put in similar situations. He told us he "was just more vigilant in regards to...putting her in places where that type of thing could happen again, or just in general ... make sure she had a buddy." According to another officer in the Secretary of Defense travel delegation, the female enlisted Service member later told him about the encounters with MG Lewis in a state of undress and that she "did not feel comfortable" about them. This officer told us he took action to protect both parties, the female enlisted Service member and MG Lewis since "he's my boss, too, I protect him, as well." He wanted to make sure the female enlisted Service member was never in that situation again. He told us, "so if

someone had to go to [MG Lewis'] room, I would take her to the room or someone else would take her to the room. So there was never the pretense of anything inappropriate happening.”

Conclusions Regarding Official Travel-related Conduct

We concluded that MG Lewis misused his GTCC when he paid for personal expenses of \$1,121.25 at the Candy Bar club in South Korea, and \$1,755.98 at the Cica Cica Boom club in Rome. The Joint Travel Regulations (JTR) and Army Command Policy authorize use of a GTCC only for official travel expenses and prohibit using a GTCC for personal charges.

We also concluded that MG Lewis violated the Uniform Code of Military Justice (UCMJ), Article 107, which prohibits individuals from making false statements related to their official duties, when he made false verbal statements and a false official written statement regarding his GTCC misuse in Itaewon, Seoul. His GTCC statement and receipts confirm that he visited the off-limits Candy Bar club, where he charged \$1,121.25 in personal expenses to his GTCC, and received some form of services or benefits from those transactions. When Office of the Secretary of Defense staff asked MG Lewis if he made the charges, he denied doing so. He then executed a digitally signed declaration to Citibank attesting that he did not make the charges to his GTCC at the Candy Bar club or receive any benefit or value as a result of the transaction. MG Lewis' verbal statements to subordinates and written statement to Citibank were false. He knew that he used his GTCC there and received services. His false statements violated UCMJ Article 107 because preparing a voucher for official travel reimbursement and executing a report to the GTCC issuer relate to his official duties. The false statements caused Citibank to remove the charges from MG Lewis' GTCC account, causing financial loss to Citibank.

Finally, we concluded that MG Lewis violated UCMJ Article 133, which prohibits conduct unbecoming an officer and a gentleman. The UCMJ, Article 133 defines such conduct as disgraceful or dishonorable behavior that seriously compromises an officer's standing or his character as a gentleman. MG Lewis violated UCMJ Article 133 on multiple occasions during official travel. MG Lewis drank to excess in the presence of subordinates and foreign nationals. He visited a club in the "Hooker Hill" area of Itaewon, Seoul, that was off-limits to U.S. military personnel at the time because of its association with illicit activities. In Rome, he visited the Cica Cica Boom club, where he drank to "more than moderation" for three hours, and then brought a female foreign national escort from the club to the Secretary of Defense's hallway in the delegation hotel, where he woke up a subordinate in the middle of the night to give him his GTCC to pay his club bill. In Malaysia and Hawaii, he engaged in physical contact with female subordinates observed by witnesses where the contact was not incidental or innocuous. In Hawaii, after MG Lewis drank to the point of not being sober, his attempted kiss necessitated a female subordinate to reject and physically block his unwanted advance. In Malaysia, MG Lewis' close interactions with a female subordinate became a topic of conversation and concern among members of the travel delegation. In California, MG Lewis invited a female enlisted Service member into his hotel room twice and conducted official business with her while he was shirtless and dressed only in gym shorts. MG Lewis' overall course of conduct during official travel discussed in this report was unbecoming an officer and a gentleman.

After carefully considering MG Lewis' TCL response, re-examining previously collected evidence, and reviewing the results of additional field work, we stand by our conclusions for the reasons stated throughout this report.

B. Alleged Pentagon Misconduct

We also investigated additional allegations of misconduct relating to alleged contact with female staff members. We did not substantiate these misconduct allegations.

Hugging and Touching

Alleged inappropriate hugging

An enlisted female Service member on the Secretary of Defense's office staff told us MG Lewis once "came up and just kind of did a one arm around [a civilian female staff member] and kind of pulled her in a little bit and hugged her." The enlisted female Service member explained that the civilian female staff member "didn't hug him back or anything." She added that the other civilian female staff member "is not a very affectionate person – at all. ... She does not like affection and she does not like affection in the office." The enlisted female Service member told us that she could see the civilian female staff member's face when MG Lewis hugged her and that it was her opinion that "if it was anyone but the General," the civilian female staff member would have said, "Get the hell off me" because "she doesn't hug."

The enlisted female Service member told us that the civilian female staff member told her "every time the General sees me, he's got to hug me." The enlisted female Service member also told us the civilian female staff member stated that "When she sees [MG Lewis] coming, she makes sure she's holding something or something like that. Like, she's made mention that she gets like an internal, like, kind of, creepy feeling."

An officer assigned to the Secretary of Defense' office told us the female civilian staff member also came to him regarding MG Lewis hugging her. He told us she told him the hugs made her uncomfortable because he "he gets [in my] space." According to the officer, she told him that her solution was that she "avoid[ed] him [MG Lewis]."

The civilian female staff member told us that she found MG Lewis' hugs "weird and creepy." When asked when she first decided MG Lewis's hugs were creepy, she told us:

I would say like, hmmm, after a month of working with him. Because like I said, you know, I'm not a touchy-feely person. So anyone who's always, you know, trying to embrace or hug, I know I shouldn't, and it sounds weird, but I just always [question], "Why do we have to hug all the time?"

She told us that she never told MG Lewis that she did not like to be hugged by anyone. She explained, "I didn't know if it was myself, because I'm such a stand-offish person, or you know, maybe he's just a kind guy, and I just don't want to, you know, think bad of him." She

said she did not tell MG Lewis because she felt the conversation would have been awkward. The civilian female staff member added that she believed that had she expressed her concerns to MG Lewis, he would have “been responsive” and apologized.

Twelve witnesses confirmed that MG Lewis was routinely physically demonstrative with both male and female office personnel and not solely with the civilian female staff member. According to witnesses, MG Lewis’ physically demonstrative behavior routinely included hugs, fist bumps, and pats on the back. No witnesses told us that MG Lewis’ behavior was sexual in nature. Witnesses also told us that no one told MG Lewis that the civilian female staff member did not like being hugged.

MG Lewis declined to comment when we asked him whether being physically demonstrative was part of his leadership style.

Alleged inappropriate touching¹⁷

An officer assigned to the Secretary of Defense’s office told us that two female staff members told him that MG Lewis touched the “behind” of a female enlisted Service member assigned to the office. The officer told us this disclosure surfaced in the context of these two female staff members telling him that MG Lewis made them uncomfortable. The officer asked them for examples of what MG Lewis had done to make them feel uncomfortable. He explained the resultant conversation as follows:

[One of the female staff members told him] Well, he touched [a female enlisted Service member’s] butt. And I was like “Whoa, okay.” I said, “Has she told anybody that?” And I dug into that a little bit more, and said, “Well, you guys need to go back and tell her to go, you know, make sure that she is aware, and she can tell somebody about this, and this isn’t something that’s normal.” I said, “Are you guys sure it wasn’t like a, you know ... innocent –” You know, I asked all those questions. Like, “Was it innocent? Was it something like that?” And they were like, “Oh, you know, he likes to like put his hand on your shoulder or put his hand in the small of the back.” And I was like, “Really?”

The officer told us he had “the sense that they would” talk to the female enlisted Service member about the matter but never followed up with them to see if they did.

The first of the two female staff members that discussed this incident with the officer told us that she learned via “hearsay” that MG Lewis had touched the “butt” of the female enlisted Service member. She stated that she heard about the incident from another female staff member and the female enlisted Service member:

¹⁷ This alleged incident probably occurred in the spring or early summer 2015, although witnesses could not recall a specific date.

[The female enlisted Service member told me] ... that the General like kind of patted her on the back and then when he dropped his hand, his hand touched her butt. By nature, I'm a very humorous person, so I was, like, "What? [The female staff member held up her hand and said:] Show me on this doll [her hand] where he touched your butt," you know, just pointed my hand like I just did, and she started laughing. And I said, you know, "Like this?", and I put my hand on her back and then I just dropped my hand. She's like, "No." And I was like, "Well, show me. Like, show me on me. It's okay." So she put her hand on my back and then she just kind of like lowered her hand, but still like the hand followed the curve of your butt, and I was like, "Yeah, he definitely touched your butt." Like, you can't pat someone on the back and then drop your hand and still like cup their bottom. That's not how your hand naturally falls. [The second female member] was with her when this happened and ... said the same thing, like, "Yeah, I saw it. He basically just touched her butt."

The second female staff member told us that she witnessed MG Lewis' hand "brush up against" the female enlisted Service member's "bottom" as she was standing in "our doorway." She explained:

[The female enlisted Service member] was standing in the doorway, and it was with his hand. He had come up behind her and brushed up against her. I want to say it was open palm, hmm, it was enough to where she like was, you could see it in her face, she had a facial expression, like of a surprised look. So at that moment, when I saw that and after he walked away, I was like, "Did he touch you?" And like I wanted to confirm that with her. And she was like, "Yeah, he definitely did." ... [H]e saw her standing in the doorway, came up as in "Hey, guys, what's going on?" and he brushed up against her.... [H]er rear end.

The second female staff member told us that the contact was a "one-second" touch and that she told the first female staff member about the incident.

The female enlisted Service member gave us a different firsthand account. She told us that the incident occurred when she was alone with MG Lewis in his office early in the morning after she went into his office to deliver some paperwork. She stated that MG Lewis patted her on the back and that his falling hand hit her "butt." She said that the touch on her butt lasted "not even a second." She added:

I didn't feel like violated or anything like that, it was just I thought that it was, I mean, an honest mistake.... I would say it's more awkward than anything.... I took it as like it was an honest thing that I thought -- that I believed happens to just anybody.

The female enlisted Service member told us that MG Lewis apologized to her, saying “Oh, I’m sorry.”

The female enlisted Service member told us she told the first female staff member that “I was in there talking with [MG Lewis], and he accidentally hit my butt.” The female enlisted Service member told us that this was a one-time incident; nothing like this happened before or after this occurrence in MG Lewis’ office.

MG Lewis told us, when asked to respond to the allegation, “[the allegation is] just not true.” When asked if it could have occurred unintentionally, MG Lewis told us “[t]here’s no way that that could have happened.”

Conclusion regarding alleged Pentagon misconduct

We concluded that MG Lewis did not violate UCMJ Article 133, which prohibits conduct unbecoming an officer and a gentleman as defined previously in this report, in the hugging and touching incidents in the Pentagon. Regarding hugging, we determined that MG Lewis’ physically demonstrative behavior toward the civilian female staff member was not sexual in nature, was not limited solely to her, and was not directed at only one gender. No office personnel other than the civilian female staff member told us they were uncomfortable with MG Lewis’ physically demonstrative interactions, and no office personnel informed MG Lewis that the civilian female staff member was uncomfortable with the types of hugs he engaged in with office personnel. Regarding the touching incident, because the second female staff member’s account differed from the female enlisted Service member’s, we considered whether the touching incident the second female staff member described was possibly a separate additional touching incident. We determined that only one touching incident occurred between MG Lewis and the female enlisted Service member. The female enlisted Service member told us she was alone with MG Lewis, there were no witnesses, there was only one isolated unintentional incident, the incident lasted “not even a second,” and MG Lewis apologized.

V. OVERALL CONCLUSION

MG Lewis misused his GTCC by paying for personal expenses at establishments in South Korea and Italy.

MG Lewis made false official statements to subordinates and to Citibank regarding charges he made to his GTCC for personal expenses.

MG Lewis engaged in conduct unbecoming an officer and a gentleman on multiple occasions during official travel, as described throughout this report.

VI. RECOMMENDATION

We recommend that the Secretary of the Army take appropriate action regarding MG Lewis.

Appendix A¹

False Official Statement

Uniform Code of Military Justice (UCMJ), Article 107, “False Official Statements”

Any person subject to this chapter who, with intent to deceive, signs any false record, return, regulation, order, or other official document, knowing it to be false, or makes any other false official statement knowing it to be false, shall be punished as a court-martial may direct.

Elements

1. The accused signed a certain official document or made a certain official statement;
2. The document or statement was false in certain particulars;
3. The accused knew it to be false at the time of signing it or making it; and
4. The false document or statement was made with the intent to deceive.

Explanation

1. *Official documents and statements.* Official documents and official statements include all documents and statement made in the line of duty.
2. *Status of victim of the deception.* The rank of any person intended to be deceived is immaterial if that person was authorized in the execution of a particular duty to require or receive the statement of document from the accused. The government may be the victim of the offense.
3. *Intent to deceive.* The false representation must be made with the intent to deceive. It is not necessary that the false statement be material to the issue inquiry. If, however, the falsity is in respect to a material matter, it may be considers as some evidence of the intent to deceive, while immateriality may tend to show and absence of this intent.
4. *Material gain.* The expectation of material gain is not an element of this offense. Such expectation or lack of it, however, is circumstantial evidence bearing on the element of intent to deceive.
5. *Knowledge that the document or statement was false.* The false representation must be one which the accused actually knew was false. Actual knowledge may be proved by circumstantial evidence. An honest, although erroneous, belief that a statement made is true, is a defense.

¹ We applied UCMJ articles in evaluating LTG Lewis’ behavior, but reached our administrative conclusions based on a preponderance of the evidence standard. It is up to the appropriate commander and the military justice system to determine whether the articles are violated based on the beyond a reasonable doubt standard. We advised LTG Lewis of his UCMJ Article 31(b) rights in the presence of his detailed defense counsel to preserve the Army’s disposition options in this case.

Government Travel Charge Card Misuse

Joint Travel Regulations (JTR), Uniformed Service Members and DoD Civilian Employees, October 1, 2014

Chapter 2, "Official Travel," Part G: "Government Travel Charge Card (GTCC) Use"

Section 2500, "DoD Policy," states it is DoD general policy that the GTCC be used by all personnel to pay for all costs incidental to official business travel, unless otherwise specified.

Section 2515, "GTCC Use and Restrictions," states that charging personal travel expenses to a GTCC is misuse. A DoD traveler who misuses a GTCC is subject to administrative and/or disciplinary action.

Army Regulation 600-20, "Army Command Policy," November 6, 2014

4-21. Misuse of Government travel charge cards

Members of the Army are provided GTCCs to facilitate official travel and official travel related expenses away from the Soldier's official duty station. Individual accountability for the management of the GTCC is vital for the continued success of the Government charge card program. The GTCC will not be used for personal, family, or household purposes. Misuse of the GTCC is prohibited.

Misuse of a GTCC includes any improper or fraudulent use of a GTCC, including any use at establishments or for purposes that are inconsistent with the official business of the Army or with applicable standards of conduct. Improper use of the GTCC is defined as using the charge card for items or expenses that are not reimbursable as part of official travel or other official duties.

Conduct Unbecoming an Officer and a Gentleman

UCMJ, Article 133, "Conduct Unbecoming an Officer and a Gentleman"

Any commissioned officer, cadet, or midshipman who is convicted of conduct unbecoming an officer and a gentlemen shall be punished as a court-martial may direct.

Elements

1. That the accused did or omitted to do certain acts; and
2. That, under the circumstances, these acts or omissions constituted conduct unbecoming an officer and gentleman.

Explanation

1. *Gentleman.* As used in this article, “gentleman” includes both male and female commissioned officers, cadets, and midshipmen.

2. *Nature of offense.* Conduct violative of this article is action or behavior in an official capacity which, in dishonoring or disgracing the person as an officer, seriously compromises the officer’s character as a gentleman, or action or behavior in an unofficial or private capacity which, in dishonoring or disgracing the officer personally, seriously compromises the person’s standing as an officer. There are certain moral attributes common to the ideal officer and the perfect gentleman, a lack of which is indicated by acts of dishonesty, unfair dealing, indecency, indecorum, lawlessness, injustice, or cruelty.

Not everyone is or can be expected to meet unrealistically high moral standards, but there is a limit of tolerance based on customs of the service and military necessity below which the personal standards of an officer, cadet, or midshipman cannot fall without seriously compromising the person’s standing as an officer, cadet, or midshipman or the person’s character as a gentleman. This article prohibits conduct by a commissioned officer, cadet or midshipman which, taking all the circumstances into consideration, is thus compromising. This article includes acts made punishable by any other article, provided these acts amount to conduct unbecoming an officer and a gentleman. Thus, a commissioned officer who steals property violates both this article and Article 121. Whenever the offense charged is the same as a specific offense set forth in this Manual, the elements of proof are the same as those set forth in the paragraph which treats that specific offense, with the additional requirement that the act or omission constitutes conduct unbecoming an officer and gentleman.

3. *Examples of offenses.* Instances of violation of this article include knowingly making a false official statement; dishonorable failure to pay a debt; cheating on an exam; opening and reading a letter of another without authority; using insulting or defamatory language to another officer in that officer’s presence or about that officer to other military persons; being drunk and disorderly in a public place; public association with known prostitutes; committing or attempting to commit a crime involving moral turpitude; and failing without good cause to support the officer’s family.



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